

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	25/07/2017
		N/A		<b>Consultation Expiry Date:</b>	06/07/2017
<b>Officer</b>			<b>Application Numbers</b>		
Anna Roe			2017/1986/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
38 Crediton Hill, London, NW6 1HR			Refer to Draft Decision Notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal</b>					
Replacement of existing single glazed timber framed windows with double glazed UPVC windows (retrospective).					
<b>Recommendation:</b>		Refuse Planning Permission and warning of enforcement action			
<b>Application Type:</b>		Householder Permission			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>N00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>	<p>Advertisement in local press on 15/06/17-06/07/17</p> <p>Site notice displayed on 09/06/17-30/06/17</p> <p>No responses received following statutory consultation process.</p>					
<b>CAAC comments:</b>	<p>Two letters of objection have been received from The West End Green Conservation Area Advisory Committee and the Crediton Hill Residents Association raising the following concerns:</p> <ol style="list-style-type: none"> <li>1. This application has been submitted almost two years after the original work was done without permission. Our committees notified planning officers almost immediately when the work was undertaken over a weekend in August 2015 and we entered a 22-month long correspondence with planners over enforcement of this violation. We were of course disappointed that numerous enforcement actions were ignored and eventually led to this application.</li> <li>2. Our objections remain the same. There has been a long-standing objection to and enforcement of the use of UPVC replacement windows in this conservation area (and others in Camden) and approving this application would be the thin end of the wedge in allowing the use of unsuitable materials in the area.</li> <li>3. If the freeholder, who does not live in the property and contrary to the Access Statement we understand from Camden actually lives abroad, had conferred with planners prior to the surreptitious weekend installation in August 2015, all this could have been avoided.</li> <li>4. We are unaware of any other UPVC installations on Crediton Hill but if they do exist they have been installed without planning permission. Numerous window replacements with planning permission have been undertaken in the area using double glazed timber frame windows which exactly match the previously older installations.</li> </ol>					

## Site Description

The house is part of a semi-detached pair located on the eastern side of Crediton Hill.

The properties along the street have some uniformity of appearance and are built in the arts and crafts style with red brick walls and traditionally proportioned timber casement windows, subdivided by glazing bars.

The property is in the West End Green Conservation Area and is identified as a positive contributor in the Appraisal and Management Strategy. This Conservation Area is predominately residential in character.

## Relevant History

EN15/0814 - Installation of UPVC windows on the front elevation following removal of timber windows. On-going.

### Neighbouring properties

2011/4079/P - The replacement of existing timber framed windows and doors with new aluminium windows and doors, including sliding doors and rendering to the rear ground floor elevation, and the installation of lantern rooflight to existing flat roof in connection with residential flat (Class C3). Refused 06/10/2011.

Reason for refusal: The proposed alterations at rear ground floor level by reason of their inappropriate design and materials would be detrimental to the appearance of the host building and would not preserve and enhance the wider conservation area contrary to policies CS14 (Promoting high quality places and conserving our heritage); DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework.

## Relevant policies

National Planning Policy Framework, 2012  
London Plan, 2016

Camden Local Plan, June 2017

D1 Design

D2 Heritage

Camden Supplementary Planning Guidance

CPG1 Design, 2015 - chapters 3 and 4

CPG6 Amenity, 2011

West End Green Conservation Area Appraisal and Management Strategy, 2011

Sections 5.5, 5.6, 5.9, 6, 9.

Fortune Green and West Hampstead Neighbourhood Plan

Policy 2 Design & Character

Policy 3 Safeguarding & enhancing Conservation Areas & heritage assets

### 1. Proposal

- 1.1 The proposal includes replacement of the original white painted, timber casement windows with uPVC windows. The application is retrospective and the development has been completed since 2015.
- 1.2 More detailed/accurate plans were requested during the course of the application as it is difficult to discern changes between the existing and proposed situation from the submitted plans. While the existing and proposed drawings appear to show near identical windows the submitted photographs show that the drawings do not accurately reflect the actual windows.

### 2. Assessment

- The main issue is the effect of the proposed development on the character and appearance of the host property and the West End Green Conservation Area.

### 3. Design

- 3.1 Policy D1 (Design) of the Camden Local Plan confirms that the Council will require a high quality of design for all buildings and spaces in the borough. Policy D2 (heritage) relates to conserving the Borough's heritage and states that the character and appearance of a Conservation Area can be eroded through the loss of traditional architectural details such as historic windows and doors.
- 3.2 Chapter 4 of Camden Planning Guidance Design relates to guidance for extensions and alterations. The guidance makes specific reference to windows and states that where it is necessary to alter or replace windows that are original or in the style of the originals, they should be replaced like with like wherever possible in order to preserve the character of the property and the surrounding area. Furthermore, where timber is the traditional window material, replacements should also be in timber frames. UPVC windows are not acceptable both aesthetically and for environmental reasons, including their relatively short lifespan and inability to biodegrade.
- 3.3 Paragraph 5.6 of the West End Green Conservation Area Appraisal and Management Strategy states that the dominant window type in the immediate area is painted timber casement windows.
- 3.4 In this case, the windows are a particularly important feature of the building, making up a sizeable proportion of its main elevations.
- 3.5 Although the replacement windows are of a similar design to the original windows, they are not of the same appearance. UPVC has a different, more artificial appearance to timber, both when new and when aging. The use of UPVC on this scale detracts from the character and appearance of the host building and the coherence and harmony of the street scene and the West End Green Conservation Area.
- 3.6 Government Policy in respect of the historic environment is set out in the National Planning Policy Framework. Paragraph 126 recognises that historic assets are an irreplaceable resource that local authorities should conserve in a manner appropriate to their significance.
- 3.7 The harm found in this case would be less than substantial to the Conservation Area as a whole and any harm, which is less than substantial, must be weighed against the public benefit of the proposal. In addition, section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

3.8 Whilst the harm to an individual site may be less than substantial, the incremental and cumulative harm that could arise from similar proposals could adversely affect the conservation area and the heritage asset as a whole. As heritage assets are irreplaceable, any harm requires clear and convincing justification. However, in this case the alterations relate to a private house and there are no public benefits that would offset the limited harm identified.

3.9 The proposed development would not preserve or enhance the character and appearance of the Conservation Area and therefore does not accord with Policy D1 and D2 of the Camden Local Plan which advises that development is of the highest standard of design, respects local context and character and preserves and enhances Camden's heritage assets including conservation areas.

#### **4. Recommendation**

4.1 For the reasons given above officers consider that the proposal should be refused and warning of enforcement action to be taken.

That the Head of Legal Services issue an Enforcement Notice under section 172 of the Town & Country Planning Act 1990 as amended, and officers be authorised in the event of non-compliance to prosecute under section 179 or appropriate power and/or take direct action under section 178 in order to secure cessation of the breach of planning control.

#### **The Notice shall allege the following breach of planning control:**

The unauthorised replacement of single glazed timber windows with uPVC double glazed windows to the front and rear elevations.

What you are required to do:

- To the front and rear elevations: remove the uPVC windows and reinstate with timber sliding sash windows to match those previously removed.

#### **Period of Compliance: 3 months**

#### **REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last 4 years.

The replacement windows, by reason of their material and detailed design, harm the appearance of the host building and the character and appearance of the West End Green Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.



