



Appeal Decision

Site visit made on 8 March 2023

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 20 APRIL 2023

Appeal Ref: APP/C5690/W/22/3303847

6 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 Donall McCusker against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/22/125418, dated 8 February 2022, was refused by notice dated 27 April 2022.
 - The development proposed is replacement of all windows and doors, raising of cill height at first floor level to rear, along with re-rendering & painting of front and side elevations.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal 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 comprises a part two storey and part three storey building within a complex of live/work units situated within the Forest Hill Conservation Area (CA). 6 Havelock is prominent in its siting given it is directly viewed as you enter Havelock Walk from London Road. More limited views of the rear elevation of No 6 are gained from Devonshire Road, through gaps in the built form. The significance of the CA lies in the preserved 19th and 20th century housing and the commercial centre that developed around the railway station to serve the quickly increasing population at the time.
4. The Forest Hill Conservation Area Appraisal July 2010 (CAA) states that the CA consists of seven areas of different character which are provided by the variety of buildings, their different uses and the landscape quality. The appeal site is located within the commercial core and railway station character area where the buildings on Havelock Walk are identified as once being in industrial use, but now largely converted into live-work units or artists' studios.
5. The CAA states that Havelock Walk was built along the line of the former canal in the early 1860s and that it provides an interesting example of former industrial warehouses which have been converted into residential and workshop uses. The CAA goes on to identify that 'modern details and materials have been used in association with the original buildings to produce idiosyncratic

elevations, enlivened by balconies and planting'. There is a mix of building ages and styles, reflecting different stages of development and the time at which buildings were converted or redeveloped, however the street retains its historic character.

6. Of particular relevance to this appeal is the contribution made by fenestration detailing along Havelock Walk. There are a variety of window designs present in Havelock Walk with different, more modern materials used in some cases. However, traditional timber windows and doors remain prevalent and contribute positively to the character and appearance of the CA.
7. I note that the evidence indicates that the existing windows and doors at No 6 are not original and that they were the result of the initial conversion works in 2004. Whilst not original, the existing timber windows with narrow glazing bars and the timber doors with solid panelled lower sections do provide texture and detailing that contribute positively to the existing building and the character and appearance of the CA, with the doors in particular on the first floor of the rear elevation, reinforcing the previous commercial use of the building.
8. All but one of the fenestration openings would be retained as existing in terms of its size, however, the use of aluminium for the window frames would alter the character and appearance of the host building. The more modern material would appear flatter and would not provide the same texture or detailing that the existing timber windows provide. Whilst I recognise that a heritage style product has been put forward to limit the overall effect, this would not overcome the concerns about the more modern character and appearance that would result from the use of the materials proposed.
9. I have been referred to other examples where more modern materials have been utilised for windows and doors along Havelock Walk and in the surrounding area. I noted the presence of some aluminium frames during my site visit, however, these were located in less prominent elevations than the appeal scheme. I am not aware of the history of these other buildings in terms of what windows and doors were present previously and whether the historical development was comparable to the appeal site in this case.
10. The reduction in size of the fenestration opening at first floor level in the rear elevation would result in the removal of the double door feature with timber panelling to the bottom sections and 4 small panes of glass at the top in each side. Whilst the proposed replacement window would be in keeping with the proportions and detailing of the proposed replacement window above, the loss of the door detail which sits alongside an adjacent single door and window arrangement at 6a would alter the character and appearance of the building. The loss of that detail would erode the visual links to the commercial past of No 6. Whilst I accept that the views of the rear elevation are limited, it is visible above the outdoor seating space of the public house that fronts onto Devonshire Road, and views of it are therefore still present.
11. Given the prominence of the host building within the commercial core area of the CA, I find that the use of the proposed aluminium window frames and the reduction in size of the fenestration opening in the rear elevation would be harmful to the character and appearance of the host building and would not preserve or enhance the character or appearance of the CA.

12. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
13. The harm I have found to the significance of the CA would be less than substantial. Paragraph 202 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
14. The appellant has identified that the proposal would improve thermal efficiency and provide windows and doors of a more modern standard. They also state that current difficulties in maintenance have led to the dilapidated condition. Any thermal efficiency gains would be mainly a private benefit with any wider energy efficiency benefits being very limited, given the scale of the proposal. Whilst I recognise that the site is relatively constrained in terms of access, there is little evidence before me as to how a more limited programme for the maintenance of the building would amount to a public benefit. The proposal would not have a material effect on the optimum viable use of the CA. Therefore, there are no public benefits identified that would outweigh the less than substantial harm to the CA that I have identified above.
15. As such, the proposal does not accord with policy HC1 of The London Plan March 2021, policy 15 of the Lewisham local development framework Core Strategy Adopted June 2011 and DM policies 31 and 36 of the Lewisham local development framework Development Management Local Plan Adopted 26 November 2014. These policies seek, amongst other things, that new development proposals conserve and enhance the borough's heritage assets and that architectural characteristics and detailing of original buildings are complemented or respected. The proposal would also conflict with the relevant paragraphs of the Framework which seek to conserve and enhance the historic environment.
16. The proposal would also be contrary to the Lewisham local plan Alterations and Extensions Supplementary Planning Document Adopted April 2019 which seeks, amongst other things, to ensure that window frames, glazing bars and opening mechanisms are traditional in character and appearance so that unsympathetic modern windows do not erode the locally distinctive qualities of a designated area.

Other Matters

17. The Council have not objected to the rendering and painting of the front and side elevations that also forms part of the proposal. There is no evidence before me that would lead me to an alternative view on this element of the proposed scheme.
18. I note that the scheme before me is an amended scheme following a previously refused planning application and that the appellant has sought to resolve the issues raised previously. In any case, I must deal with the appeal before me based on its individual merits.

Conclusion

19. For the above reasons and having regard to the development plan as a whole and all other matters raised I conclude that the appeal should be dismissed.

G Dring

INSPECTOR