



Appeal Decision

Site visit made on 25 March 2025

by **B Astley-Serougi BA(Hons) LLM MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 June 2025

Appeal Ref: APP/A5840/W/24/3357185

38-42 Snowfields and 62-66 Weston Street, London SE1 3SU

- 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 Snowfields (Management) Limited against the decision of the Council of the London Borough of Southwark.
- The application Ref is 24/AP/2381.
- The development proposed is described as replacement of existing single glazed timber casement and existing UPVC casement windows and timber sliding sash window units with REHAU Heritage PVC-u sliding sash windows and REHAU Rio flush fixed casement windows.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Bermondsey Street Conservation Area (the CA).

Reasons

The significance of the CA

4. The CA is centred on Bermondsey Street itself, running north-south from St Thomas Street and Crucifix Lane to Tower Bridge Road. Long Lane and Abbey Street cross it near its southern end. The area abuts the main railway line into London Bridge station. Its significance is derived from its historic street pattern and the combination of medieval scale and industrial detail which creates a distinctive townscape of narrow streets and building plots, arched alleyways to rear yards, warehouse architecture with all loading bays and the backdrop of railway arches on Crucifix Lane. There is wide range of uses and activities in the CA such as housing, workshops and small-scale shops and cafes.
5. Given the historical importance of the relationship between the historic buildings on Snowfields and Weston Street as well as the surrounding area, timber windows are a prominent feature which provide historical uniformity within the street scene. The timber frames and window detailing ensure the historic character of the 18th Century street pattern and predominantly late 19th Century small

warehouses, housing and key buildings are maintained and preserve the historic character of the CA. The CA before me has on balance, retained its historic and architectural fabric.

6. Due to the appeal building's position within the streetscape, the contribution it makes to the continuous building lines that are prevalent within the CA and the octagonal domed corner turret, it makes an important contribution to the historic character and appearance of the CA.

The effect of the proposed development on the significance of the CA

7. The National Planning Policy Framework (the Framework) Annex 2 defines the setting of a heritage asset as '*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve*'. The appellant considers that given the CA was established approximately 22 years ago it has evolved and the Council has not taken this into account in their determination of the application. The Council has provided evidence and justification for its reasons for refusal and assessed the application on the evidence before it. I have determined the appeal on the evidence before me as did the Council.
8. The appeal scheme would replace many of the existing timber windows of the residential apartments with uPVC windows on the first floor and above in the street facing elevations of the appeal buildings. The original windows on the curved element of the buildings would be retained.
9. I acknowledge that the appellant has endeavoured to find a close match in terms of the detailing (including the horn details) and casement between the proposed uPVC windows and the original timber windows. However, there remains a difference in terms of the proposed window frames when compared with the existing timber framed windows. A number of the proposed casements would be slightly heavier in design. This in conjunction with the addition of clearly visible trickle vents would dilute the overall historic character of the building. Consequently, the appeal scheme would result in an unacceptable change to the fenestration on the appeal building when compared to the existing fenestration which would result in harm to the significance of the CA despite the flush design of the appeal scheme.
10. Additionally, the prominent octagonal domed corner turret draws attention when viewed from the street. The windows on the curved element of the building would remain timber of which the corner turret forms part. Consequently, any person would likely view the corner turret, and their eye would be drawn to the difference between the timber and uPVC windows especially given their proximity to one another and the addition of the trickle vents in the latter.
11. In 2023 permission was granted for the replacement of a number of rear windows with REHAU Heritage PVC-u sliding sash windows and REHAU Rio flush fixed casement windows. The appellant states that the Council accepted that the poor performance of the windows was sufficient to justify the change of material to uPVC and therefore the same applies to the appeal scheme before me.
12. Southwark's Historic Environment Heritage Supplementary Planning Document (the SPD) states that the visibility of a development affects the character and appearance as well as the setting of a Conservation Area. However, the appellant

refers to Historic England's guidance known as GPA3¹ which states, amongst other things, that the contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting.

13. The application of uPVC can take many forms, and so I raise no objection in principle to its use. I also accept that the existing uPVC windows on the appeal building as well as those at 60 Weston Street, 123 Snowfields (The Rose), 56-58 Weston Street, the contemporary fenestration in Snowfield Yard, 50-52 Weston Street and 70 Weston Street as well as the modern design and materials used at 37 Snowfields are now part of the conservation area's character and appearance. However, with regard to the windows subject of this appeal, I consider the use of uPVC to not be positive. Consequently, in this instance the presence of other uPVC windows and modern fenestration do not justify allowing additional harm by accepting further windows of inappropriate design and material on such a prominent building.
14. The appellant considers that the appeal scheme would not diminish the positive contribution the appeal building makes in regard to its role as a key corner building of the CA nor to the overall main characteristics of sub area three of the CA. These include the significance of the Leather Hide and Wool Exchange as well as the Guinness Trust Building and the local tradition of providing charitable and local authority housing. However, I have identified above that the wider introduction of uPVC windows and the trickle vents would, in my judgment, erode the historic character of the building and consequently its overall contribution to the CA.
15. Appeal decisions at 16 Weatherby Gardens, 33 Lansdowne Road, Shepherds Hill, Chaucer Road, 14 Chapel Street, 1 West End and Whitefriars School have been cited by the appellant. I do not have the full circumstances of the appeal decisions and therefore cannot be sure they are wholly comparable. These decisions are very much case specific and having regard to the specific historic design details of the appeal building, the significance of the heritage assets around it and in light of my reasoning above, they do not lead me to a different conclusion.
16. Paragraph 212 of the Framework advises that when considering the impact of the development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. The development would fail to preserve the significance of the CA and given its scale, I find the harm to be less than substantial but nevertheless of considerable importance and weight. Under such circumstances paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
17. The proposed uPVC windows would make a positive contribution towards addressing the climate change crisis and improve insulation as well as improve local air quality. The appeal scheme would therefore comply with Policy SI2 of the London Plan 2021 (online version) and Policies SP6, P69 and P70 of the Southwark Plan 2022 (online versions) insofar as they seek to minimise carbon emissions and encourage design with high environmental standards.

¹ The Setting of Heritage Assets – December 2017

18. The appellant also highlights that the appeal scheme would improve the visual appearance of the appeal building and enhance the public realm.
19. Historic England's guidance '*Adapting Historic Buildings for Energy and Carbon Efficiency- July 2024*' states that historic buildings must continue to change and evolve if they are to both contribute to a greener future and be fit for purpose for the people who live within them. Additionally, the appellant refers to the guidance in relation to windows of historic buildings and that given the appeal building is not a listed building the approach should be more flexible.
20. However, Historic England's guidance does state that many historic window frames will be capable of accommodating slim-profile or vacuum double glazing. Consequently, it has not been adequately demonstrated that such an enhancement could not be achieved by actions which would not be harmful to the building and the contribution it makes to the significance of the CA. Thus, a clear and convincing justification has not been provided and the appellant's claimed public benefits attract limited weight.
21. Taking the stated benefits above, the harm that would be caused to the significance of the CA would not be outweighed by public benefits.
22. Accordingly, I conclude that, the appeal scheme would fail to preserve or enhance the character or appearance of the CA. This fails to satisfy the requirements of the Act, paragraph 213 of the Framework and conflicts with Policy HC1 of the London Plan 2021 and Policies P20 and P21 of the Southwark Plan 2022. These policies seek, amongst other things, to ensure developments respect and assimilate with the historic fabric and character or appearance of designated heritage assets including conservation areas.

Other Matters

23. Interested parties have indicated the positive impact the appeal scheme would have upon the reduction of noise and disturbance for the residents of the building as well as a reduction in ongoing maintenance however these are private benefits in this case.

Conclusion

24. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

B Astley-Serougi

INSPECTOR