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# Appeal Decision

Site visit made on 14 October 2022

**by A M Nilsson BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 20 October 2022**

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**Appeal Ref: APP/E5330/W/22/3297531**

**Flat 12 Fentons, Vanbrugh Park Road, Blackheath SE3 7NJ**

- 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 Mr Jack Paynter against the decision of Royal Borough of Greenwich.
  - The application Ref 21/3179/F, dated 30 August 2021, was refused by notice dated 8 November 2021.
  - The development proposed is the replacement of existing Crittall windows with uPVC windows on the front and rear elevations.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. I have taken the description of development from the Council's Decision Notice as this is more precise.

## Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character and appearance of the Blackheath Conservation Area (BCA).

## Reasons

4. The appeal property is a first-floor flat within a four-storey block of 8 flats on Vanbrugh Park Road. It is one of two blocks that make up Fentons, with the other block being of a similar, although not identical, design sitting adjacent to the block containing the appeal property. It is located within the Blackheath Conservation Area which is characterised as predominantly covering a residential area with a wide range of property styles that are recognised for their special architectural and historic value. The appeal property is also within the Greenwich World Heritage Site Buffer Zone.
5. The proposed development involves the removal of the existing Crittall (metal) windows and their replacement with uPVC windows to the front and rear.
6. I observed on my site visit that four of the 8 flats in the block which contains the appeal property have uPVC windows, whilst none of the units in the adjacent Fentons block have uPVC windows. Although they are separate blocks, owing to their similarity, it is appropriate to consider them together.

7. The uPVC windows that have been installed have notably thicker frames and are slightly less recessed into the surround than the thinner and deeper set Crittall windows. They do not make a positive contribution to the BCA. It is clear to me that the existing traditional Crittall windows positively contribute to the character, appearance and historic significance of the appeal building and the wider conservation area in a manner which the uPVC windows do not.
8. I therefore find the proposed windows to be unsympathetic to the traditional appearance and the positive contribution the appeal property and building as a whole make to the area. The proposed uPVC frames would be of limited architectural or historical merit.
9. Although there are existing uPVC windows on the block containing the appeal building and in the wider area, I am concerned that allowing additional examples would serve to exacerbate the harm that already exists and would incrementally erode the significance of the block in the BCA. I am also required to determine the appeal on its own individual planning merits. Either way, their presence does not justify allowing harmful development or further harm to be caused.
10. The appellant has referred to the fact that the windows to no.11 were granted planning permission in 2017. Whilst I acknowledge the decision, I am not bound by the Council's previous decision, which predates the current London Plan and National Planning Policy Framework and have determined the appeal based on the evidence before me and on its own individual merits.
11. The appellant considers that replacement steel windows would detract from the uniformity of the building, however this has not been substantiated and I give this argument limited weight in the appeal.
12. The proposed development would therefore not preserve or enhance the character and appearance of the BCA. Accordingly, it would be contrary to Policies DH1, DH3 and DH(h) of the Royal Greenwich Local Plan Core Strategy (2014) and Policies HC1 and HC2 of The London Plan (2021). These policies require, amongst other things, that development within conservation areas should preserve or enhance their character and appearance.

### **Other Matters**

13. The appellant has outlined the costs associated with the installation of steel windows as opposed to uPVC, with steel being more expensive. Although I do not dispute that there may be a greater cost, no financial information has been submitted to give this point significant weight. Whilst I acknowledge the financial implications, particularly at a difficult time for many people, this does not justify allowing harmful development.
14. The appellant has referred to greater energy efficiency of the proposed windows, and that this is a public benefit of the proposed development. There is nothing before me however, to suggest that improved energy efficiency could not be achieved with windows of a more appropriate appearance. I therefore give this argument limited weight in the appeal.
15. Similarly, I am not persuaded that the proposed windows are the sole means of improving security or overcoming problems associated with mould and condensation.

### **Planning Balance and Conclusion**

16. Having regard to paragraph 202 of the National Planning Policy Framework, I find that the harm to the BCA is relatively localised and therefore the development causes less than substantial harm to the significance of the BCA. I do not, however, find that this harm is outweighed by any public benefits of the development.
17. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

*A M Nilsson*

INSPECTOR