



Appeal Decision

Site visit made on 9 November 2023

by Lewis Condé Msc, Bsc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th November 2023

Appeal Ref: APP/N5660/W/23/3321712

30C Hackford Road, Lambeth, London SW9 0RF

- 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 Chris McKeon against the decision of London Borough of Lambeth.
 - The application Ref 23/00258/FUL, dated 25 January 2023, was refused by notice dated 23 March 2023.
 - The development proposed is 'new windows'.
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Decision

1. The appeal is allowed and planning permission is granted for new windows at 30C Hackford Road, Lambeth, London SW9 0RF in accordance with the terms of the application, Ref 23/00258/FUL, dated 25 January 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (Scale: 1250); Proposed Elevations (Drawing No. SC/23/36-201); and Windows Schedule and Detail (Drawing No. SC/23/36-301), except where those details are altered pursuant to the conditions of this planning permission.
 - 3) Notwithstanding Condition no.2, no replacement windows shall be installed until drawings showing the precise detailing of the windows (1:20 scale elevations and larger scale 1:5 or 1:2 detailed cross sections), have been submitted to and approved by the Local Planning Authority in writing.

The replacement windows shall be specified to have window horns to reflect those on the floors below, shall be installed to closely match the depth of reveal of existing windows, and the glazing bars are to be integrated not applied.

Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host building and surrounding area.

Reasons

3. The appeal property is a second floor flat. It is located within a three-storey end of terrace building on Hackford Road that has been sub-divided into three flats. The building's front elevation currently contains wooden sash windows throughout. The proposal would involve replacing the existing single glazed wooden windows serving the second floor flat with UPVC double glazed windows.
4. Hackford Road is a residential street primarily consisting of period terraced properties, albeit a mid-20th century development of flats lies directly opposite the appeal site. The terraced properties on Hackford Road, including the appeal building, for the most part, share a very similar appearance through their overall scale, design, and detailing. As such, they display a pleasant architectural continuity that positively contributes to the character of the area and overall streetscene, despite not being within a conservation area.
5. Although the condition of the appeal property's existing wooden windows has deteriorated, they still complement the building's architectural quality. Their proportions and appearance add a rich quality and provide a unifying element to the host building, which is also shared amongst the majority of the period properties along the street.
6. Nevertheless, even though the appeal property is located in a relatively prominent part of Hackford Road, near its junction with Caldwell Street, the proposed development is still likely to be rather inconspicuous within the streetscene. This is due to the windows that would be publicly visible being set significantly above pedestrian level, whilst public views are likely to be transient in nature.
7. As such, provided that the proposed windows are suitably detailed and continue to display a significant degree of continuity with the remaining windows within the wider terrace building, the use of UPVC would not be particularly discernible. In this regard, I note that the proposed windows are to match the dimensions and opening styles of the existing windows. Additionally, the appellant has indicated a willingness to accept a condition to control the precise detailing of the proposed windows, should planning permission be granted.
8. Whilst not widespread, it was also apparent during my site visit, that there were several other examples of buildings along the street that had either in part or fully replaced their original front elevation windows with UPVC versions. I do not know the circumstances behind these alterations, including whether planning permission was even necessary at these other properties. It remains, however, that UPVC windows to some extent already form part of the streetscene.
9. The quality of replacement windows used in other properties along the street varied. Indeed, whilst in some instances they clearly detracted from the host property, I found examples whereby it took a significant level of attention to distinguish that the original windows had in fact been replaced with UPVC versions. This was due to the precise proportions and detailing of the replacement windows being of a suitable design quality.

10. Consequently, subject to a condition requiring the approval of the precise detailing of the UPVC windows prior to their installation (e.g. appropriate frame widths, use of appropriate glazing bars), I consider that the proposal could effectively integrate with the host building and also not cause harm to the character and appearance of the surrounding area.
11. In forming my decision, I have had regard to the Council's Design Guide Part 4: Building Alterations, Extensions and Retrofit (adopted 2023) Supplementary Planning Document (SPD). The proposal does not strictly accord with all relevant design principles established in the SPD, notably where it seeks for windows serving a building divided into flats to be of a unity of design. Nevertheless, the SPD is guidance and it is clear that the advice it provides are general rules to be followed, while the context of each property should be considered on its own merits. In this instance, due to the existing characteristics of the property and its wider context, I consider the proposed development to be appropriate.
12. On the above basis, the proposal would not conflict with Policies Q5 and Q11 of the Lambeth Local Plan 2020 – 2035 (adopted 2021). Together, amongst other matters, the policies seek to ensure that development proposals sustain local distinctiveness and appropriately respond to original architecture. Even though the proposal would not follow certain guidelines set out in the SPD, it would not be harmful due to its specific context.

Conditions

13. The Council has suggested conditions in the event planning permission was to be granted. I have considered the suggested conditions and amended them as necessary in the interests of precision and clarity, as well as to comply with advice in the Planning Practice Guidance (PPG).
14. As well as the standard time-limit condition, I have attached a condition specifying the relevant approved drawings in the interests of clarity.
15. I have also imposed a condition requiring the approval of more precise details of the windows prior to their installation. This is in the interest of safeguarding the character and appearance of the host property and surrounding area.

Conclusion

16. For the reasons given above, having regard to the development plan and all other material considerations, the appeal is allowed.

Lewis Condé

INSPECTOR