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## Appeal Decision

Site visit made on 10 December 2024

**by C Skelly BA (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 30 January 2025**

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**Appeal Ref: APP/X5210/W/24/3349805**

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

- 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 Leslie Laniyan of Odu-Dua Housing Association against the decision of the Council of the London Borough of Camden.
  - The application Ref is 2024/0135/P.
  - The development proposed is replacement of existing doors and windows with double glazed flush profile uPVC windows and doors.
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### Decision

1. The appeal is allowed and planning permission is granted for replacement of existing doors and windows with double glazed flush profile uPVC windows and doors at Sequoia House, 50 Lithos Road, Camden, London, NW3 6EY in accordance with the terms of the application, Ref 2024/0135/P, 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 nos 2023/148-01, 2023/148-02, 2023/148-03, 2023/148-04, 2023/148-05, 2023/148-06, 2023/148-07, 2023/148-08 and Manufacturer's brochure.

### Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised on 12 December 2024. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

### Main Issues

3. The main issues are:
  - the effect of the proposal on the character and appearance of the host building and area including the wider Fortune Green and West Hampstead Neighbourhood Area; and
  - whether the proposal is an environmentally sustainable form of development.

## Reasons

### *Character and appearance*

4. The appeal building is part of a larger housing development located at the end of Lithos Road which is bounded on two sides by railway lines. The estate comprises several blocks arranged around a communal park. The appeal site is located within one of these blocks. The block is 5 storeys in height, with access via a central staircase. The flats have balconies which have external balustrade detailing which runs the full height of the main building.
5. The estate has a more modern appearance in comparison to the traditional residential terraces, located along Lithos Road. I observed that although the traditional residential terraces generally retain timber windows, there are also a number of examples of more modern buildings closer to the appeal site which have uPVC windows. However, within the housing estate itself, the prevailing character is timber windows. I note that the Council has resisted proposals to replace the timber windows on the adjoining properties at Juniper House.
6. Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015) states that all development shall be of high-quality design, which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead. This will be achieved through reflecting the materials, colour palette, scale and character of the area.
7. The appellant puts forward that the new windows and doors would match the existing as closely as possible. The proposed replacement windows would be from the Selecta range finished in “white” to give a wood effect. Notwithstanding the similar opening arrangements, it is evident from the submitted plans and brochure details that the appearance of the new windows and doors would be distinguishable from that of the existing when viewed closely. The new windows and doors would have slightly thicker frames and a more uniform texture and finish compared with timber windows.
8. The appeal site is not prominent within public views. Although the proposed windows and doors would have a different appearance to the existing, this would only be apparent when viewed closely. Visibility of the proposed sliding doors would be interrupted by the balcony balustrade detailing, which would minimise close inspection of the new doors and ground floor windows. Although the central hallway windows would not be screened in this way, they are much smaller, and the eye would be drawn towards the prominent balcony design. Windows on the top floor of the building would not be visible from most public vantage points due to the setback nature from the main front elevation and height of the building.
9. The appeal site is in a central location and therefore the replacement windows would appear different to the adjoining blocks. However, even if the replacement windows were timber, they would still appear as newer additions in comparison with the existing. Nevertheless, any impact would be reduced from wider views by the balustrade detailing.
10. The Council have referred me to appeals at 306 Kilburn High Road<sup>1</sup>, however in these cases the appeal site was a prominent corner building, located on the High

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<sup>1</sup> APP/X5210/C/22/3305743, APP/X5210/W/22/3302064

Street with traditional sash windows. This is not directly comparable to this case, which is a modern building, with limited public views.

11. The proposal would not cause harm to the character and appearance of the host building and area including the wider Fortune Green and West Hampstead Neighbourhood Area. Therefore, it would not be contrary to policy D1 of the Camden Local Plan 2017 (LP), which amongst other things requires that development respects local context and comprises details and materials that complement local character.

### *Environmental sustainability*

12. Policy CC1 of the LP 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. The policy does not prohibit the use of uPVC for window frames as an alternative to timber. However, the Home Improvements Planning Guidance (2021) strongly discourages the use of uPVC windows for both aesthetic and environmental reasons.
13. As part of the appeal statement the appellant has submitted information based on UK statistics on the U value of the proposed windows, which measures how well the proposed window insulates and indicates the rate of heat transfer through it. The proposed double glazing is estimated to increase the Standard Assessment Procedure (SAP) ratings of the dwellings by approximately 5 points. The appellant also puts forward that not all wood used in timber frames is sustainably sourced.
14. The Council counters this by arguing that timber windows have better thermal performance than uPVC, cannot biodegrade, use non-renewable resources in their manufacturing process and that timber itself is carbon sequestering since it traps and stores carbon. The Council contends that the proposed improvements to thermal comfort levels referred to by the appellant, could equally be achieved by the installation of double-glazed units in timber frames.
15. The evidence provided by the parties demonstrate that uPVC and timber window frames are both likely to have some degree of benefits and disadvantages in terms of carbon emissions. However, little substantiated evidence has been put forward in relation to the specific details of the proposed windows and doors and directly comparable timber products. Therefore, it has not been demonstrated, and it remains unclear, whether the development would minimise the effects of climate change. However, given that policy CC1 refers specifically to 'sensitive' energy efficiency improvement, and as I have not found that the proposal would cause visual harm, I do not consider that the proposal would conflict with policy CC1.
16. I therefore conclude that the proposal is an environmentally sustainable form of development and does not conflict with policy CC1 of the LP. This policy amongst other things requires all new development to minimise the effects of climate change.

### **Conditions**

17. In order to meet legislative requirements, a condition shall be imposed to address the period for commencement (1). I have imposed a condition relating to approved plans for the avoidance of doubt (2).

**Conclusion**

18. For the reasons given above the appeal should be allowed.

*C Skelly*

INSPECTOR