



Appeal Decision

Site visit made on 6 September 2022

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th September 2022.

Appeal Ref: APP/N5660/W/22/3293569

First Floor, 213 Norwood Road, London SE24 9AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Valmai Barclay against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 21/03510/FUL, dated 3 September 2021, was refused by notice dated 23 November 2021.
 - The development proposed is existing timber sash windows in white finish to be replaced with Pvcu sash windows in white finish.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character and appearance of the Brockwell Park Conservation Area (CA), within which the site lies.

Reasons

3. The CA consists of Victorian and Edwardian houses surrounding Brockwell Park itself, centred on Brockwell House. Dwellings consist of terraces and pairs of buildings with largely consistent detailing, fenestration design and external materials. Whilst some dwellings within the CA have replacement uPVC windows, many are timber and of traditional design.
4. The significance of No 213, including its first floor flat, is that it retains much of its original form and detailing. Although there have been alterations to the property, including uPVC windows at second floor level, the building adds to the uniform appearance of the wider terrace and so makes a positive contribution to the character and appearance of the CA.
5. The proposal aims to replicate the traditional pattern of the existing windows, using narrow frames, slender glazing bars, a sash opening style and a white finish. However, the proposed material would have a modern and less refined and natural appearance than timber, with different reflective qualities, such that the windows would appear incongruous and out of place. The use of a different material to the existing would be contrary to the Building Alterations and Extensions Supplementary Planning Document, 2015 (SPD), that replacement windows should generally use the same material as original.
6. The proposal would not be as chunky as some uPVC windows, but it would be heavy in detailing, with a higher bottom rail than the existing windows, and a

moulded 'putty' bar which would add additional bulk. Applied glazing bars as proposed can loosen and fall off, and so appear odd and unsightly, with their use being discouraged by the SPD. Therefore, although the proposal may be easier to maintain, it would detract from the uniform appearance of the building, the terrace and the CA as a whole.

7. My attention has been drawn to other buildings where uPVC windows have been approved. The background to these cases has been provided to me and I saw them on my visit. 141 Norwood Road¹ is a similar property to the appeal site and is also within the CA. However, permission for uPVC windows was granted here because they were considered preferable to the previous aluminium and uPVC casements, which had a non-sash opening arrangement but had become lawful. This differs from the appeal site, which has existing sash timber windows, so limiting the extent of useful comparison.
8. Meath House, Dulwich Road² is a large, eight-storey purpose-built residential block. The form, height, scale and design of this building is considerably different to the appeal site. Although adjacent to a listed building, it does not lie within a CA. The modern design of Meath House, which contrasts with its surroundings, meant that the approved uPVC windows were not considered to harm its architectural components. These differences mean that little comparison can be drawn to No 213. Neither convinces me that the effect of the proposal, which I have considered on its own merits, would be justified.
9. The proposal would result in harm to the property's character and appearance, and to that of the CA as a whole. The statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. The proposal would have a negative effect on the significance of the designated heritage asset (the CA) and would result in less than substantial harm in the words of the National Planning Policy Framework (the Framework). I am required by the Framework to give great weight to such harm.
10. I have weighed this harm against any public benefits. The proposal may well be more energy efficient, providing a better level of insulation and helping with increasing heating and energy bills. It may also assist in avoiding condensation and mildew. However, these are largely private benefits and so are not of sufficient weight to overcome the harm that I have identified.
11. I conclude that the proposal would not preserve or enhance the character and appearance of the Brockwell Park CA as a whole and that the public benefits of the proposal would not outweigh this harm. As such, it would be contrary to policies Q5, Q11 and Q22 of the Lambeth Local Plan 2020-2035 (adopted September 2021). These policies require that proposals respond positively to heritage assets, including in terms of their fenestration materials, joinery and detailing, using authentic reproduction where necessary. For similar reasons it would also conflict with the SPD, and the Framework.

Conclusion

12. For the reasons given, there would be conflict with the Development Plan, read as a whole. No material considerations have been shown to have sufficient

¹ LPA reference 18/0545/FUL

² LPA reference 21/00122/RG3

weight to warrant a decision other than in accordance with it. I therefore conclude that the appeal should be dismissed.

O Marigold

INSPECTOR