
Appeal Decision

Site visit made on 20 June 2017

by R J Jackson BA MPhil DMS MRTPI MCMi

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

Decision date: 06 July 2017

Appeal Ref: APP/A5270/D/17/3175546
16 Brentham Way, Ealing W5 1BJ

- 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 Coombes against the decision of the Council of the London Borough of Ealing.
 - The application Ref PP/2016/0037, dated 19 September 2015, was refused by notice dated 17 February 2017.
 - The development proposed is installation of 4 No timber windows
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Decision

1. The appeal is allowed and planning permission is granted for replacement of 6 single glazed timber casement windows with double glazed (5 to the front elevation and 1 to the rear elevation) timber casement windows at 16 Brentham Way, Ealing W5 1BJ in accordance with the terms of the application, Ref PP/2016/0037, dated 19 September 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Block/Site Plan, Drawing 1, Drawing 2, Drawing 3, Drawing No 4, Drawing 5, and Drawing 6. In interpreting this condition the window marked "W4" on the middle photograph on Drawing No 4 being the window marked "W5" on Drawing 3 and being located above the front door.

Procedural matters

2. The application form used the description of the development as I have used in the heading. However, the Council's decision notice described the proposal as for "replacement of 6 single glazed timber casement windows with double glazed (5 to the front elevation and 1 to the rear elevation) timber casement windows" and this description was also used on the appeal form.
3. The application drawings are somewhat contradictory. Drawing 5 shows the front elevation and denotes four windows (W1, the ground floor bay window, and W2, W3 and W4 above). While Drawing 3 has a window marked W5 Drawing No 4 has two windows annotated as W4. These are the W4 shown on Drawing 5 and what I take, following the site visit, as the window at first floor level above the front door. Including the window above the front door totals

five windows which is the same as the description on the decision notice and appeal form. There is a single window on the rear elevation proposed to be replaced, W6.

4. From this I take the windows on the front elevation proposed to be replaced are the four shown on Drawing 5 together with the window above the front door; this being the W5 on Drawing 3. I have therefore used the description on the decision notice and appeal form in the formal decision.
5. The Council's reason for refusal relates only to the windows on the front elevation and I can see no objection to the proposed replacement of the rear window.

Main Issue

6. The main issue is the effect of the proposed alteration on the character and appearance of the Brentham Garden Estate Conservation Area (the BGECA).

Reasons

7. The appeal property is located towards the upper end of Brentham Way. It is a semi-detached property, but the adjoining property (No 14) while similar is somewhat different in that it does not have the hipped gable front extension or bay window. The area is generally residential containing mainly arts and crafts style houses in a mixture of semi-detached and terraced buildings. The appeal site lies within the BGECA, a designated heritage asset, and is located in an attractive area.
8. There is variation in design throughout the BGECA with the different building types, particularly with some properties being at an angle addressing corners and junctions. As noted with the appeal property, semi-detached pairs are not necessarily similar. However, there are a number of common elements, in particular the materials, two-storey pitched roofs and a generally consistent style of windows with smaller elements within the elevations. A typical example being disposition of windows W2, W3 and W4 on the appeal property as three windows rather being a single opening.
9. The Council is concerned that insensitive additions to a host building can alter the character drastically and undermine the significance of the BGECA. I would concur with this proposition, particularly, as here, where windows add much to the overall character of the BGECA.
10. The existing windows on the appeal property are single glazed and inspecting them at the site visit, even from a short distance away on the pavement, showed that they had been repaired over the years with a number of 'patches' and that overpainting has led to flaking. The patching has meant that the windows appear less 'clean' than they must have been when originally installed.
11. The proposal is to replace the six windows identified with double glazing as specified on the drawings. These show that the width of the various joinery elements would be the same as that existing. What would be different would be the depth to accommodate the two panes of glass. Rather than the 40 mm of the existing units the proposals would be 45 mm deep.

12. I have been provided with a number of appeal decisions for other proposals in the area¹, and I walked around the area looking closely at these properties as well as the others in the area. This allowed me to see the differences in effect of those where appeals were allowed and the development implemented, particularly where this was one of a pair of semi-detached properties or on a terrace where other windows had not been replaced.
13. When looked at square on it was more or less impossible to see the difference between the depths of the joinery. However, when viewed at an angle and studied carefully the difference was just about perceptible. I undertook my site visit in a heatwave and a number of the windows were open, and in this situation the difference in depth was again perceptible when specifically looked for.
14. The replacement windows also used more modern glass which reflects light differently from the historic glass, this can lead to a marginally heavier appearance. However, this aspect is also affected by whether there are any curtains or blinds which can be seen through the windows, and these, to my mind, had a greater effect on the overall view rather than the glass itself.
15. What was more noticeable was the cleaner lines of the joinery of the replaced windows rather than those which had been patched and repainted, described accurately to my mind by one of my Colleague Inspector's as "smudged"², and the more so than those which had not been repaired or repainted recently. The cleaner lines of the modern windows would be closer to the original windows when first installed.
16. In making my conclusion I take account of the cumulative effect that a number of alterations can have on an area, but I have found the overall effect of the replacement double glazed windows on the appeal property would be to preserve the character and appearance of the BGECA, as required in legislation³ to which special attention should be paid.
17. One of the appeal decisions cited by the Council was dismissed⁴, but in that case the proposal would have had black spacing bars which, as the Inspector there found, would have stood out and attracted attention. This is not applicable in this case.
18. Concern was expressed by the Brentham Society of the resultant differences between the appeal property and No 14, but given the existing properties are not an matched pair I consider that the proposal would not unbalance them. Concern has also been expressed both by the Brentham Society and the Brentham Garden Estate Conservation Area Panel that not every effort has been undertaken to repair the windows. While the proposal would result in the loss of historic fabric this must be considered in the light of my overall conclusion that the proposal would preserve the character and appearance of the BGECA.
19. In conclusion, for all of the above reasons, I consider that the proposal would not result in any harm to the character and appearance of the property and

¹ APP/A5270/D/14/2218343, dated June 2014, APP/A5270/D/14/2220685, dated March 2015, APP/A5270/D/16/3145137, dated May 2016 and APP/A5270/D/17/3170398, dated April 2017.

² APP/A5270/D/16/3145137, paragraph 6

³ Section 72 (1) of the Planning (Listed Building and Conservations Areas) Act 1990

⁴ APP/A5270/D/14/2218343, 21 Denison Road

would preserve the character and appearance, and thus the significance, of the BGECA. Consequently, the proposal would comply with Policy 1.1 of the Ealing Local Development Framework Core Strategy (2012) which seeks to care for the borough's historic character and enhance the significance of heritage assets. It would also comply with Policies 7.4, 7B and 7C of the Ealing Development Management Plan (2013) which indicates that development should complement building pattern, materials and detailing, the building and context, and conserve the significance of heritage assets. The proposal would accord with Policies 7.4, 7.6 and 7.8 of the London Plan (2015) in that is informed by the surrounding historic environment, be of materials that complement the local architectural character, and conserve the significance of heritage assets by being sympathetic to the materials and architectural details. Finally it would comply with the overall principles of the Brentham Garden Estate Conservation Area Management Plan and the National Planning Policy Framework (the Framework).

Conditions

20. I have considered the conditions put forward by the Council against the requirements of the national Planning Practice Guidance and the Framework. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty, clarifying that this includes the window above the front door.
21. However, as the detail of the window joinery is specified clearly on the drawings there is no need for samples of the windows to be submitted and approved, particularly as it is annotated that the windows are to be painted to match the existing; that is white.

Conclusion

22. For the reasons given above I conclude that the appeal should be allowed.

RJ Jackson

INSPECTOR