



Appeal Decision

Site visit made on 11 July 2023

by G Sibley MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2023

Appeal Ref: APP/C5690/W/22/3310921

Flat 4, Reginald Place, 46-50 Deptford High Street, Lewisham, London SE8 4AE

- 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 Ben Ross against the decision of The Council of the London Borough of Lewisham.
 - The application Ref DC/22/126807, dated 15 May 2022, was refused by notice dated 13 July 2022.
 - The development proposed is described as "installation of replacement double glazed uPVC window."
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Deptford High Street and St Paul's Church Conservation Area (CA).

Reasons

3. The building is located within the CA and as such I have had regard to the statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
4. The CA is focussed along Deptford High Street and the side roads leading off it. The buildings in the area vary in style with properties dating from the 1800's to modern development. The High Street is composed mostly of commercial units on the ground floor and residential above. The design of the shop fronts on the ground floor of the buildings varies considerably with a mix of fenestration details and advertisements. This has resulted in an eclectic mix of frontages with little consistency between the shop fronts.
5. Whilst the upper floors of the buildings vary in terms of architectural styles the windows along the high street are, in comparison, similarly designed. These are generally white painted timber framed sash windows that are similarly sized across the CA. There are examples of uPVC windows and casement windows in the area, but these are uncommon in comparison. Whilst there are uPVC sash windows within the CA the size of the frames and the materials used makes them stand out alongside the timber windows. Whilst these windows detract from the consistent design of the windows across this part of the CA, given the

sporadic siting of these windows they do not undermine the positive effect the consistently designed timber sash windows contribute to the character and appearance of the CA.

6. Accordingly, I find that the significance of the CA to be primarily associated with its historic commercial use and the design and styles of its buildings focussed primarily along Deptford High Street.
7. Within the Deptford High Street and St Paul's Conservation Area Appraisal and Management Plan (CAAMP) (adopted 2019) it is noted that Historic England has identified Deptford High Street as a 'conservation area at risk'. It states that the reason for risk are primarily the erosion of character through the loss of architectural features. I have identified that timber framed sash windows are a positive feature that contributes to the character of the CA. As such they are an architectural feature that could be affected by development.
8. The appeal building is a part three storey, part four storey building with a commercial unit on the ground floor. This shop front is typical in the area with advertisements above the shop front and an awning that extends over the footpath. The windows on the upper storeys are recessed and there is simple detailing around them. The windows in question are timber sash windows and are consistent with the prevailing window design along the upper storeys of the high street. Accordingly, the windows positively contribute to the significance of the CA in this location. There is a balcony on the top floor of the building and as a result, these windows are not particularly visible from the street. It is noted that some of the windows within the building have been replaced by uPVC windows. However, based on the evidence before me it is not evident that planning permission was granted for these windows.
9. Given the location of the appeal building on a corner plot between Deptford High Street and Reginald Road it is in a prominent position within the street scene with both the front and flank elevations contributing to the character and appearance of the area. The rear and flank elevations of the building can be seen from outside of the CA along Reginald Road and these wider views of the building contribute to the setting of the CA. Whilst the building itself is relatively modern, the architectural features such as the shop front and the windows on the upper storeys replicate some of the features on the older buildings that positively contribute to the significance of the CA.
10. The uPVC windows proposed would seek to replicate the timber sash windows. The existing sash windows have through glazing bars as part of the frames. In contrast, the proposed windows would have external bonded glazing bars over the single double-glazed panes. Furthermore, the overall depth of the glazed units would be deeper in profile than would be characteristic of timber framed windows. Whilst the thickness of the glass may not be overly discernible from the street, the wide cavities and the spacer bars within the units would be evident between those panes, especially when the windows were open. These would appear heavier and bulkier than the existing timber frames. This would result in a materially different appearance to the existing windows, as the applied nature of these features would be obvious when viewed from the street, as it is on other examples in the local area. The proposal would therefore erode the detailing and architectural quality of the existing building.
11. Whilst some detailed information has been provided the building is in a prominent location in a CA, which is an area that can be sensitive to new

development. Accordingly, a condition requiring details to be approved at a later date would not be appropriate in this instance.

12. Unsympathetically designed windows would create disharmony between the replacement windows and the other windows within the upper storeys of the surrounding buildings. Furthermore, the proposal only seeks to replace the windows on one floor of the building. The consistency in terms of both the style and the materials used across the upper storeys of the building and this shared consistency with the other buildings is a positive feature. The proposed replacement of just some of these windows would create disharmony across the building itself which would harm the appearance of the building as a whole. Given the limited scale of the proposals and because it would not alter the use of the building it would preserve the character of the CA. However, in light of the prominent position of the building in the CA, this disharmony would fail to preserve or enhance the appearance of the CA.
13. Given the relatively localised effect considering the context of the CA as a whole the harm to the significance of the heritage asset would be less than substantial. Having regard to paragraph 202 of the National Planning Policy Framework (revised 2021) (the Framework), whilst the harm caused to the significance of the CA would be less than substantial, it is a matter of considerable importance and weight. Furthermore, paragraph 211 of the Framework states that great weight should be given to a designated asset's conservation.
14. The replacement uPVC windows would improve the insulation and energy efficiency of the building which would lead to a reduction in the energy usage associated with it. However, given that the proposal only seeks to replace these windows on a single floor of the building the benefit associated with this would be very limited. The windows themselves are said to be in poor condition and in need of replacement, however the replacement of windows in poor condition and the associated benefits of doing so would be a benefit to the occupants and not a public benefit.
15. Therefore, the proposal would fail to preserve the appearance of the CA as a whole. The public benefits would not outweigh this harm and the proposal is therefore contrary to Policy HC1 of the London Plan (adopted 2016) and Policies 15 and 16 of the Lewisham Local Development Framework Core Strategy Development Plan Document (adopted 2011) as well as Policies 30, 31 and 36 of the Development Management Local Plan (adopted 2014). It would also not accord with the CAAMP. These policies, amongst other matters, seek to ensure that proposals are of good design and protect the character and appearance of places, including conservation areas. The proposal would also be contrary to the heritage protection principles of the Framework.

Conclusion

16. The development would not accord with the development plan as a whole and there are no material considerations which indicate that a decision should be made other than in accordance with it. Therefore, for the reasons given above and having had regard to all other matters raised the appeal is dismissed.

G Sibley

INSPECTOR