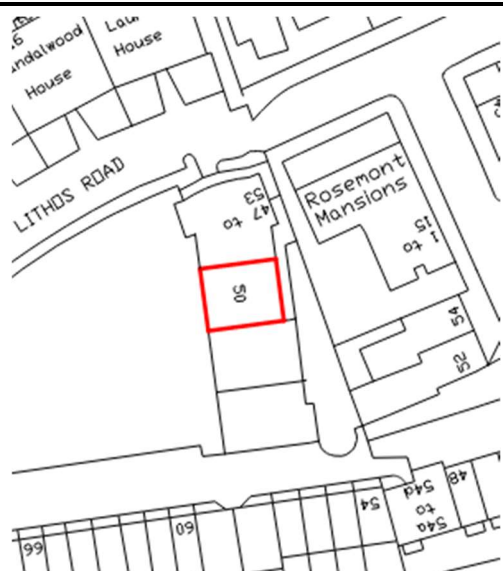


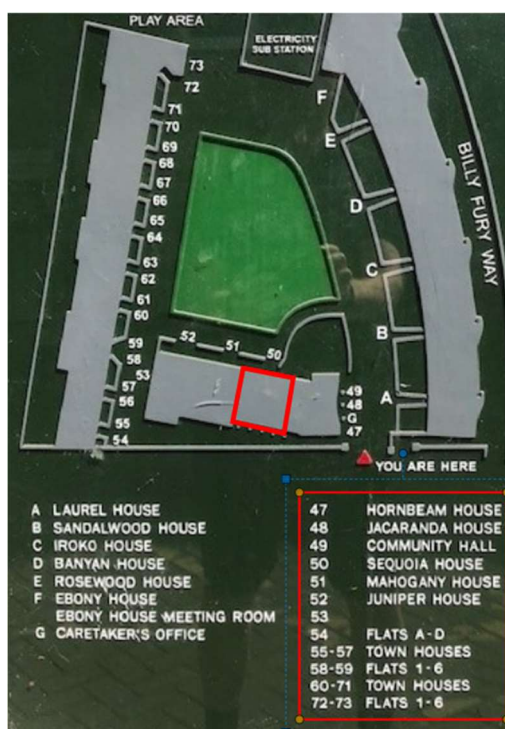
Delegated Report		Analysis sheet		Expiry Date:	14/05/2024
		n/a		Consultation Expiry Date:	21/04/2024
Officer			Application Number		
Tony Young			2024/0135/P		
Application Address			Drawing Numbers		
Sequoia House 50 Lithos Road London NW3 6EY			Refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal					
Replacement of single glazed timber frame windows and doors on front and rear elevations with double glazed uPVC frame windows and doors.					
Recommendation		Refuse Planning Permission			
Application Type		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining occupiers & local amenity groups:	No. notified	0	No. of responses	0	No. of objections	0
					No. of supports	0
					No. of comments	0
	A <u>site notice</u> was displayed from 27/03/2024 to 20/04/2024					
Consultation responses received	No responses received					

Site Description					
The application site is a 5-storey building in residential use (Flats 1-6) located on the southern side of Lithos Road, situated between West End Lane to the west and Finchley Road to the east.					
The building is not listed and is not located within a conservation area. The building is situated within the Fortune Green and West Hampstead Neighbourhood Area.					



Images 1 & 2 – showing application site (outlined in red on location plan and aerial photograph)



Images 3 & 4 – showing application site (outlined in red) and estate map

Relevant History

Application site:

None

Neighbouring and other sites:

2021/6303/P (306 Kilburn High Road) - Retrospective application to replace 22 x timber sash windows with new uPVC double glazed windows. **Planning permission refused and warning of enforcement action to be taken dated 01/06/2022** and **Appeals dismissed and enforcement notice upheld dated 07/11/2023** (APP/X5210/C/22/3305743 & APP/X5210/W/22/3302064) – The Planning Inspector concluded *'that the appeal development causes harm to the character and appearance of the appeal building and area and does not represent an environmentally sustainable form of development'*.

2021/5138/P (Flat 3, 10 Hilltop Road) - Replacement of white painted timber sash windows with white UPVC windows (retrospective). **Planning permission refused and warning of enforcement action to be taken dated 21/03/2022**. Reason for refusal: *The replaced windows, by reason of their detailed design including opening mechanism, proportions and inappropriate uPVC materials, would detract from the appearance of the host building and wider street scene, and would not be environmentally sustainable, contrary to policies D1 (Design) and CC1 (Climate Change Mitigation) of the London*

Borough of Camden Local Plan 2017 and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

2019/0090/P (Ebony House, Lithos Road) - Replacement of all existing timber frame windows and doors with uPVC frames. **Planning permission refused 04/03/2019**. Reason for refusal: *The proposed replacement window frames and doors, by reason of their inappropriate uPVC materials, would not be environmentally sustainable nor preserve or enhance the character and appearance of the host building and wider streetscene, contrary to policy D1 (Design) of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.*

2019/0089/P (Juniper House, 52 Lithos Road) - Replacement of all timber frame windows and doors with uPVC fittings. **Planning permission refused 01/03/2019**. Reason for refusal: *The proposed replacement window frames and doors, by reason of their inappropriate uPVC materials, would not be environmentally sustainable nor preserve or enhance the character and appearance of the host building and wider streetscene, contrary to policy D1 (Design) of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.*

2017/1986/P (38 Crediton Hill) - Replacement of existing single glazed timber framed windows with double glazed uPVC windows (retrospective). **Planning permission refused and warning of enforcement action to be taken dated 05/09/2017** and **Appeal dismissed dated 19/01/2018** (APP/X5210/D/17/3190059) The Planning Inspector concluded *'that the proposal harms the significance of the conservation area. The character or appearance of the CA has not been preserved or enhanced'* and *'the proposal is not sustainable development'*.

2017/1274/P (7 Lyncroft Gardens) - Replacement of all existing metal, timber and uPVC sash and casement windows and timber patio doors with uPVC sash and casement windows and patio doors (retrospective). **Planning permission refused and warning of enforcement action to be taken dated 23/10/2017** and **Appeal allowed dated 13/04/2018** (APP/X5210/W/17/3191008) The Planning Inspector concluded that *'the proposal would not have a harmful effect on the character and appearance of the existing building or the CA'* and *'It does not therefore, set a precedent for other proposals for the use of uPVC windows, each of which should be considered on its merits'*.

2016/0906/P (16 Mackeson Road) - Creation of rear roof terrace at first floor level with associated balustrade and replacement of window with door; replacement of all timber windows and door with uPVC windows and door to front and rear elevations at lower and upper ground floor levels (retrospective). **Planning permission refused and warning of enforcement action to be taken dated 13/05/2016** and **Appeal dismissed dated 07/11/2016** (APP/X5210/W/16/3155444) The Planning Inspector concluded that *'the development would fail to preserve or enhance the character and appearance of the host property and the Mansfield Conservation Area'*.

Relevant policies and guidance

National Planning Policy Framework 2023

London Plan 2021

Camden Local Plan 2017

- A1 Managing the impact of development
- D1 Design
- CC1 Climate change mitigation

Draft Camden Local Plan

The Council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications which has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Camden Planning Guidance

- CPG Design (January 2021) - chapters 1 (Introduction) and 2 (Design excellence)
- CPG Home Improvements (January 2021) – chapter's 'Key principles' (pages 16-32), 'Materials' (pages 36-37) and Section 3 (External alterations - paragraph 3.1 'Windows and doors', pages 56-57)

- CPG Energy efficiency and adaption (January 2021) - chapters 1 (Introduction), 2 (The Energy Hierarchy), 8 (Energy efficiency in buildings) and 10 (Sustainable design and construction principles)
- CPG Amenity (January 2021) – chapters 1 (Introduction) and 2 (Overlooking, privacy and outlook)

Fortune Green and West Hampstead Neighbourhood Area (adopted September 2015)

- Policy 2 (Design and character)

Assessment

1. Proposal

1.1 The application seeks planning permission for the replacement of single glazed timber frame casement windows (x8 in total) and doors (x9 in total) on front and rear elevations with double glazed uPVC frame windows and doors.

Additional information

1.2 Without prejudice to further consideration of the application proposals, the applicant was advised by the Council of initial concern in regard to the proposed use of uPVC material in so far as it is not considered to be acceptable, both aesthetically and for environmental reasons (as stated in 'Relevant policies and guidance' section above). In this regard, the applicant's attention was brought to the fact that a number of previous planning applications for similar proposals were refused on these grounds.

1.3 In response, the applicant confirmed that they nevertheless wanted to proceed with the application proposals as submitted and did not wish to withdraw or amend the material for the proposed replacement windows and doors. As such, the applicant provided some additional detailed drawings based on the original use of uPVC material.

1.4 The following assessment has therefore been made in relation to the proposal based on the final submission of drawings as they stand, giving consideration to its own individual merits, and taking into account the particular site context, including all relevant planning history, policies and guidance. No responses were received during the statutory consultation period.

2. Assessment

2.1 The principal considerations in the determination of the application are:

- the design and impact of the proposal on the character and appearance of the host building, streetscene and wider Fortune Green and West Hampstead Neighbourhood Area;
- the impact of the proposal in terms of sustainability, energy efficiency and adaption; and
- the impact of the proposal on neighbouring amenity.

3. Design and appearance

3.1 Local Plan Policy D1 (Design) establishes that careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development in Camden which integrates into the surrounding streets and townscape.

3.2 Camden Planning Guidance CPG (Design) advise that materials are integral to the architectural design, appearance and character of a building and that the *'durability of materials should be considered as well as the visual attractiveness of materials. Where timber is the traditional material for doors and windows this will often be the most appropriate material, whereas uPVC can have a harmful aesthetic impact and an inability to biodegrade'* (Paragraph 5.9 – 'The sustainability of materials').

3.3 CPG (Home Improvements) supports the above guidance when advising that choice and use of materials and finishes plays a crucial role in any alteration given their impact on the appearance and character of a home. More specifically in regard to windows and doors, CPG (Home improvements) states in Paragraph 3.1 (page 56) that *'uPVC windows are strongly discouraged for both aesthetic and environmental reasons'*.

3.4 Policy 2 (Design and character) of the Fortune Green and West Hampstead Neighbourhood Area (adopted September 2015) notes concerns in general in regard to poor quality alterations to

houses, particularly windows and doors, and that these can be detrimental to the quality of the residential area, stating that *'any new work or buildings in the area should reflect the materials, colour palette, scale and character of the area'*.

- 3.5 There is a mixture of building designs in the area; however, most residential buildings and blocks of flats within the immediate vicinity of the host property in Lithos Road appear to have timber frame windows and doors, in keeping with the original design and architectural detailing of the buildings. As such, timber frame windows in this locality form the characterising or established material for fenestration and doors in the area.
- 3.6 Moreover, it is noted that there is no planning history to show any approvals for proposed changes to uPVC material for window or door frames in Lithos Road. On the contrary, the Council has consistently resisted proposals in the area to use uPVC as an alternative to existing and more traditional materials for window and door frames, as evidenced in the above 'Relevant history' section of this report (and in so far as these refusals accord with relevant policies and guidance and being mindful to consider each application proposal on its on merit).
- 3.7 In particular, given the site location of the host building, there are two notable examples of recent planning applications in Lithos Road at Juniper House (2019/0089/P) and Ebony House (2019/0090/P), where similar proposals to replace existing timber frame windows and doors with uPVC frames were refused. In both cases, they were not considered to be environmentally sustainable nor preserve or enhance the character and appearance of the host building and wider streetscene, by reason of their inappropriate uPVC materials; the proposals being contrary to relevant policies and guidance.
- 3.8 All existing single glazed windows and doors at the host building (Sequoia House) are made from timber; this being the original material for frames on the building. Although the replacement windows and doors would be a similar design to the original units being replaced, they would not result in the same appearance. UPVC has a different, more artificial appearance to painted timber units, with a more uniform texture and finish, both when new and when ageing.
- 3.9 The Design and Access Statement included as part of the application submission indicates in Section 2 ('Context') that the proposed uPVC frames would be thicker than existing timber frame windows as the existing units lack the depth and beading to accommodate double glazing. The proposed detailed window elevation and section drawing (ref. 2023/148-07) also shows a typical window elevation with thicker frames.
- 3.10 The difference in the frame thickness, along with the inherent texture and finish of the proposed uPVC windows and doors, would be noticeable when compared to the appearance of existing windows and doors at the host building. This would be especially harmful given that Sequoia House is noted as being a central part of a larger block of residential units (as shown by the red line in Images 1 and 4 above). The application site is shown on the estate map in Image 4 above to adjoin Hornbeam House (no. 47), Jacaranda House (no. 48), Community Hall (no. 49), Mahogany House (no. 51) and Juniper House (no. 52). All these adjoining parts of the building block currently have timber frame windows and doors.
- 3.11 Therefore, the replacement of all windows and doors at the host property with double glazed uPVC frame units on all floor levels (ground to 4th floors) on both front and rear elevations, would be particularly incongruous and evident when viewed alongside the other adjoining parts of the building block (nos. 47-49 and 51-52) which have retained timber frame units. The visible differences in design (frames thickness, texture and finish) and materials when compared side by side would therefore detract from the character, appearance and coherence of existing fenestration at the host building in this context when compared with other adjoining parts of the building block which currently have retained timber frame windows and doors.
- 3.12 It is noted that the applicant states in the Design and Access Statement that the intention behind the application proposal is to achieve an increase in the level of security available to residents, as well as, improved noise protection and increased thermal comfort within the property. However, it is noted that these benefits could equally be achieved by the installation of double glazed timber frame alternatives, rather than using the proposed frames made from uPVC material.

3.13 Finally, it is noted that planning permission was recently refused (2021/6303/P - 306 Kilburn High Road) and subsequent appeals dismissed (with an enforcement notice upheld) dated 07/11/2023 (APP/X5210/C/22/3305743 & APP/X5210/W/22/3302064) for similar proposals to replace 22 x timber sash windows with new uPVC double glazed windows. Similarly, the appeal site was not a listed building or located within a conservation area. In that particular case, the Planning Inspector concluded *'that the appeal development causes harm to the character and appearance of the appeal building and area and does not represent an environmentally sustainable form of development'*. This appeal decision is considered to be relevant to the current proposal that is the subject of this report.

3.14 Overall, therefore, the proposed replacement windows and doors, by reason of their inappropriate uPVC materials, are considered not to respect the immediate local context and would comprise the character and appearance of the host building, immediate locality and wider Fortune Green and West Hampstead Neighbourhood Area, contrary to the above policies and guidance.

4. Sustainability, energy efficiency and adaption

4.1 Local Plan Policy D1 (Design) expect all developments to be sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation, and be durable in construction and adaptable to different activities and land uses.

4.2 Local Plan Policy CC1 (Climate change mitigation) requires all developments to minimise the effects of climate change so as to meet the highest feasible environmental standards that are financially viable during construction and occupation. Policy CC1 lists expectations for measures both on and off-site to reduce carbon emissions, including sensitive energy efficiency improvements to existing buildings and an expectation that all development will optimise resource efficiency by using materials with low embodied carbon content, referencing consideration of the durability and lifespan of building components.

4.3 CPG (Energy efficiency and adaptation) advises that all development in Camden is expected to reduce carbon dioxide emissions by following the energy hierarchy in accordance with Policy CC1.

4.4 This is supported by CPG (Design) which advises that the *'durability of materials should be considered as well as the visual attractiveness of materials'*. More specific to the current proposals, the guidance advises that *'Where timber is the traditional material for doors and windows this will often be the most appropriate material, whereas uPVC can have a harmful aesthetic impact and an inability to biodegrade'* (Paragraph 5.9 – 'The sustainability of materials').

4.5 This specific advice is also emphasised in CPG (Home Improvements) which states in Paragraph 3.1 (page 56) that *'uPVC windows are strongly discouraged for both aesthetic and environmental reasons'* with reference made to *'timber frames having a lower embodied carbon content than uPVC frames'*, this being in regards to the carbon dioxide emissions from the extraction, refinement, transport and processing.

4.6 While in sustainability terms, double-glazed units in general are recognised by the Council as having the potential to reduce energy costs, provide more thermal efficiency and insulation, offset the need for powered heating and so help reduce carbon emissions, it is noted that no detailed evidence has been provided by the applicant in relation to thermal efficiency, the performance level of the chosen glazing or any other sustainability credentials of the proposed windows and doors to indicate that the proposal would minimise the effects of climate change in line with the requirements Policy CC1 or related policies and guidance.

4.7 In fact, the applicant does not refer to or provide any justification for the proposals in the application submission on sustainability or energy efficiency grounds, beyond stating in the Design and Access Statement that the proposed windows and doors are intended to improve thermal comfort levels within the property.

4.8 The Council maintains that any intended benefits arising from the proposals in terms of improvements in thermal comfort levels referred to by the applicant, could equally be achieved by

the installation of double glazed units in timber frames, rather than using uPVC material for the proposed replacement units.

4.9 The Council argues, reinforced by the above policies and guidance, that timber frames have a lower embodied carbon content than uPVC frames. Timber material itself is also noted as possessing the beneficial quality of being able to trap and store atmospheric carbon. UPVC material, on the other hand, cannot biodegrade and uses non-renewable resources in their manufacturing process, and it is for these reasons that uPVC windows are strongly discouraged on environmental (and aesthetic) grounds.

4.10 As such, the proposed use of uPVC material for replacement windows and doors is not considered to represent a sensitive energy efficiency improvement or a sustainable form of development, and is contrary to Local Plan Policy CC1 (Climate change mitigation) and all relevant policies and guidance stated above, which seek to reduce carbon dioxide emissions.

5. Amenity

5.1 Local Plan Policy A1 (Managing the impact of development), supported by Camden Planning Guidance (Amenity), seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents.

5.2 The proposal is not considered to have any significant adverse impact on the amenity of neighbouring residential occupiers given that the proposal would replace existing windows and doors in the same positions on the host building. As such, the proposal accords with Camden Local Plan policy A1 (Managing the impact of development) and related Camden Planning Guidance in amenity terms.

6. Recommendation

6.1 It is therefore recommended that planning permission be refused

6.2 Reason for refusal:

6.3 The proposed replacement windows and doors, by reason of their design and inappropriate use of uPVC material, would harm the character and appearance of the host building, immediate locality and wider Fortune Green and West Hampstead Neighbourhood Area, and would not be environmentally sustainable, contrary to policies D1 (Design) and CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017.