



WRITTEN REPRESENTATIONS: APPEAL STATEMENT

BY:

***Mr Leslie Laniyan
Odu-Dua Housing Association***

FOLLOWING THE REFUSAL OF PLANNING PERMISSION BY:

The London Borough of Camden Council

REF:

2024/0135/P

FOR:

***Replacement of existing doors & windows with double glazed flush profile
UPVC windows.***

AT:

Sequoia House, 50, Lithos Road, London, NW3 6EY

July 2024

1.0 INTRODUCTION

1.1 This appeal relates to the refusal of planning permission for the '**Replacement of existing doors & windows with double glazed flush profile UPVC windows.**' at Sequoia House, 50, Lithos Road in London.

1.2 The planning application was dated 19th March 2024 and was subsequently refused on 19th July 2024 by the London Borough of Camden Council, with the decision notice stating just one reason for refusal, as noted below:

1. *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.*

1.3 The following statement will, therefore, seek to demonstrate why the council's decision is considered unsound on this occasion and why the scheme conforms to the aims of national and local planning policy.

2.0 APPEAL PROPERTY & SITE LOCATION



Sequoia House

- 2.1 No. 50 consists of six contemporary flats located within the residential building known as Sequoia House. These modern flats offer comfortable living spaces and are part of the larger property.

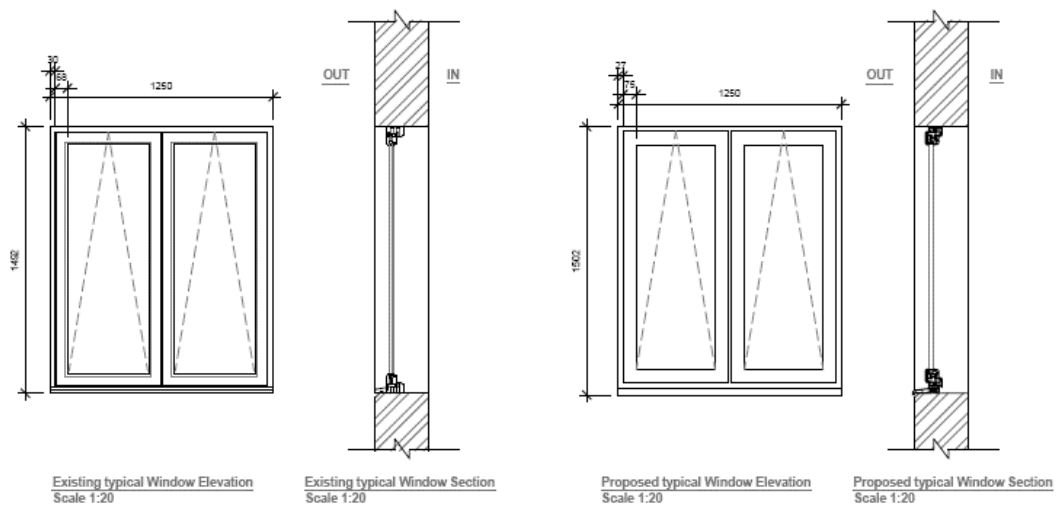


Location plan of appeal site and surrounding location

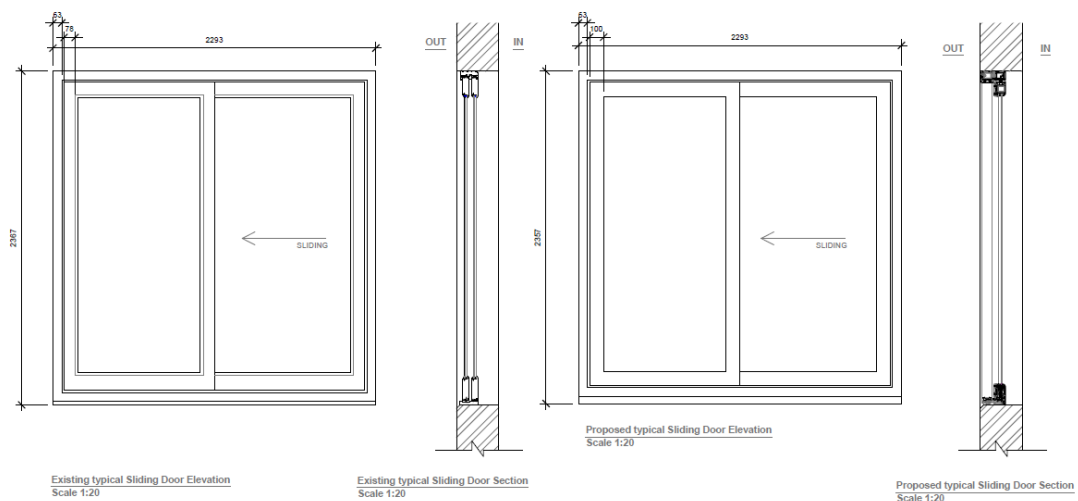
- 2.2 The site is situated in a primarily residential area and does not fall within a Conservation Area or the curtilage of a listed building. It is however within the boundary of the Fortune Green and West Hampstead Neighbourhood Area.

3.0 PROPOSAL

- 3.1 The proposed scheme sought planning permission the '***Replacement of existing doors & windows with double glazed flush profile UPVC windows.***' at Sequoia House, 50, Lithos Road.
- 3.2 All windows and doors at no. 50 would be replaced with white coloured, wood effect uPVC units that would replicate the design, proportions and openings of the existing windows.



Typical window details



Typical door details

4.0 RELEVANT PLANNING POLICY

4.1 The reason for refusal refers to policies D1 (Design) and CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017.

4.2 The following paragraphs will provide a brief summary of the relevant policies. The paragraphs are in a hierarchical order relative to the importance of national and local planning policy.

4.3 **National Planning Policy Framework (NPPF)**

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this appeal.

Presumption in Favour of Sustainable Development

4.4 Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development.

Decision-making

4.5 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way.

Achieving well-designed places

4.6 Section 12 of the NPPF refers to design, with paragraph 131 describing how the Government attaches great importance to the design of the built environment, stating that "*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*"

4.7 Paragraph 135 states that planning policies and decisions should ensure that developments:

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Local Plan 2017

- 4.8 The Camden Local Plan sets out the Council's planning policies and replaces the Core Strategy and Development Policies planning documents (adopted in 2010). It ensures that Camden continues to have robust, effective and up to-date planning policies that respond to changing circumstances and the borough's unique characteristics and contribute to delivering the Camden Plan and other local priorities. The Local Plan will cover the period from 2016-2031. Reference was made to policies D1 (Design) and CC1 (Climate change mitigation) within the reason for refusal.

Policy D1 (Design)

- 4.9 Good design is essential to creating places, buildings, or spaces that work well for everyone, look good, last well and will adapt to the needs of future generations. The National Planning Policy Framework establishes that planning should always seek to secure high quality design and that good design is indivisible from good planning. The Council seeks to secure high quality design by requiring that development respects local context and character and is of sustainable and durable construction.

Policy CC1 Climate change mitigation

- 4.10 The Council aims to tackle the causes of climate change in the borough by ensuring developments use less energy and assess the feasibility of decentralised energy and renewable energy technologies. The Camden Local Plan Policy underlines climate change mitigation by encouraging alterations that enhance energy performance, reduce carbon emissions, and improve the adaptability and longevity of existing buildings.

5.0 GROUNDS OF APPEAL

5.1 The appellant's case will address the concerns raised within the reason for refusal, notably:

- a) Whether 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,
- b) Whether the proposed replacement windows and doors would not be environmentally sustainable

5.2 The following planning considerations are deemed relevant in the determination of this appeal:

- Design and impact on the host building
- Environmentally sustainability
- Impact on the Fortune Green and West Hampstead Neighbourhood Area

Design and impact on the host building

5.3 Paragraph 131 of the NPPF states that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*

5.4 Local Plan policy D1 (Design) expects all new development to be high quality design and requires that development respects local context and character and is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation and comprises details and materials that are of high quality that complement the local character.

5.5 The scheme seeks to replace all of the existing doors and windows at no. 50 Lithos Road with high quality units that have been purposefully chosen to match the existing fenestration upon the building to ensure that once fitted the new UPVC units will entirely replicate the function and finished appearance of the existing windows and doors to the front and rear of the property.

5.6 The appeal site is not a heritage asset but forms part of a modern development that is situated within the boundary of the Fortune Green and West Hampstead Neighbourhood Area. The proposal is a high quality design and as such, the principle of replacing the existing failing timber frame windows and doors with new UPVC fitments would complement the distinct local character and identity of the Fortune

Green and West Hampstead Neighbourhood and therefore ought to be considered acceptable.

- 5.7 The remaining original fenestration within Sequoia House consists of single glazed timber frame windows and doors on front and rear elevations which are in varying degrees of deterioration. Therefore, it is challenging to maintain them which can lead to ongoing management issues. The proposed replacement of these windows and doors with low maintenance alternatives will result in minimal changes to the building's appearance but significantly improve living conditions for residents while also reducing environmental impacts and costs.
- 5.8 Consequently, the choice of design and materials would be consistent with the existing pattern of development and replacing them all would be of benefit to the appearance of the host building, immediate locality and wider Fortune Green and West Hampstead Neighbourhood Area.



- 5.9 The appellants preferred option for replacing the existing windows is to use uPVC framed double-glazed windows and doors in white, matching the current colour. The replacement windows on both the front and rear elevations will be 'like-for-like,' featuring flush profile uPVC double-glazed windows. Additionally, the rear external

door will be replaced with a uPVC door. The proportions and frame sizes will closely match the original windows.



- 5.10 It is understood that modern materials, such as UPVC and aluminium and changes to window frame patterns are generally unacceptable for traditional building forms, however, the building is clearly a modern development and therefore, the change to UPVC whilst maintaining the original patterns and profiles should be acceptable.
- 5.11 Therefore, the Council's rejection of the scheme on the grounds that 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 is considered to be an exaggeration of the actual impact of the proposal upon the finished appearance of the property and its setting.
- 5.12 It is evident that the council is concerned about the potential negative impact these changes could have on the building's appearance and architectural integrity. However, they seem to overlook the high quality and superior design of the proposed fittings, which would replicate the aesthetic appeal of the existing timber frames while offering all the advantages of a modern uPVC system.

- 5.13 In summary, the appeal proposal, due to its sustainable design and construction, and its respect for the local context and character, would result in a high-quality, appropriate development. This development not only looks good and is durable but also adapts to the needs of future generations, would be in accordance with Local Plan Policy D1.

Environmentally sustainability

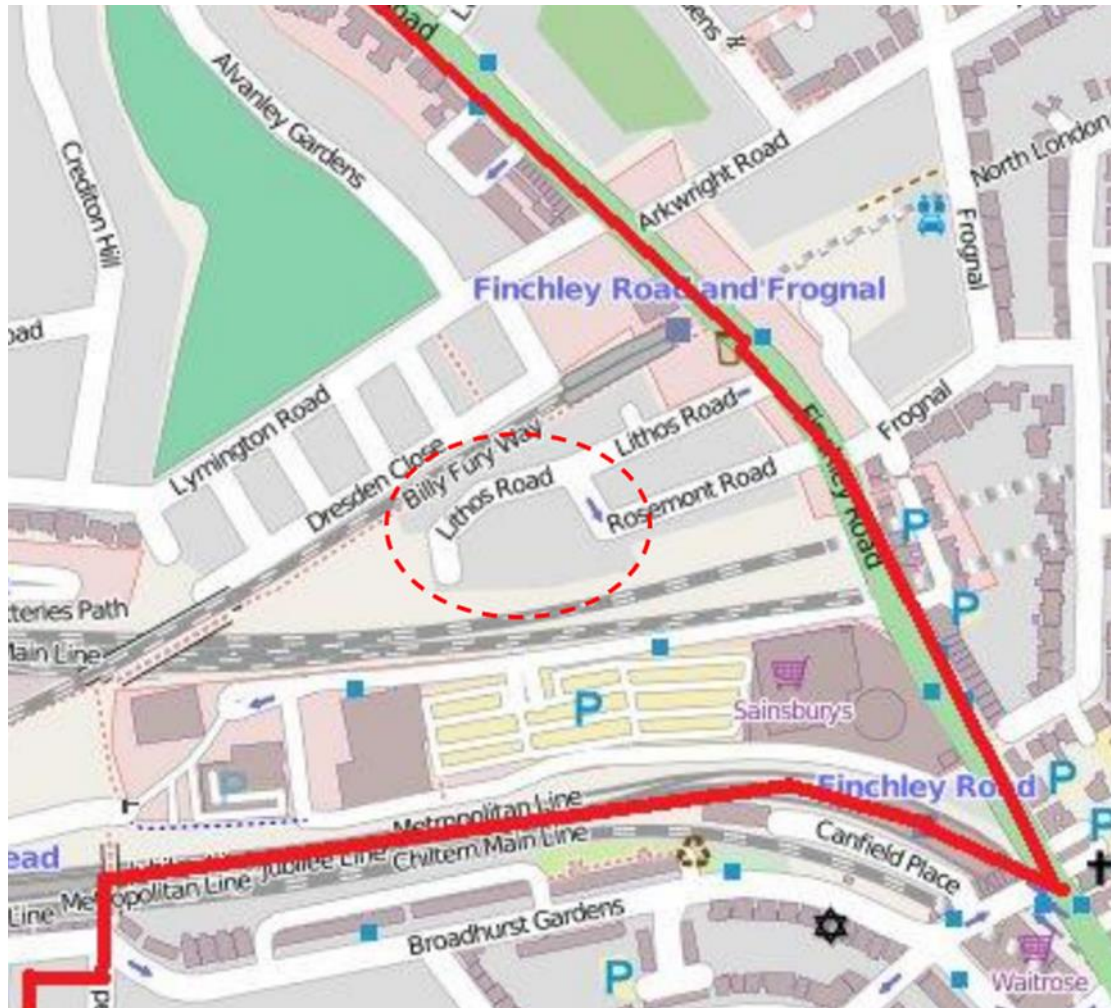
- 5.14 The proposed uPVC windows offer excellent thermal performance and energy-efficient glass, helping to reduce heating bills. The double glazing will increase the SAP ratings of the dwellings by approximately 5 points. These flush sash windows are low maintenance, provide high security, and feature a traditional woodgrain effect to create a period or heritage look.
- 5.15 The proposed replacement windows and doors would be a double-glazed unit sold as 'ADVANCE 70 FLUSH' by Selecta Systems, that achieves a U value of $1.1 \text{ W}/(\text{m}^2\text{K})$, providing excellent insulation and improving energy efficiency. The U value measures how well the window insulates and indicates the rate of heat transfer through it. A lower U value means better insulation and less heat loss. With a U value of $1.1 \text{ W}/(\text{m}^2\text{K})$, this window is considered efficient and offers good thermal insulation. The 28mm DGU refers to the thickness of the double-glazed unit, which typically consists of two panes of glass separated by a 28mm gap containing an insulating gas like argon. This setup will enhance the window's thermal performance.
- 5.16 Based on UK statistics, when outdated timber doors and windows are replaced with new windows offering improved thermal performance, there is an expected reduction in carbon dioxide emissions. By replacing single-pane windows with double-pane windows, it is estimated that there can be approximately a 15% reduction in heating and cooling costs. The ADVANCE 70 FLUSH window, with its excellent insulation and a U value of $1.1 \text{ W}/(\text{m}^2\text{K})$, is likely to provide even greater energy savings and could result in a 20% reduction in heating and cooling energy consumption.
- 5.17 By way of illustration, assuming the building currently uses natural gas as its energy source for heating and cooling, and with the building's energy consumption equivalent to 100,000 BTU per year, reducing energy consumption by 20% (20,000,00 BTU) could lead to a significant reduction in carbon dioxide emissions of about 1.06 metric tons of CO_2 per year. It is important to note that this estimation is rough example and actual savings may vary depending on specific circumstances and energy source used.
- 5.18 The installation of uPVC doors and windows complies with current building regulations, ensuring energy efficiency and minimal carbon emissions. They also have a longer lifespan, reducing the need for replacements and conserving resources.

- 5.19 Furthermore, uPVC materials are highly recyclable, and the recycling process can be repeated several times without notable loss of quality. At the end of their life, uPVC doors and windows can be recycled into new products, minimising waste and contributing to a circular economy.
- 5.20 Compared to other materials like wood or aluminium, uPVC requires less raw material in its production. The choice of uPVC for doors and windows replacements, can help conserve natural resources.
- 5.21 The London Plan identifies the need to improve the quality of life of both existing and new residents and policy SI 2 (Minimising greenhouse gas emissions) recognises that the environmental impact of existing urban areas should be reduced through policies and programmes that bring existing buildings up to the Mayor's standards on sustainable design and construction.
- 5.22 When comparing the environmental sustainability of aluminium and uPVC windows and doors, several factors come into play. In general, uPVC windows and doors tend to have better insulation, making them more energy efficient and reducing carbon emissions.
- 5.23 Both materials are recyclable, although aluminium has a higher recycling potential. However, aluminium production requires more energy and emits more greenhouse gases compared to uPVC. Aluminium also relies on the extraction of bauxite, which can have negative environmental and social impacts. uPVC is made from petrochemicals derived from non-renewable fossil fuels. Both materials have long lifespans.
- 5.24 Taking all these factors into consideration, uPVC tends to be a more environmentally sustainable choice due to its better energy efficiency and lower manufacturing impact.
- 5.25 In summary, the appeal proposal by reason of its environmental sustainability in comparison to other materials, would help to minimise the effects of climate change and aspires to meet the highest feasible environmental standards. This would result in a high quality and appropriate development that aligns with the Council's requirements for climate change mitigation as outlined in Local Policy CC1.

Impact on the Fortune Green and West Hampstead Neighbourhood Area

- 5.26 As described in section 16 of the NPPF it sets out that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability to ensure that new development makes a positive contribution to local character and distinctiveness.

- 5.27 Camden Local Plan policy D1 (Design) states that it is essential to creating places, buildings, or spaces that work well for everyone, look good, last well and will adapt to the needs of future generations.
- 5.28 The appellant acknowledges that the site is within the Fortune Green and West Hampstead Neighbourhood Area and the proposed improvements and upgrades to the existing structure would enhance and refresh the overall quality of the Neighbourhood Area.



The Fortune Green and West Hampstead Neighbourhood Area

- 5.29 The appeal proposal would replicate the appearance of the existing fenestration fittings and replace single glazed softwood casement windows and doors units which have exceeded their design lifespan. These replacements will have minimal impact upon the visual appearance of the building and would not harm the character and appearance of the host building, immediate locality and wider Fortune Green and West Hampstead Neighbourhood Area.
- 5.30 In summary, while a Neighbourhood Area focuses on community-led planning and development, a designated Conservation Area aims to preserve and enhance areas of historical or architectural significance.

- 5.31 Although the property is within the Fortune Green and West Hampstead Neighbourhood Area, it is **not** within a Conservation Area and the proposed project and location are not so sensitive that it would warrant rejection by the Council.
- 5.32 The proposed fenestration will be sympathetically installed to match the character of the host building, and the design is not so conspicuously different from the existing installation that it would warrant refusal. The changes highlight a balance between traditional and functionality, with every alteration thoughtfully considered. The double-glazed units will improve the property's energy efficiency, reducing carbon emissions in line with national and local requirements.
- 5.33 These necessary improvements will benefit the health and safety of the occupants by providing noise reduction, improved insulation and enhanced security. The development will therefore promote the core aims of the Fortune Green and West Hampstead Neighbourhood Area by bringing the property in line with modern living standards. This approach will meet present needs without compromising the ability of future generations and will enhance the distinct village character and heritage of the area.
- 5.34 Additionally, only on inspection at close quarters would it become apparent that the new fenestration was of UPVC construction which confirms that their introduction would not undermine the significance of the area, or indeed, the modern host property.
- 5.35 Given the above points, the appellant asserts that the proposed scheme would have a positive impact on the character and appearance of the Fortune Green and West Hampstead Neighbourhood Area and would not detract from its significance. Therefore, the proposed alterations conform to the aims of the NPPF as well as policies D1 (Design) and CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017.

6.0 CONCLUSIONS

- 6.1 The council have adopted an overly cautious approach in appraising the design and high quality finish of the proposed scheme and its limited impact upon the character and appearance of the host building and wider Neighbourhood Area. The proposed replacement units would replicate the design, profile and proportions of the existing windows and on balance would preserve the character and appearance of Fortune Green and West Hampstead Neighbourhood Area.
- 6.2 The appellant has no desire to gain permission for alterations that are not worthy of the existing building and feels strongly that the proposed alterations would make a positive contribution to the appearance of the area whilst improving the living

conditions and health and well-being of existing and future occupants of the properties.

- 6.3 Thus, it is stated that the appeal scheme is consistent with the aims of the NPPF, and policies D1 (Design) and CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017.
- 6.4 Therefore, we respectfully request that this appeal proposal be allowed with any reasonable and appropriate planning conditions deemed necessary in the circumstances of this case.

30th July 2024