

Appeal Decision

Site visit made on 1 November 2016

by David Walker MA MRTPI

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

Decision date: 30 November 2016

Appeal Ref: APP/E5900/W/16/3153592

11, 13, 15, 19A, 19B, 25A and 25B Casson Street, London E1 5LA

- 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 Ahsanul Haque of Spitalfields Housing Association against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/16/00983, dated 1 April 2016, was refused by notice dated 13 June 2016.
 - The development proposed is window replacement programme from timber sash to uPVC sash heritage design.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The address provided within the application form does not identify the various properties to which the proposed works relate. Accordingly, I have amended the address to reflect that provided within the appeal form and the Council's decision notice in the interests of accuracy and completeness.

Main Issue

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

Reasons

4. The replacement windows would be installed in buildings that are prominently positioned within the local street network. As such they are significant buildings in the townscape of the locality. Although of differing designs Nos 19A-25B exhibit a high standard of architectural detailing from the period, the value of which I find is enhanced by their juxtaposition with contemporary buildings immediately opposite.
 5. With reference to paragraph 135 of the National Planning Policy Framework (the Framework) the Council considers the buildings to amount to non-designated heritage assets in the area. I agree. In these circumstances paragraph 135 of the Framework requires their significance to be taken into account in the determination of applications.
 6. The original sash windows are an abundant and prominent element in the façade with the white painted frames contrasting against the red brick. The
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fineness of detail in the proportions of the glazing bars, the provision of window horns, and the soft reflections from the original glass, complement the high detailing of the architecture. From the level of information contained within the submitted plans I am not satisfied that the alternative materials proposed would satisfactorily replace the significant qualities of the original windows I have identified.

7. I acknowledge that there are considerable costs involved in the cyclical repair and maintenance of the many windows of the appeal buildings, and that this could potentially divert investment away from other homes. However, I have no evidence before me that repair and improvements to thermal and acoustic insulation would not be a practical or economic option. Given the significance of the original windows it has not therefore been demonstrated that their loss and resulting harm to the non-designated heritage assets is justified.
8. For these reasons I find the proposal would have a harmful effect on the character and appearance of the area. Accordingly, it would conflict with the requirements of Policy SP10 of the Tower Hamlets Core Strategy 2010 to preserve or enhance the wider built heritage and historic environment of the borough to enable the creation of locally distinctive neighbourhoods.
9. It would also fail to accord with the associated requirements to ensure design is sensitive to and enhances local character and setting of the development, and to protect and enhance heritage assets, their significance and setting, amongst other things, of Policies DM24 and DM27 of the Tower Hamlets Local Plan: Managing Development Document 2013, and paragraph 135 of the Framework.

Conclusion

10. For the reasons given above, and with regard to the development plan read as a whole, I conclude that the appeal should be dismissed.

David Walker

INSPECTOR