



Appeal Decision

Site visit made on 01 April 2025

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 April 2025

Appeal Ref: APP/Z5630/D/24/3349407

5 Orchard Cottages, Orchard Walk, Kingston Upon Thames KT2 6BU

- 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 Ms H Brennan against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref is 24/00777/HOU.
 - The development proposed is replacement of roof coverings and associated works in conjunction with window replacements.
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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 appeal property and the surrounding area including the Park Road Conservation Area.

Reasons

3. The appeal site comprises an attractive Victorian terraced dwelling which forms part of a row of similar dwellings which sit behind small front gardens and occupy modest plots. The appeal property is located within the Park Road Conservation Area which covers an area of Victorian houses and local shops to the north of the railway line. From the information before me it appears that the CA derives significance from its layout and architectural fabric which are reflective of the area's social and economic history.
4. The site is located in the 'Clifton Road and Orchard Cottages' character area as set out in the Park Road Conservation Area Appraisal (2008) (PRCAA). This includes houses and cottages from the 1870s to 1890s which are secluded from the main routes. As part of an attractive, coherent group of buildings consistent in form, the appeal property makes a positive contribution to the character and appearance of this part of the CA. The PRCAA sets out that, since the houses at Orchard Cottages are plain, their windows and doors are their most important features, which means that the many changes to PVCu, inappropriate small-paned bay designs, or infills of the inset porches have a disproportionate effect.
5. The appeal proposal relates to the replacement of the roof and changes to the fenestration to the front and rear of the dwelling. The existing windows are non-original timber casement windows in a Georgian style including a bow window to

the ground floor front elevation. It is proposed to replace these openings with Victorian style uPVC double glazed sliding sash windows.

6. On the basis of the information before me it appears that the replacement roof coverings would be consistent with the appearance of the existing roof and that sliding sash windows of a Victorian style would be consistent with the building's Victorian origins and other properties in the row. However, there is limited detail before me regarding the thickness of the frames, the depth of the reveals, how far the windows would project from the façade and whether they would have a reflective sheen. In the absence of this detail, I cannot be assured that the windows would be a faithful replication of the original windows or if they would be readily apparent as modern replacements. Thus, I cannot be assured that the windows would not cause a noticeable and harmful change to the character and appearance of the host building, combining to erode part of the character of the area that would detract from the significance of the CA.
7. I have taken account of the mix of window materials used on other buildings in Orchard Walk. However, the existence of these other examples does not justify development that could harm the character and appearance of the CA. In the absence of detailed information of the proposed windows I cannot be assured that the proposal would preserve or enhance the character or appearance of the CA.
8. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas and the guidance contained within the National Planning Policy Framework (the Framework) states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and that great weight should be given to the asset's conservation. Unsympathetic window replacements would result in less than substantial harm to the significance of the CA. The Framework sets out that this harm should be weighed against the public benefits of the proposal. The development would bring benefits including improved energy efficiency and security. Cumulatively these primarily private benefits do not outweigh the potential harm to the CA.
9. It has not been demonstrated that the proposal would have an acceptable impact on the character and appearance of the appeal property and the surrounding area, that it would preserve or enhance the character or appearance of the CA or that it would not cause harm to the significance of this heritage asset. Conflict therefore arises with those aims of Policies D3 and HC1 of the London Plan (2021) and Policies CS8, DM10 and DM12 of the Core Strategy (2012) which seek to ensure that development has regard to the historic environment and is sympathetic to a heritage asset's significance.

Conclusion

10. For the reasons given above, the appeal should be dismissed.

N Robinson

INSPECTOR