



Appeal Decision

Site visit made on 8 November 2022

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2022

Appeal Ref: APP/C5690/W/22/3302817

6A Havelock Walk, London SE23 3HG

- 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 Ashley Williams against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/22/125335, dated 3 February 2022, was refused by notice dated 27 April 2022.
 - The development proposed is replacement of all windows and doors at ground, first and second floor levels to all elevations.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the existing building and whether it would preserve or enhance the character or appearance of the Forest Hill Conservation Area.

Reasons

3. The appeal site is a three storey building within a complex of former industrial warehouses. It is one of several such buildings converted to live/work units and is situated within the commercial core of the Forest Hill Conservation Area.
4. The significance of the Conservation Area includes a concentration of 19th and early 20th century buildings, forming a commercial centre which expanded rapidly around the railway station and former canal route during that period. Within this commercial core, there is a mix of building ages and styles, reflecting various stages of development. Although there are some modern additions, particularly at ground floor level, a high proportion of buildings retain well detailed architectural features, typical of the period, on upper floors.
5. Havelock Walk is highlighted in the Forest Hill Conservation Area Appraisal July 2010 as a good example of conservation-led regeneration. This narrow back street behind the busy commercial frontage contains a visually interesting collection of converted and rebuilt industrial warehouses, to either side of a narrow, cobbled street.
6. While much of Havelock Walk is screened from wider public view, the appeal site and the adjacent property (no. 6 Havelock Walk) are among the more prominent buildings. They are seen directly ahead as one enters Havelock Walk from the main London Road. They are also visible to a lesser extent from roads to the rear, above the courtyard of the adjacent public house. Although the

evidence indicates no. 6A is a later addition, it has a similar character and style to the older industrial warehouses.

7. In common with several of the other converted warehouses, both nos. 6 and 6A have timber framed windows, with narrow glazing bars. The external doors are of similar design and materials, with panelled timber lower sections. These include doors to balconies on the second floor at the front and a fixed door to the landing at the rear, which are the main focus of the reason for refusal.
8. While the evidence indicates the existing timber windows are not original, they nevertheless have an attractive and interesting character. The narrow glazing bars standing proud of the glass panes provide texture. The solid panels on the lower parts of the doors incorporate narrow vertical boarding. This provides further texture and has an attractive, while somewhat utilitarian, appearance that reflects the industrial origins of the building.
9. Although the proposed frames are identified as being a heritage product, this does not imply that they are appropriate within all heritage settings. In this case, the proposed replacement windows would introduce a modern material, with a flatter and less interesting surface profile and texture. The introduction of obscure glazing or flat aluminium panels in the doors would eliminate the existing vertical panelling. The retained balcony railings would only partly obscure views of the lower panels. While the size of the openings would not be altered, the proposed doors and windows within those openings would have a more clearly modern, domestic character.
10. While there is a variety of window designs in Havelock Walk, including some existing aluminium frames, timber frames are still prevalent. These appear appropriate to the period of the buildings and help to preserve the character of this distinctive street. In the main, where replacement aluminium frames have been introduced, these are located on less widely visible elevations. Furthermore, no evidence has been provided as to the previous features which they replaced, or whether the circumstances surrounding redevelopment of the other buildings were comparable to those on the appeal site.
11. Having had regard to the fact that Havelock Walk is one of the more distinctive historic locations within the commercial core of the Conservation Area, and the appeal site is one of the more publicly prominent locations within Havelock Walk, I conclude that the replacement windows and doors would be harmful to the character and appearance of both the existing building and the Conservation Area as a whole. This is particularly the case for the first and second floor door openings, as highlighted by the Council. However, since it would be visually incoherent for only some window frames to be replaced, the harm associated with those particular openings renders the proposed development as a whole harmful to the significance of the Conservation Area.
12. The harm to the significance of the Conservation Area is less than substantial, in the words of paragraph 202 of the National Planning Policy Framework July 2021 (the Framework). Nevertheless, I have attached considerable weight and importance to the desirability of avoiding such harm. This is in accordance with Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
13. Paragraph 202 of the Framework states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset,

such harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

14. While I accept that maintenance access appears challenging, due to the constrained land around the building, such access is a relatively infrequent requirement. I further note that the building was converted relatively recently, and that further alterations are proposed as part of a separate planning application, which was undetermined at the time of the Council's Officer Report. This indicates that access for construction work is not impossible.
15. In any event, there is little evidence that maintenance issues would be likely to cause a level of deterioration that would prevent the building remaining in viable use as a live/work unit. Nor would a reduced maintenance regime amount to a public benefit capable of outweighing the harm I have identified above. Any thermal efficiency gains associated with the proposed aluminium frames would be primarily of private benefit. Any public benefits in terms of wider energy efficiency standards would be very limited, given the modest scale of the proposed development.
16. For the above reasons, I have afforded these potential benefits of the proposed development limited weight, which would not outweigh the harm to the significance of the Conservation Area.
17. Taking the above matters into consideration, I conclude that the replacement windows and doors would fail to preserve the character and appearance of the existing building and of the Forest Hill Conservation Area and would not meet the requirements of section 72 of the Act.
18. For the same reasons, the proposed development does not accord with Policies HC1 of the London Plan adopted March 2021, Policy 15 of the Lewisham Core Strategy adopted June 2011, Policies 31 and 36 of the Lewisham Development Management Local Plan adopted November 2014 and relevant paragraphs in the Framework. These policies, amongst other things, require that new development preserves or enhances the character or appearance of Conservation Areas, respecting or complementing existing architectural detailing and avoiding alterations which are incompatible with the special characteristics of the area.
19. The proposed development would also conflict with the guidance in the Lewisham Alterations and Extensions Supplementary Planning Document (SPD) adopted April 2019. The SPD includes, amongst other things, guidance for replacement windows in Conservation Areas. This highlights that windows are a defining feature of a building and that the cumulative effect of unsympathetic modern windows erodes the locally distinctive quality of a designated area and harms its significance.

Other Matters

20. Paragraphs 191 and 192 of the Framework, referred to by the appellant, relate to the designation of Conservation Areas by Local Planning Authorities and access to an evidence base about the historic environment in their area. Therefore, they are of only indirect relevance to the determination of this specific development proposal.
21. While increased energy efficiency may be a relevant consideration in terms of development plan policies relating to the effects of climate change, this does

not overcome the conflict with other aspects of the development plan, for the reasons set out above.

Conclusion

22. The proposed development would result in less than substantial harm to a heritage asset, which is not outweighed by public benefits. Having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Jane Smith

INSPECTOR