
Appeal Decision

Site visit made on 21 September 2016

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 5 October 2016

Appeal Ref: APP/K5600/W/16/3154517

Flat 2, 90 Cambridge Gardens, London W10 6HS

- 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 Ms Yara Yazbeck against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/16/01548, dated 7 April 2016, was refused by notice dated 17 June 2016.
 - The development is the painting of windows on rear conservatory to grey/blue colour.
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Decision

1. The appeal is allowed and planning permission is granted for the painting of the windows on the rear conservatory to a grey/blue colour at Flat 2, 90 Cambridge Gardens, London W10 6HS in accordance with the terms of the application, Ref PP/16/01548, dated 7 April 2016.

Procedural Matter

2. The windows have already been painted and I am considering this appeal retrospectively. I have used the Council's description of development as it is more precise but I have removed the words "retrospective application" as these words do not describe the actual act of development and are therefore superfluous.

Main Issue

3. The main issue is whether the grey/blue paint on the window frames preserves or enhances the character or appearance of the conservation area.

Reasons

4. The site is within the Oxford Gardens Conservation Area which is characterised by imposing Victorian and Edwardian buildings including large terraces of dwellings, many of which have been converted into flats.
5. Most of the rear windows in the surrounding buildings are painted white but a few are not and I noted at my visit that there were several windows nearby painted with other colours such as mid-grey, light grey, black and blue. Whilst timber windows are an important feature of the conservation area, I disagree that their white colour is. Not only is this because not all the windows are white but because other colours would be consistent with the architectural era of the area. White is simply a current fashion and the Council even accepts that Victorian windows would not have been originally painted white.

Therefore, to introduce another colour is not harmful to the historic interest or to the character or appearance of the heritage asset. I note the Council's point that other non-white windows were not subject to planning control but this factor does not alter my assessment.

6. Furthermore, the windows are on a modern extension with a grey roof and the colour of the window frames blends in exceptionally well with the roof resulting in a well-balanced and attractive architectural form. Whilst there are other white windows in the building, I do not agree with the Council that the grey paint looks discordant. I note the Council's reference to another appeal decision¹ but this refers to a completely different type of development in a different conservation area and even though windows are mentioned, I find this decision incomparable to the case before me.
7. For the above reasons, I conclude that the grey/blue paint on the windows preserves the character and appearance of the conservation area. Consequently I find no conflict with Policies CL1, CL2, CL3 and CL6 of the RBKC Consolidated Local Plan 2015, which, in combination, seek to protect the character and appearance of an area, ensure high quality design, and to preserve or enhance conservation areas.
8. For the above reasons, the appeal is allowed.

Siobhan Watson

INSPECTOR

¹ APP/K5600/W/16/3144714