



Appeal Decision

Site visit made on 8 January 2018

by Graham Chamberlain BA (Hons) MSc MRTPI

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

Decision date: 19th January 2018

Appeal Ref: APP/X5210/D/17/3190059

38 Crediton Hill, London NW6 1HR

- 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 Mr Kennedy against the decision of the Council of the London Borough of Camden.
 - The application Ref 2017/1986/P, dated 5 April 2017, was refused by notice dated 5 September 2017.
 - The development proposed is 'retrospective planning application for the replacement of timber framed windows to UPVC double glazed windows'.
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Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issue

2. The planning application relates to the retention of the UPVC windows installed at the appeal property. The style and design of the previous windows is unclear and it is uncertain whether the glazing was of interest. Nevertheless, it is a point of common ground that the previous windows had a timber frame and therefore the proposal is not a 'like for like' replacement.
3. The main issue in this appeal flows from the Council's reason for refusal and is whether the proposed development would preserve or enhance the character or appearance of the West End Green Conservation Area.

Reasons

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the West End Green Conservation Area (the 'CA').
5. In considering the significance of the CA, I have been directed to the West End Green Conservation Area Appraisal and Management Strategy 2011 (CAA). This document explains that the West End Green area was a small hamlet until a Midland Line Railway Station was constructed in 1871. This resulted in a dramatic expansion of the hamlet in the late nineteenth and early twentieth centuries. This fundamentally altered the character of the area with West End Green being absorbed by London and becoming a metropolitan suburb.
6. The relatively short period in which the expansion of the village occurred resulted in a very homogeneous concentration of Victorian and Edwardian

- domestic architecture and planning. The CAA states that it is these buildings that are the core reason for the CA's designation and significance.
7. The appeal property is a semi-detached house located in Crediton Hill. It is a good example of the arts and craft style found in the locality. Thus, it has been designated in the CAA as a building that makes a positive contribution to the CA as a whole. The appeal property is one of a number of 'house types' that have been replicated within the street. Some of the other properties in the road that exhibit the same house type design as the appeal property have retained their original windows and therefore it is possible to see what the front elevation of the appeal property would have once looked like.
 8. The original casement windows in the street tend to be flush fitting, balanced and constructed from timber that is generally painted white. The glazing configuration tends to be divided into small panes by mullions and transoms. These glazing bars are a particularly characterful part of the design of the individual house types. As such, there is a high level of uniformity in the design and appearance of windows within the road and this is a visually harmonising feature that greatly enhances the quality of the street scene.
 9. It is a point of note that the CAA states that the quality of Crediton Hill is being eroded, in part, by insensitive window replacement. The replacement of timber windows with uPVC windows is identified as a particular problem and therefore the management plan for the CA seeks to restore original glazing materials and configurations. This is also reflected in the Camden Planning Guidance on Design (CPG1). I have seen nothing of substance to suggest the guidance in the CAA is misplaced or dated and it supports what I observed. As such, the guidance in the CAA is a matter of significant weight in my considerations.
 10. A building's fenestration is an important component in defining its visual and architectural character. The proposed windows are constructed in UPVC frames and this has introduced a material finish to the appeal building that is not prevalent in other buildings found elsewhere within the CA. UPVC is a material that has an artificial texture and a more uniform finish, when new and when aging, than painted timber windows. The white finish of the proposed UPVC windows provides some harmony with other windows in the street. Nevertheless, it is still possible to discern them as modern insertions that are an incongruous intrusion into the historic street scene.
 11. In addition to the use of UPVC, the design and configuration of the proposed windows is poor and this is clearly evident from the street. This impact is compounded by the use of prominent trickle vents. The opening sections of the windows sit proud of the frame and this has resulted in an unbalanced composition with the non-opening sections¹. Another failing of the design is that the glazing bars sit behind the sheets of glass rather than the glass siting within the frame created by the glazing bars. These aspects of the detailed design only serve to highlight the fact that UPVC has been used and done so in a way that is unsympathetic to the original design and composition of the windows in the appeal property and the surrounding area.
 12. A further failing is that the installed windows do not match those on the adjoining property in the semi, including the number of panes in the ground

¹ This is unlike the timber window nearby, which have small hinges that enable the opening sections of the window to sit flush within the frame.

floor bay window. This further erodes the symmetry of the semi, which is an important architectural feature. Thus, the installed windows have harmed the character and appearance of the appeal property, the street scene and the wider CA.

13. UPVC windows have been installed in other properties in the street but these tend to be isolated examples that fail to harmonise with the overall character and appearance of fenestration in the CA. In any event, the presence of UPVC elsewhere in the street is not a strong point in favour of the appeal scheme as the CAA identifies their presence as a specific problem. Notwithstanding this, the windows installed at 39 Crediton Hill are balanced in their composition with the windows, including those sections that open, sitting flush within the frame and it is unclear whether the windows installed at Nos 16 and 46 Crediton Hill, which has a similar impact to the appeal scheme, have planning permission.
14. The harm that would arise would be localised and therefore the impact on the CA as a whole is less than substantial within the meaning of Paragraph 134 of the National Planning Policy Framework (the Framework). In weighing the public benefits of the proposal against the harm identified, the appellant has suggested that the proposal has improved the residential amenity of occupants. However, I have not been presented with substantive evidence to suggest that UPVC windows significantly outperform well installed and maintained timber windows in this regard, which could also be double glazed.
15. As such, the public benefits of the appeal scheme are of no more than limited weight. As a consequence, the public benefits arising from the proposed development would not outweigh the harm I have identified. This has resulted in a conflict with Paragraph 132 of the Framework because the harm to the CA does not have a clear and convincing justification and the Framework requires great weight to be given to the conservation of designated heritage assets.
16. Thus, my overall conclusion is that the proposal harms the significance of the conservation area. The character or appearance of the CA has not been preserved or enhanced. Consequently, the proposal fails to adhere to Policies D1 and D2 of the Camden Local Plan 2017 and Policy 3 of the Fortune Green and West Hampstead Neighbourhood Plan 2015, which together seek to secure high quality design that respects local details, character and heritage.

Other Matters

17. It is a point of disagreement between the appellant and Council as to the environmental impacts of using UPVC. However, given my findings on the main issue it has not been necessary for me to reach a conclusion on this point.

Conclusion

18. The appeal scheme would be contrary to the development plan taken as a whole and material considerations do not indicate planning permission should be forthcoming in spite of this. Accordingly, the proposal is not sustainable development and for this reason, the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Graham Chamberlain
INSPECTOR