



Appeal Decision

Site visit made on 29 February 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18.03.2024

Appeal Ref: APP/C5690/D/23/3328130

14 Arbuthnot Road, Lewisham, London SE14 5NP

- 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 David Irvine against the decision of the Council of the London Borough of Lewisham.
 - The application ref. DC/23/131444, dated 8 May 2023, was refused by notice dated 3 July 2023.
 - The proposal is for the replacement of sash windows to front, rear and side of property.
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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 the Telegraph Hill Conservation Area (CA).

Reasons

3. The appeal site is a mid-terrace dwelling on Arbuthnot Road with steps leading up to the front door. Whilst the building is not locally or statutorily listed, it is in the CA and as such benefits from statutory protection under the Planning (Listed Buildings and Conservation Areas) Act 1990.
4. The CA Appraisal states that the character derives from the late Victorian planned residential suburb that includes schools, places of worship and public parks all designed and built as an integral part of the neighbourhood. The regularity of the street pattern and the consistency of the building line is one of the defining features, with properties generally running parallel to the highway and set back behind small front gardens.
5. The appeal property, along with the others nearby, plays a role in defining the CA's distinctiveness and significance as a heritage asset. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
6. The appeal dwelling has impressive bay window features that are replicated along the terrace. There is a strong sense of uniformity within the streetscene through this repetition of window patterns and decoration, and these visually harmonising elements greatly enhance the quality of the area.

7. A building's fenestration is an important component in defining its visual and architectural character. The proposed windows would be constructed in UPVC frames and this would introduce a material finish to the appeal building that is not prevalent in other buildings found elsewhere on the prominent domestic frontages of Arbuthnot Road. The CA Appraisal notes that whilst the general condition of the buildings in the area is good, "small changes to the external appearances of individual houses are beginning to erode the special interest of the area. Examples of such negative alterations are: replacement of timber sash windows with UPVC".
8. UPVC is a material that has an artificial texture and a more uniform finish, when new and when ageing, than painted timber windows. The white finish and pattern of the proposed UPVC windows would provide some harmony with other windows in the street. Nevertheless, even if light reflection may be limited due to the north facing orientation of the front elevation, it would still be possible to discern the proposed casements as modern insertions that would be an incongruous intrusion into the historic street scene.
9. I recognise that no representations or objections to the proposals have been received following public consultation. The appellant also draws attention to the low maintenance required with UPVC, and I am mindful of the increased costs likely to be incurred from using timber. However these factors would not outweigh the harm I have identified above. Moreover, the Council does not raise concern in respect of the change to UPVC casements "where they are not visible from the public realm." I have no reason to disagree in principle, although as this is slightly ambiguous wording any such proposals could be addressed through the submission of a further application.
10. I observed that a large number of other sash windows within Arbuthnot Road do not have external handles, and within this context I consider that their absence in this case would be acceptable. The appellant has also referred to a number of other examples of replacement windows in the CA. I am satisfied that these demonstrate that matters regarding general frame proportions and energy efficiency would not represent reasons for withholding permission.
11. However, what strikes me is that none of the other examples listed by the appellant appear to involve the use of UPVC as a proposed or retained material. Therefore these other cases are not directly comparable to the appeal proposals before me.
12. The harm that would arise would be localised and therefore the impact on the CA as a whole is less than substantial within the meaning of the National Planning Policy Framework (the Framework). In weighing the public benefits of the proposal against the harm identified, the appellant has pointed out that the proposal would reduce energy use in the building. However, I have not been presented with substantive evidence to suggest that UPVC windows significantly outperform well-installed and maintained timber windows in this regard, which could also be double glazed. As such, the public benefits of the appeal scheme are of no more than limited weight and do not outweigh the harm identified. This results in a conflict with the Framework because the harm to the CA does not have a clear and convincing justification, and the Framework requires great weight to be given to the conservation of designated heritage assets.
13. I conclude that the scheme would harm the character and appearance of the

existing building and the CA. It would not accord with Policy HC1 of the London Plan (March 2021), Policies 15 and 16 of the Lewisham Core Strategy (June 2011), and Policies 30, 31 and 36 of the Lewisham Development Management Local Plan (November 2014). Collectively these require the conservation of designated heritage assets and that new development should make a positive contribution to local character and distinctiveness.

Conclusion

14. For the reasons given above the appeal should be dismissed.

C Hall

INSPECTOR