



Appeal Decision

Site visit made on 9 December 2015

by E Gray MA(Hons) MSc IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 January 2016

Appeal Ref: APP/X5210/W/15/3132506

226 Finchley Road, Camden, London NW3 6DH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by London Homes Limited against the decision of the Council of the London Borough of Camden.
 - The application Ref 2015/1360/P, dated 4 March 2015, was refused by notice dated 22 June 2015.
 - The development proposed is described as the 'replacement of all existing UPVC and wooden windows of Flat 3 on the first floor of the building known as 226 Finchley Road with white UPVC windows fitted direct to the brickwork in accordance with the drawing submitted'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A site visit was arranged for 9 December 2015, and a letter was issued to the appellant on 1 December 2015, confirming the time of the visit and requesting access to the property. The appellant did not attend the site visit, and I was unable to gain access to view the rear elevation of the property. I have therefore determined the appeal based only on my assessment of the proposals to the front elevation of the property at 226 Finchley Road.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the conservation area.

Reasons

4. The Redington/Frognaal Conservation Area comprises a residential suburb which was formed in the late 19th and early 20th centuries, and contains a range of domestic forms and styles. The appeal site forms one of a terrace of houses which is identified in the Redington/Frognaal Conservation Area Statement (2000) as making a positive contribution to the character and appearance of the area. The Camden Planning Guidance (adopted 2011, updated 2013) notes that alterations should always take into account the character and design of the property, and that windows should complement the existing building.

5. On my site visit, I noted that the majority of windows to the front elevation of the building are uPVC replacements. It is proposed to replace all of the windows to Flat 3, which occupies the first floor of the property. However, the bathroom and kitchen still have traditional timber sliding sash windows. These are typical examples, with slender glazing bars and meeting rails, and elegant frames which are recessed into the wall. The two plain sash windows to the left of the front elevation are separated by a heavier timber mullion which is characteristic of this period of architecture.
6. In comparison, the proposed uPVC windows would be considerably heavier in appearance, would lack the detailing of the existing timber windows, and would fail to replicate the existing opening mechanism. The traditional appearance of the paint finish would also be lost.
7. The other existing uPVC windows at the appeal property, and those installed at the neighbouring property, have a demonstrably harmful effect on the conservation area, and their presence does not justify the further harm that would result from the proposed development.
8. The Council confirms that they have served an Improvement Notice on the owner of Flat 3, requiring the upgrading of the windows. However, the Council states that secondary glazing would meet their requirements, and therefore the replacement of the timber windows can be avoided.
9. Whilst the harm to the significance of the conservation area would be less than substantial (in terms of the phraseology used in the National Planning Policy Framework), this does not mean that the harm to the conservation area would not be significant. Furthermore, I have not identified any public benefits that would outweigh that harm.
10. I conclude that the proposal would fail to preserve the character of the appeal building, thus harming the overall character and appearance of the conservation area. The proposal therefore conflicts with policy CS14 of the London Borough of Camden Local Development Framework Core Strategy (2010), and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies (2010). The appeal should therefore fail.

E Gray

INSPECTOR