The Planning Inspectorate

Appeal Decision

Site visit made on 15 February 2017

by Grahame Gould BA MPhil MRTPI

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

Decision date: 7th March 2017

Appeal Ref: APP/H5390/W/16/3163617
40A New King's Road, London SW6 4ST

- 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 Paul Adams against the decision of the Council of the London Borough of Hammersmith and Fulham.
- The application Ref 2016/03248/FUL, dated 20 June 2016, was refused by notice dated 21 September 2016.
- The development proposed is replacement of 6 wooden double glazed windows with same style uPVC units.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the Parsons Green Conservation Area (the CA).

Reasons

3. 40A New King's Road (No 40A) is a first floor flat within a three storey building (No 40/40A), built in 1982, which is located at the corner of New King's Road and Parsons Green. The CA in the immediate vicinity of No 40A comprises either commercial premises at street level with residential accommodation above, such as Nos 40/40A, or wholly residential buildings.

4. The development has involved the replacement of No 40A's six timber framed doubled glazed windows with six uPVC windows. I found the frames of the windows that have been installed to have a quite heavy and crude appearance and I also found them to possess no architectural merit.

5. No 40/40A is attached to a parade of seven commercial properties with residential accommodation above (Nos 26 to 38), the latter being a group of Victorian properties, which appear to have timber first and second floor windows[1], as is the case for the properties on the opposite side of New King's Road at this point. Given the corner position of No 40A the windows that have been installed are very visible within the streetscene and are not in sympathy with the upper floor windows present at Nos 26 to 38.

[1] The photograph that forms appendix 6 to the appellant's case showing premises that are not within the group between Nos 26 to 38

6. I recognise that No 40/40A do not share the architectural merit of the properties at Nos 26 to 38. However, I consider it likely that No 40/40A's originally installed windows would have assisted in helping to assimilate this newer building's facade into its more historic surroundings and that is not true of the replacement windows that have been installed.

7. Reference has been made to the various replacement window installations that have been undertaken within the block of flats at 23 to 41 Parsons Green (Nos 23 to 41). While No 40/40A has an elevation in Parsons Green it is quite distinct from Nos 23 to 41. I therefore consider that the window alterations that have been undertaken at Nos 23 to 41 are not directly comparable with the appeal development, not least because No 40/40A is attached to a terrace where window alterations appear not to have been prevalent. Other properties in the CA that have been subject to window alterations have also been referred to, however, those properties occupy less prominent locations and I therefore consider that those other instances of window changes are not comparable with those made to No 40A.

8. For the reasons given above I conclude that the development has resulted in unacceptable harm to the CA's appearance, with the result that the CA's appearance has neither been preserved nor enhanced. However, as this development would not affect the occupation of No 40A I consider that the CA's character has been preserved in land use terms.

9. The harmful nature of the development gives rise to conflict with Policy BE1 of the London Borough of Hammersmith and Fulham Core Strategy of 2011, Policies DMG3, DMG5 and DMG7 of the London Borough of Hammersmith and Fulham Development Management Local Plan of 2013 and Policies 31 and 37 of the Council's Planning Guidance Supplementary Planning Document of 2013. That is because the appearance of the CA has not been preserved, with the materials and profile of the windows being of a type that is not respectful of the building's surroundings.

10. I find the harm to the CA is less that substantial when considered within the context of paragraphs 133 and 134 of the National Planning Policy Framework. However, I consider that there are no public benefits arising from this development that outweigh the harm to the CA that has arisen.

Conclusion

11. For the reasons given above the appeal is dismissed.

Grahame Gould

INSPECTOR