



Appeal Decision

Site visit made on 25 November 2024

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2024

Appeal Ref: APP/Q5300/D/24/3350412

54 Fox Lane, Southgate, Enfield N13 4AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mrs Idalia Mendoza against the decision of the Council of the London Borough of Enfield.
- The application ref. is 24/01618/HOU.
- The development proposed is described on the application form thus: "*Front elevation To replace the existing timber windows and doors with Double glazed, energy efficient timber windows and doors. To match as close as possible the existing frames. The rear elevation to replace with Upvc Timber replica windows and door to match the existing as close as possible.*"

Decision

1. The appeal is allowed and planning permission is granted for *Front elevation: to replace the existing timber windows and door with double glazed, energy efficient timber windows and door. To match as close as possible the existing frames. Rear elevation: to replace with Upvc timber replica windows and door to match the existing as close as possible* at 54 Fox Lane, Southgate, Enfield N13 4AL in accordance with the terms of the application ref. 24/01618/HOU, 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/documents: Location Plan; Site Plan; Existing and Proposed Front and Rear Elevations as shown on drawing no. 2024-1018-100; Window Spec drawings 1, 2, 3, 4 and 5 by Enfield Windows; Heritage Statement and Design and Access Statement; and Photographs.
 - 3) The replacement front windows and front door hereby permitted shall not be installed until details, at a scale of 1:1, of the internal and external mouldings to the glazing bars have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Preliminary matters

2. The Council had no objections to the works at the rear of the dwelling.
3. Notwithstanding the description of the proposal in the heading above (and the one given on the Council's decision notice), there is only one door at the front. The description can be considered to be amended accordingly.
4. Glazing bars are proposed across each of the fixed side panels to the front door according to Window Spec 5, even though they are not apparent on the proposed front elevation drawing. The parties clearly based their respective cases on Window Spec 5 and I shall do likewise.

Main issue

5. The appeal site is situated within the Lakes Estate Conservation Area (LECA). The main issue is the effect of the proposed replacement timber front windows and front door on the character and appearance of the LECA.

Reasons

6. The determination of the appeal is to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan includes the London Plan 2021 (LP), Enfield's Core Strategy 2010 (ECS) and Enfield's Development Management Document 2014 (EDMD). I have also taken into account the LECA Character Appraisal (LECACA), the National Planning Policy Framework (the Framework) and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (s72 of the Act) which requires that when assessing proposals for new development within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
7. Near to the appeal site, Fox Lane is a largely residential street. No. 54 is a brick-built, semi-detached house of 2 storeys. Understood to have been built in the early 20th century, it addresses the road in the traditional manner behind a front garden and has an attractive front elevation with high-quality architectural detailing. It is typical of the well-preserved Edwardian domestic architecture that lends significance to the LECA.
8. A key factor that gives the LECA its special interest is the exceptional decorative quality of the houses, most notably their porch and window joinery, doors and stained glass. The LECACA points out that there has been inappropriate replacement of traditional high quality joinery, particularly windows and porches. The Council will resist the loss of such joinery and will normally expect to see development make use of appropriate traditional historic materials and detailing.
9. The LECACA records that the appeal property makes a positive contribution to the area and has nearly all of its original features intact. This includes its front timber windows which are vertically sliding single glazed traditional sash windows with the lower sashes being undivided and the upper sashes being divided into 9 or 12 small panes. The timber front door has raised panels and may be original too but it would appear that any stained glass or

decorative glazing bars it may have originally possessed have been replaced in more modern times by plain obscure glazing.

10. The appellant pointed out to the Council how the front timber windows in particular have significantly deteriorated due to a lack of maintenance over the years. The Council's decision notice did not hint at any objection in principle to replacement or call for a surveyor's report to conclusively declare the windows to be irreparable. I could see for myself from an internal and external inspection of the property that the condition of the windows is so poor that it would very seriously limit their likely longer term contribution to the character and appearance of the LECA.
11. It seems to me that the appellant would be going to great lengths to replicate the existing timber sliding sash windows in terms of the use of traditional wooden materials, coloured finish, proportions, opening style, glazing patterns and much of the detailed design, including horns and a slightly curved bottom rail to the upper sashes.
12. The only criticisms lodged by the Council regarding the fine detailing of the proposed windows compared to the existing windows relate to the use of surface-mounted glazing bars and 24mm thick glazing units instead of slimline 16mm units as mentioned in Historic England's (HE) guidance on Traditional Windows (2017).
13. Stuck-on glazing bars if they are casually applied without careful design (for example as thin strips) would be unlikely to replicate the character of the historic windows and the submitted plans are not as detailed as they could be in this regard. The glazing bars of the existing windows are not especially pronounced or intricate and it should be possible to secure carefully moulded internal and external glazing bars that have a similar appearance to the existing configurations. That could be controlled through the imposition of a planning condition.
14. I can see nothing inherently wrong with 24mm thick glazing units and the commentary in the HE guidance is more to do with thermal upgrading, particularly where insulating glass units may be added into existing historic windows. In any event, this HE guidance is under review.
15. The appellant makes the point that very similar schemes for replacement windows (with 24mm glazing units and face-applied glazing bars) in the LECA by the same building company (Enfield Windows) have been granted planning permission in the last few years. In her written evidence, 4 such quite recent examples are provided. The appellant may well be perplexed as to why her application met a different fate. Consistency in decision making is indeed important, even in conservation areas. I have not been referred to any locally prepared and adopted detailed design guidance on expected architectural detailing which may have led to greater consistency.
16. As it is, the more important point is that any differences to the existing windows would be minimal and would be largely indiscernible when viewed from the street. I am satisfied that the proposed replacement front windows would not be of a materially plainer style than the existing fenestration and would not compromise the overall architectural quality of the host building. They would reflect the defining characteristics of the LECA, so as not to harm its character or appearance.

17. That the existing glazing units flanking the front doorway of no. 54 are without glazing bars is historically unfortunate given my reading of the LECACA and is thrown into sharp relief when viewed against the impressive front doorways at nos 52 and 46 which both have glazing bars in the side panels. The insertion of face-applied glazing bars across each of the fixed side panels to the replacement timber front door is not objectionable subject to the same planning condition I outlined in paragraph 13 above.
18. Drawing these threads together, whilst acknowledging that judgements about design are necessarily subjective and that each development must be considered on its own merits, I agree with the assessment provided in the appellant's appeal statement. I consider that the proposed replacement timber front windows and front door would exhibit a sensitive design quality, be sufficiently complementary and sympathetic to the parent building in terms of materials, dimensions, profile and character, be respectful of the local context and the surroundings in general and conserve the significance, character and appearance of the LECA.
19. I find on the main issue that the proposed replacement timber front windows and front door would preserve the character and appearance of the LECA. As such, there would be no conflict with the aims of s72 of the Act or with Core Policies 30 and 31 of the ECS, Policies DMD 37 and 44 of the EDMD and LP Policy HC1. Taken together these policies seek to ensure that all development is of high quality design that respects its context and surroundings and conserves and enhances the special interest and significance of designated heritage assets. The appeal scheme accords with the Framework insofar as it relates to achieving well-designed and beautiful places and conserving and enhancing the historic environment.

Conditions

20. The Council, in its questionnaire, suggests 3 planning conditions should be imposed in the event of the appeal being allowed. In addition to a condition setting a time limit for the commencement of development, a condition requiring that the development is carried out in accordance with the relevant approved drawings and documents is necessary as this provides certainty. I have not imposed the Council's other suggested condition which would stipulate the use of matching materials. The materials of construction are sufficiently well detailed on the approved plans and application form such that no separate condition is required. I have however added a condition relating to the need to seek approval on the design details for the glazing bars for the reasons given in paragraphs 13 and 17 above.

Conclusion

21. For the above reasons and having taken into account all other matters raised, including the increase in energy efficiency and security that the replacement windows and doors would offer, I conclude that this appeal should be allowed.

Andrew Dale

INSPECTOR