
Appeal Decision

Site visit made on 16 June 2025

by **SE Hughes BA (Hons) PGDip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 August 2025

Appeal Ref: APP/A5840/D/25/3358285

92 Red Post Hill, London SE24 9PW

- 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 Matt Larter against the decision of the London Borough of Southwark.
 - The application Ref is 24/AP/3094.
 - The development proposed is 'replacement windows comprising double glazed aluminium windows and doors and alterations to the rear and the side elevations'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the appeal relates to a building within a conservation area, I have paid special regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Sunray Estate Conservation Area (SECA).

Reasons

4. The appeal site lies within the Sunray Estate, a garden city townscape dating from the early 1920s. The estate is characterised by its 2-storey cottages which are finished in yellow brick or rough render with steeply pitched clay tiled roofs. The cottages have painted doors which are normally panelled, and partially glazed, with 6 panes of glass at the top and white painted cottage style windows, with multiple small panes arranged with a vertical emphasis. In so far as relevant to the appeal, the significance of the SECA is associated with the uniformity of its façades and the unity of its architectural features including fenestration.
5. The SECA is covered by an Article 4 Direction under the Town and Country Planning (General Permitted Development) (England) Order 2015 which has removed permitted development rights in respect of alterations to windows and doors to control small-scale change that can cumulatively affect the character of the SECA.
6. The proposal comprises the replacement of three traditional style windows in the side elevation of the original building and the rear ground floor extension with

anthracite grey powder coated aluminium windows and doors. The windows and doors would have a single glass pane, except for the rear kitchen window which would have two top hung openings.

7. Whilst I recognise that the dark colour and the contemporary design and materials of the proposed windows and doors are in fashion, in the context of the appeal site, their use would be out of keeping with the rest of the property's fenestration and would undermine the traditional cottage character of the property and the contribution it makes towards the SECA's unified sense of place. Furthermore, the size and arrangement of the proposed side windows and the significantly larger side doors would be out of keeping with the position of the original openings of the appeal property. In addition, the horizontal emphasis of the proposed rear kitchen window would be particularly jarring next to the vertical emphasis of the upstairs windows.
8. Whilst I accept that the proposal would not be visible from the public highway, I observed on my site visit the proposed windows would be clearly visible from the upstairs windows of neighbouring properties. As such, the proposal would have a moderate degree of prominence so is capable of harming the wider character and appearance of the SECA.
9. Given the above, I find that the proposal would fail to preserve the significance of the SECA. Consequently, I give this harm considerable importance and weight in the planning balance of this appeal.
10. Paragraph 202 of the Framework states that heritage assets are an irreplaceable resource and paragraph 212 of the Framework establishes that great weight should be given to the conservation of heritage assets, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Given the importance of windows to the sense of place and unity in the SECA, I find the harm to be less than substantial in this instance. Albeit given the relatively minor scale of the proposal the harm would be at the lower end of less than substantial but nevertheless of considerable importance and weight.
11. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellant is of the opinion that the proposal would be beneficial because there would be less maintenance, and the home would be more energy efficient due to better insulation. I accept that there would be some environmental public benefits arising from the increased energy efficiency. Based on the scale of the proposal, I have given these benefits limited weight.
12. I have had regard to the fallback position, whereby the appellant has argued that the windows could be installed under general permitted development rights as the Article 4 Direction only prohibits development that alter the external appearance of a house as viewed from a public highway. Given that I have found that the proposed windows would not be visible from the public highway there is a realistic prospect therefore that the windows would be installed under permitted development rights if this appeal was dismissed. However, given the harm that I have identified would be caused by such development in this situation, this consideration is insufficient to justify the proposal.
13. Given the above, I find that the limited public benefits of the proposal are not sufficient to outweigh the degree of harm identified, therefore, I conclude that, on

balance, the proposal would fail to preserve the character or appearance of the SECA. This would fail to satisfy the requirements of the Act, the Framework and conflict with development plan Policy P14 of the Southwark Plan 2019-2036 and Policy HC1 of The London Plan - The Spatial Development Strategy for Greater London. These policies require development to be of high design quality and to preserve or enhance the character or appearance of Conservation Areas, taking into account their significance and positive characteristics.

Other Matters

14. My attention has been drawn to planning permissions elsewhere in the SECA, however they relate to new extensions and the replacement of single windows with doors so are not directly comparable to the proposal. Consequently, these permissions do not provide a justification for the appeal. In any event, from what I saw on my site visit, contemporary style replacement windows have detrimentally diluted and disrupted the harmonious character and appearance of the SECA. Therefore, they do not justify the appeal proposal.

Conclusion

15. For the reasons given above, I conclude that the proposal would conflict with the development plan and there are no material considerations to outweigh that conflict. Therefore, I conclude that the appeal should be dismissed.

SE Hughes

INSPECTOR