
Appeal Decision

Site Visit made on 21 September 2021

by John Gunn Dip TP, Dip DBE, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2021

Appeal Ref: APP/U5360/W/21/3271032

30 Farleigh Road, Hackney, London N16 7TH

- 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 Andre Fairweather, Places for People, against the decision of Hackney Council.
 - The application Ref 2020/3248, dated 28 October 2020, was refused by notice dated 23 December 2020.
 - The development proposed is replacement of existing single glazed timber framed windows and doors with new double glazed slimline uPVC framed windows and doors.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was published in July 2021, the main parties have been given an opportunity to comment on its provisions in regard to the appeal. I have taken any responses into account and referred to the Framework in my decision.
3. The Council's decision notice refers to policies of the London Plan (2016). The London Plan (2021) has now been adopted. The views of parties were sought on the updated London Plan. In light of their response my report has been progressed in line with the policies of the Hackney Local Plan 2033, adopted July 2020, and the Framework.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

5. The appeal building is a traditional three storey mid-terrace dwelling situated towards the middle of Farleigh Road. It forms part of the street scene, which includes three and four storey properties, where the design detail, set back from the pavement, fenestration and roofscape contribute positively to a harmonious character and appearance.
6. The introduction of uPVC framed windows and doors at the appeal property would contrast significantly with properties in its immediate locality, the majority of which have retained wooden window frames and doors. I saw that such joinery is a largely consistent feature of the area, which honestly attests to traditional craftsmanship consistent with the era in which properties here

were built. The proposed features would be clearly visible at close range from the pavement within the vicinity of the appeal site.

7. Whilst noting the reference to 'slimline' uPVC double glazed windows, I am not convinced from the evidence before me, that they would have sections that are comparable with the wooden frames that they are intended to replace.¹ Moreover, there is a high probability that the materials proposed would give an overly regular, plainer appearance, quite unlike the individual, organic appearance of painted timber present on the appeal property and others in the terrace.
8. I note the appellant's reference to the use of uPVC and aluminium windows at other properties within the road. However, I am not aware of the full circumstances that pertained at the time that they were installed. Moreover, I observed that the specific properties referred to by the appellant lie some distance from the appeal property.² They do not justify allowing harmful development. I also acknowledge the potential for residents to carry out similar installations using 'permitted development' rights. That said, the appeal property does not benefit from those rights, and consequently I have dealt with the appeal on its own individual merits.
9. I would attach some weight to the appellant's desire to upgrade the property and improve its thermal and acoustic performance. However, I remain to be convinced that the appeal proposal is the only way of achieving that. Against the substantial weight I would ascribe to the harm and conflict with the development plan I have found this would also not be sufficient for me to allow the appeal.
10. The proposal would result in harm to the character and appearance of the host property and the surrounding area in the terms that I have described. This would be contrary to Policies LP1 and LP17 of the Hackney Local Plan 2033. These policies require, amongst other things, that development should be of high quality design, utilising attractive, durable high quality materials whilst also responding to local character and context. These policies are consistent with the Framework, which amongst other matters, requires developments to be sympathetic to local character and add to the overall quality of the area.

Conclusion

11. There are no material considerations of sufficient weight to indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be dismissed.

John Gunn

INSPECTOR

¹ Noting plans 0084/Q/501 Rev B and 0084/Q/701 Rev A.

² Including that to which appeal Ref APP/Q5300/D/13/2209053 relates.