



Appeal Decision

Site visit made on 24 June 2021

by Steven Hartley BA(Hons) Dist.TP(Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 13 July 2021.

Appeal Ref: APP/Y5420/D/21/3270973

182 Risley Avenue, Tottenham, London N17 7ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to grant planning permission.
 - The appeal is made by Mr Roy Wiggan against the decision of the London Borough of Haringey.
 - The application Ref HGY/2020/2768, dated 25 October 2020 was refused by notice dated 22 December 2020.
 - The development proposed is described as for 'double glaze windors and doors'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is described as "*double glaze windors and doors*". The local planning authority (LPA), in its decision notice describes it as for "*the replacement of single glazed timber front and rear elevation windows and door with double glazed uPVC windows and doors*". I have used the latter as I consider it gives a more accurate description of the proposed development.
3. The appellant notes that the LPA's decision notice refers to windows '*and door*'. However, the planning application refers to windows and doors and the LPA, when describing the proposed development in its officer report and also in its decision notice, also refers to 'windows and doors'. I have, therefore, determined the appeal on the basis that it relates to windows and doors.
4. A new London Plan 2021 (LP) was published in March 2021 and this post-dates the Council's refusal notice. This now forms part of the development plan for the area. As part of the determination of this appeal, I afforded the main parties an opportunity to comment upon the implications of this change for the purposes of determining this appeal. I have determined this appeal in accordance with relevant policies of the LP.

Main Issue

5. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Tower Gardens Conservation Area.

Reasons

6. The appeal property forms part of an area generally of two storey dwellings dating from the beginning of the twentieth century in a garden suburb and

mainly built in an arts and crafts style. It lies within the Tower Gardens Conservation Area (CA) which was adopted in 1978.

7. This part of the CA is characterised by brick-built dwellings many of which have wooden sash windows, usually with 8 panes to each and which are painted white. These window details add positively to the overall significance of the character and appearance of the CA. On my site visit, I was able to see that several of the dwellings had window frames that have been altered to uPVC, though I do not have before me the circumstances or the times when the replacements occurred.
8. The appeal property itself forms part of a group of four, angled blocks at the junction of Risley Avenue and Awlfield Avenue, known as 'butterfly' blocks. Within its own particular block, the appeal dwelling occupies one of the two middle properties.
9. On my site visit, I was able to see that most of the windows to the rear of the block of properties have uPVC windows and doors while the two outer properties have uPVC windows on their front elevations as well.
10. The Tower Gardens Conservation Area Appraisal and Management Plan 2019 (CAMP) considers that plastic windows might be acceptable to the rear of properties, as in this case when they are not visible from public vantage points. However, it notes that the cumulative effect of changes to those windows which can be seen have had a serious impact on the appearance of the CA, leading to the erosion of its character and historic integrity. This is a material planning consideration to which I afford considerable weight in the planning balance.
11. On my site visit, I was also able to assess the effect of the uPVC windows at No.186 Risley Avenue upon the visual appearance of the CA, and, in particular, upon the specific block of properties of which the appeal dwelling forms a part. I consider that the difference between the wooden sash windows and the uPVC windows in this case and in this particular block is not significantly noticeable.
12. The proposed development contains no details of the design of the replacement doors, nor are there submitted precise details for the proposed windows other than generalised trade examples. There are no detailed cross sections or indeed specific details of the window design to be used other than that they would mirror the existing designs. On my site visit, I was able to see a small trade example of a proposed uPVC window frame, but it did not show the number of windowpanes or how it might look when fitted. I cannot therefore be certain as to the exact proposal.
13. In the absence of such details for the doors and windows, I cannot be certain that the proposed development would preserve or enhance the character and appearance of the CA. I cannot therefore conclude that the proposal would accord with the design and conservation requirements of policies D4, D6 and HC1 of the LP, policies DM1, DM9 and DM12 of the Haringey Development Management DPD 2017, and with policies SP11 and SP12 of the Haringey Local Plan Strategic Policies 2016, all of which require high quality design which contributes to the distinctive character of the area and which enhance and enrich the built environment and the area's heritage assets.

Other Matters

14. I acknowledge that uPVC windows might possibly give better sound protection and have better insulation qualities than wooden windows and may also reduce maintenance requirements. However, I am not persuaded by the evidence that the appellant has reasonably explored the potential for improving insulation by draught proofing, the discreet use of secondary glazing and/or the use of curtains, blinds and internal shutters.
15. The above other matters do not outweigh my conclusion on the main issue.

Conclusion

16. For the reasons outlined above, I conclude that, on the submitted details before me, the proposal would not accord with the development plan for the area taken as a whole. There are no material considerations to indicate the decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

Steven Hartley

INSPECTOR