



Appeal Decision

Site visit made on 26 August 2025

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 September 2025

Appeal Ref: APP/L5240/W/25/3365922

First and Second Floor Maisonette, 61 Elgin Road, Croydon CR0 6XD

- 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 Miss Sharon Narain against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/02389/FUL.
 - The development proposed is the replacement of timber to uPVC windows to the front of the property at first and second floors.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of timber to uPVC windows to the front of the property at first and second floors at First and Second Floor Maisonette, 61 Elgin Road, Croydon CR0 6XD in accordance with the terms of the application, Ref 24/02389/FUL subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing no's: 24241/01, 24241/02, 24241/03 and 24241/04.
 - 3) Prior to the commencement of above ground works, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - a) External window facing materials including samples of all facing materials and finishes,
 - b) Detailed drawings in plan/elevation and section at 1:5 through all typical external elements/details of the windows including all openings in external walls.

The development shall be carried out in accordance with the approved details.
- 4) The development hereby permitted shall be carried out in accordance with provisions of the Planning Fire Safety Statement received 07.08.2024.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character and appearance of the East India Estate Conservation Area (Conservation Area).

Reasons

3. The appeal site forms part of a three-storey residential terrace on the western side of Elgin Road. There is variation in the type and design of properties in the area, although buildings are generally set on consistent building lines and positioned a short distance back from the highway. The regular layout and traditional form of buildings, many of which exhibit architectural detailing around windows and doors, contribute positively to the significance of the Conservation Area.
4. The proposal seeks to replace the existing timber windows at first and second floor levels to the front of the property with uPVC replacements. The Council has referred to the timber windows on the first floor as the only remaining original windows within the building group. However, the existing front first-floor windows have a louvered design, as opposed to being timber sliding sash or casement windows which are typical for a building of this age, and therefore do not appear to be original.
5. The proposed windows would be formed of uPVC which, given the thicker proportions of this material and the outward opening mechanism proposed, would not reflect the traditional style timber windows found in the Conservation Area, and therefore would be contrary to the guidance in the East India Estate Conservation Area Appraisal and Management Plan. However, more immediately the existing building at ground floor level has uPVC windows, as does most of the remainder of the terrace that the appeal site forms part of. As such, whilst the buildings at 51-65 Elgin Road have group value and contribute to the special character of the Conservation Area, the windows on this terrace make a limited contribution to the significance of this heritage asset.
6. Whilst windows on other properties may have been installed before the designation of the Conservation Area or without planning permission, they nevertheless exist as features in the area. As such, given the appeal site is in a location where there is variety in the style of windows and materials, the proposed window design would not appear discordant or unduly prominent in this varied context.
7. The replacement of timber windows with uPVC or aluminium ones has been identified as a key threat to the Conservation Area with The London Plan setting out the cumulative impacts of incremental change on heritage assets. It is also noted that the proposed windows in this case would bear little relation to the existing windows. However, the Mid-Croydon Conservation Area Advisory Panel have set out that the existing windows which are to be replaced are out of keeping with the age of the appeal building. Consequently, the replacement windows not reflecting the materials or profile of the existing windows would not have a harmful effect on the significance of this heritage asset.
8. I therefore conclude that the proposed development would preserve the character and appearance of the Conservation Area. As such, it would not conflict with Policies DM10 and DM18 of the Croydon Local Plan 2018 and Policy HC1 of The London Plan, which seek, amongst other matters, high quality design and for proposals to preserve the character, appearance and setting of heritage assets. It would also not conflict with Section 16 of the National Planning Policy Framework (Framework).

Other Matters

9. Reference has been made to a variety of other matters, including energy efficiency, noise reduction, alternative replacements of the windows and administrative matters, but they do not have a bearing on the appeal before me given my conclusion on the main issue.

Conditions

10. I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework. I have imposed a condition requiring compliance with the approved plans and a materials condition is necessary in the interests of the character and appearance of the host building and to preserve the character and appearance of the Conservation Area. The latter materials condition would be precise as it sets out clear details of what is required to be submitted and agreed in writing, and it is reasonable in all other respects given it relates to replacement windows which form the proposed development. I note the appellant's concerns on needing to avoid delays, and in this regard, the Framework is clear that Local Planning Authority's should approach decision-making in a positive and creative way. A condition is also necessary for the development to be carried out in accordance with the Fire Safety Statement to ensure the development incorporates fire safety measures.

Conclusion

11. The proposal would accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be allowed.

F Rafiq

INSPECTOR