



Appeal Decision

Site visit made on 6 July 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2020

Appeal Ref: APP/A5270/D/20/3246547

20 Oakley Avenue, Ealing W5 3SD

- 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 Uberoi against the decision of the Council of the London Borough of Ealing.
- The application Ref 193832HH, dated 3 September 2019, was refused by notice dated 25 November 2019.
- The proposed development is replacement of 7 no. existing white, single-glazed, casement, timber framed windows to the front and side elevations with white, double-glazed, casement uPVC windows.

Decision

1. The appeal is allowed and planning permission is granted for replacement of 7 no. existing white, single-glazed, casement, timber framed windows to the front and side elevations with white, double-glazed, casement uPVC windows at 20 Oakley Avenue, Ealing W5 3SD, in accordance with the terms of the application, Ref 193832HH, dated 3 September 2019, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the approved plans: DWG001 Existing Plans, DWG002 Existing Elevations, DWG003 Proposed Plans, DWG004 Proposed Elevations and DWG005 Proposed Location Plan.
 3. No development shall commence until samples of the approved Linar replacement window frames as described within the technical information and brochure provided as part of Ref 193832 have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The description of the proposed development set out within the banner heading and decision above is taken from the decision notice rather than the application form. This is because the application form mistakenly refers to "UPC" rather
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than “uPVC” windows. Furthermore, the description taken from the decision notice is more precise in describing the scope of the proposal.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the site and surrounding area, which includes the Creffield Conservation Area.

Reasons for the Recommendation

5. The appeal site comprises a semi-detached two-storey dwellinghouse on the southern side of Oakley Avenue, a residential street characterised by dwellinghouses of similar scale and design. The site is situated within the Creffield Conservation Area, whose special interest is largely derived from the high-quality architecture of its buildings and its suburban, residential character.
6. I note that the Creffield Conservation Area Character Appraisal (2007) and Management Plan (2007) both identify the replacement of timber sash windows with uPVC windows as an issue which can harmfully impact the character and appearance of the Creffield Conservation Area. However, the existing windows are casement windows, not sash windows. Furthermore, I appreciate the appellant’s argument that the appearance and quality of uPVC replacements has improved since the adoption of these documents, as evidenced nearby at Nos. 28 and 30 where similar replacement windows have been fitted. From the evidence provided, I consider that, despite the difference in materiality, the proposed replacement windows would appear as high-quality, like-for-like replacements and so would cause no harm to the character and appearance of the site and surrounding area. It therefore follows that the proposal would preserve the significance of the Creffield Conservation Area.
7. I note the Council’s concerns regarding the loss of detailing on the proposed front windows as shown within the submitted drawings. However, a similar, previous scheme for replacement wooden window frames, application Ref 192351HH, was approved on 18 July 2019. As the windows approved under that planning permission did not retain the existing glazing bar detailing, I do not consider that it would be necessary in this case to require such detailing. In any case, as there are many properties along Oakley Avenue which do not feature this detailing, the proposed windows would have an acceptable appearance within the wider streetscene.
8. For the above reasons, I conclude that the proposed development would not cause unacceptable harm to the character and appearance of the site and surrounding area. As such, the proposed development would preserve the significance of the Creffield Conservation Area and so would be acceptable in this regard. The proposed development would therefore comply with Policy 7.4 of the Development Management Development Plan Document (2013) and Policy 7.4 of the London Plan (2016), which state that proposals should respond positively to local character. The proposal would also comply with Policy 1.1 of the Core Strategy (2012), Policy 7.8 of the London Plan and Policy 7C of the Development Management Development Plan Document, which state that that development should identify and preserve the significance of the borough’s heritage assets. The proposal would also comply with Policy 7B of the Development Management Development Plan Document and Policy 7.6 of

the London Plan, which state that development should be designed to a high standard.

9. There would be some conflict with the Creffield Conservation Area Management Plan (2007) and Character Appraisal (2007) which explicitly state that the Council will seek to retain traditional windows and will resist proposals which incorporate plastic, non-renewable replacements. However, as it is considered that the high quality of the proposed materials would respond positively to the host building and preserve the character and appearance of the site, the surrounding area and the broader Creffield Conservation Area, any conflict would be very limited and not harmful.

Conditions

10. The conditions which are imposed are those which have been suggested by the Council, but with some variation in the interest of clarity and precision having regard to the advice on imposing conditions in the National Planning Policy Framework (2019) and Planning Practice Guidance.
11. In addition to the standard timescale condition, I have imposed a condition requiring that the scheme be built in accordance with the approved plans for the avoidance of doubt.
12. In their questionnaire, the Council have suggested a condition requiring that the external surfaces to be used should match the appearance of those used in the existing building. However, in the interests of preserving the significance of the Creffield Conservation Area, I consider that it would be appropriate for the appellant to provide physical samples of the approved uPVC frames to the Council. The Council can then judge whether the approved materials would respond appropriately to the character and appearance of the site, surrounding area and Creffield Conservation Area.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR