



Appeal Decision

Site Visit made on 23 November 2021

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2021

Appeal Ref: APP/B1930/W/21/3279619

104-108A London Road, St Albans, Hertfordshire AL1 1NX

- 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 Thomas Auld against the decision of St Albans City Council.
 - The application Ref 5/20/2771, dated 17 November 2020, was refused by notice dated 16 April 2021.
 - The development proposed is described as replacement of existing windows to both front and rear elevations, on first and second (attic/roof) floors only consisting of timber single glazed units (painted white) with uPVC double sealed glazed units (finish to be white wood grain).
-

Decision

1. The appeal is allowed and planning permission is granted for replacement of timber single glazed windows with uPVC double glazed units to front and rear elevations of flats on first and second floors at 104-108A London Road, St Albans, Hertfordshire AL1 1NX in accordance with the terms of the application, Ref 5/20/2771, dated 17 November 2020, 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: S1033-PL01.P1, S1033-PL02.P1, S1033-PL03.P2, S1033-PL04.P2, S1033-PL05.P1 and S1033-PL06.P1.
 - 3) Apart from the removal of the existing windows, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the replacement window units hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Preliminary Matters

2. The appeal site address in the header and decision above is taken from the application form. It is different to that provided on the appeal form and Council's decision notice but it appropriately describes the site's location.
3. The description of development in the header is taken from the application form. In my decision I have used the slightly amended description from the Council's decision notice and the appeal form as it more clearly and succinctly describes the proposal. As it is used by both main parties, I am satisfied no injustice would be caused by including the amended description in my decision.

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character and appearance of the St Albans Conservation Area (the CA).

Reasons

5. The CA covers an extensive urban area in the centre of St Albans. The submitted character summary identifies London Road as a historically important highway leading into the city. It is a busy road, flanked by buildings of mixed character reflecting styles from the early 19th century and onwards. This diversity is particularly noticeable in the vicinity of the appeal site where buildings vary significantly in age and appearance.
6. The appeal property faces onto London Road with the upper part of its rear elevation seen from Wetherall Mews. Similar to its neighbours, the premises have retail and commercial units at ground floor with shop windows and fascia signage onto London Road. The levels above the retail units contain residential accommodation. These upper storeys reflect a typical mid-20th century style with a large degree of symmetry and restrained decoration. Nonetheless, the appeal property is not identified as a locally listed building, unlike many of the nearby older premises. Also, the shop fronts and fascia signs detract from the simple architectural quality of the upper floors. Therefore, the appeal property as a whole makes a neutral contribution to the character, appearance and significance of the CA.
7. The windows to be replaced at first floor level have timber frames but are of a modern design with trickle vents at the top. The sliding sash windows at second floor are of a more traditional style but they are of simple form with no glazing bars within each pane of glass. As such, the windows are not particularly decorative and they do not make any meaningful positive contribution to the visual qualities of the building or the wider area. Their removal would be acceptable.
8. The proposed windows would be of a similar style to the existing. The Council suggest the frames would be thicker than the existing but this is not readily apparent from the drawings. In any event, frames with a slightly wider or deeper profile would not significantly detract from the appearance of the building, particularly as the existing windows are of little architectural merit.
9. Therefore, the main difference would be the introduction of uPVC frames. In this regard, the proposal would go against policy 85 of the St Albans District Local Plan 1994 (the LP) which states normally materials should be traditional and natural. However, the proposed frames would have a white wood finish which would help disguise their uPVC construction, particularly when viewed at a distance from ground level. As such, the proposal would only slightly change the building's appearance. Moreover, nearby properties have a variety of window types, including some with uPVC frames. In light of the diverse context and the neutral contribution of the appeal property, the development would not unduly affect any of the defining qualities of the CA.
10. Limited details are provided on the replacement window scheme at 13 Upper Lattimore Road, which was subject to a dismissed appeal decision. However, from the information before me it appears this related to a locally listed

building and so in these regards it is unlike the current scheme. Therefore, the previous decision fails to influence my views on this appeal.

11. Also, it is suggested that the thermal benefits of the development could be equally achieved by well-fitting timber framed windows with double glazing. Be that as it may, the proposal would not cause harm to the significance of the CA or visual qualities of the street scene. As such, in this instance, there is no sound justification to require the provision of timber frames.
12. For the above reasons, I conclude the proposal would not cause harm but it would preserve the character and appearance of the CA. In these regards, it would accord with LP policies 69, 72 and 85 which all seek high quality design that preserves the appearance of conservation areas. The proposal would not accord with LP policy 85 in terms of the materials to be used in the window frames. However, for the reasons set out above, there is sufficient justification to depart from the policy in this respect.

Conditions

13. I have considered the conditions suggested by the Council, having regard to the tests set out in the National Planning Policy Framework. To ensure the development is carried out in accordance with the submissions, I impose a condition that refers to the appeal drawings. I have used the list of plans as set out on the Council's decision notice. I impose a condition that requires external materials to be approved to ensure a satisfactory appearance. However, the wording of the suggested condition has been amended to avoid unnecessary pre-commencement requirements.

Conclusion

14. The proposal would comply with LP policies when read as a whole and there are no factors that justify refusing planning permission. Therefore, I conclude that the appeal should succeed.

Jonathan Edwards

INSPECTOR