



Appeal Decision

Site visit made on 25 July 2025

by **Gary Deane BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 August 2025

Appeal Ref: APP/C5690/W/25/3358340

Flat 8, Devon House, 176 Devonshire Road, London SE23 3TA

- 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 Mr Thomas Connick against the decision of the Council of the London Borough of Lewisham.
 - The application reference is DC/24/138061.
 - The development proposed is of the replacement of front windows of the property, replacing existing rotten wooden frames and single glazing with UPVC frames and double-glazed windows. All existing appearances to be maintained, including 'iron diamonds' design.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The Council has recently adopted the Lewisham Local Plan 2020-2040 (LP). As a result, the LP now forms part of the development plan. It has replaced the Lewisham Core Strategy (CS) and the Lewisham Development Management Plan (DMP), which are cited in the reason for refusal. The main parties were invited to submit representations in relation to relevant policies of the LP. Only the appellant responded, and I have taken these additional comments into account.
3. Planning decisions must be based on the development plan policies prevailing at the time of determination. The policies of the CS and DMP are no longer in force. The most relevant corresponding policies in the LP are QD1 and QD9, which cover delivering high quality design and building alterations respectively. The guidance within the Council's Alterations and Extensions Supplementary Planning Document (SPD) remains a relevant consideration.

Main Issue

4. The main issue is the effect of the proposed replacement windows on the character and appearance of the host building and the local area.

Reasons

5. Devon House is a 3-storey building in use as flats that addresses Devonshire Road within a predominantly residential area. It has a mock Tudor frontage with rows of timber framed casement windows on the front elevation that include top lights and diamond leaded panes. The symmetrical arrangement of these windows, coupled with their consistent design and use of materials, creates a rhythm, broad unity and a horizontal emphasis to the host building, which is locally distinctive.

6. The proposal is to replace 2 second floor single glazed front windows which serve Flat 8 with double glazed uPVC units. Compared to their existing counterparts, the appellant has advised that the new windows would be 'like for like' replacements. Even so, uPVC would have a more uniform and even finish than painted wood with its natural, irregular grain and surface imperfections. Also, uPVC would not age or weather in the same way as wood. The artificial and contemporary appearance of the replacements would be distinguishable from wood, and they would be a discordant feature among the other timber-framed windows in the front façade. In that context, the proposal would jar with the appearance of the host building and be detrimental to its character. Although the replacement windows would occupy an elevated position and be set back from the highway, their presence would still be visible from Devonshire Road, just in front of the site.
7. I saw that several buildings along Devonshire Road include front windows with uPVC and timber frames with reference made to No 46. I am unaware of the background to these examples, and in some cases, the mix of materials used exemplifies the harm to which I have referred. Consequently, these cases do not necessarily set a desirable precedent to follow. To briefly reiterate, it is within the limited context of Devon House that the replacement windows would be mainly seen. For the reasons given, the replacement windows would be obtrusive, incongruous and therefore detrimental to the character and appearance of the street scene to which Devon House belongs.
8. I saw that both existing windows show signs of disrepair from weathering with wood rot to the frames and sills. These problems are highlighted in list of items that require urgent attention in the appellant's Home Survey Report. That paint is flaking away from the frame is evident in views from in front of the host building, albeit its visual effect is not so great as to draw the eye or be detrimental to the overall appearance of the property. The photographs provided clearly show condensation on the inside of the windows and I note that there are gaps between the individual panes. According to the appellant, the existing windows would not pass the checks under the Housing Act 2004. If left unattended, the existing window frames could deteriorate further.
9. The proposal would also improve the flat's thermal efficiency, safety and security, whilst helping reduce future maintenance and energy use. I note that the LP calls for action to further reduce carbon emissions and achieve net carbon neutrality. I am sympathetic to the appellant's aim to make the living accommodation warmer, safer and avoid similar problems that may occur with timber replacement windows in the longer term. However, there are few specific details before me to clearly demonstrate that refurbishment of the existing windows is not a realistic option or that alternative measures such as secondary glazing or replacement timber windows could not offer similar benefits. On balance, none of these considerations are sufficient to outweigh the significant harm that I have identified.
10. On the main issue, I conclude that the proposed replacement windows would harm the character and appearance of the host property and the street scene. As such, it conflicts with LP Policies QD1 and QD9 and the advice within the Council's SPD. Together, these policies and guidance promote high quality design and seek to ensure that development positively responds to local character. It is also at odds with the National Planning Policy Framework, which states that development should be sympathetic to local character and add to the overall quality of the area.

11. The Council has confirmed that the site is not within a conservation area nor is the property a listed building or a non-designated heritage asset. Therefore, I share the appellant's view that the heritage planning policies that were in force when the Council reached its decision are not directly relevant to the appeal scheme.

Conclusion

12. Overall, the proposed development conflicts with the development plan, when read as a whole. There are no material considerations, including those of the National Planning Policy Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan.
13. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR