



Appeal Decision

Site visit made on 12 April 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 MAY 2022

Appeal Ref: APP/Y5420/W/21/3287539

28 Langdon Park Road, Hornsey, London N6 5QG

- 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 R Natt of D & T Natt Ltd against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/2504, dated 6 August 2021, was refused by notice dated 4 November 2021.
 - The development proposed is retrospective application for the replacement of timber framed windows with Upvc windows.
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Decision

1. The appeal is dismissed

Preliminary Matter

2. The application has been submitted retrospectively and the windows were in place at the time of my visit. I have dealt with the appeal on that basis.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character and appearance of the Highgate Conservation Area.

Reasons

4. The appeal site is a ground floor flat within a residential terrace. It is located within the Highgate Conservation Area (CA), which derives its character and significance from its historic pattern of development and high percentage of buildings of architectural merit, amongst other things. As set out in the CA Character Appraisal and Management Plan 2013, the site is within an area characterised by residential terraces of a relatively homogenous design, and it is this character and the original features of the buildings which contribute to the significance of this area and the CA as a designated heritage asset.
5. The ground floor windows which are the subject of this appeal are of an obviously modern design divided into 3 panes, which does not reflect the design and arrangement of traditional windows in this area. In particular, the windows do not reflect those on the ground floor of the immediately neighbouring dwellings. The Council's officer report also sets out that the design, style, and detailing are very different from the original windows, and that the sliding sash element has been removed. The use of modern materials

and the thick frames of the middle panes of the front facing windows add to this incongruous appearance of the proposal.

6. The appellant contends that the windows are similar to those on the upper floor of the building. However, whilst the upper windows may also be a relatively recent alteration and use modern materials, their general arrangement reflects the windows on neighbouring properties. In any event, the proposed windows are of a distinctly different form to those on upper floors, and the latter do not set a context which justifies the unacceptable design of the proposal.
7. The appellant emphasises that the Council has not introduced an Article 4 direction to prevent changes to windows on single residential units, and that consent is required in this case as the host property has been divided into flats. However, many of the dwellings in this area have retained their original style and timber frames. Although I observed that there were some unsympathetic alterations to windows, these were in a small minority. The proposal would contrast uncomfortably with the prevailing traditional design of windows in this area, and the lack of an Article 4 direction does not reduce the weight I give to the established context and the harm arising from the inappropriate design of the proposal.
8. The appellant states that the previous timber windows were in a poor state of repair. However, replacement windows of a more suitable design could have been installed to address this issue, and this therefore does not weigh in favour of the appeal.
9. Reference has been made to an appeal decision¹ in the Leatherhead Conservation Area which allowed the replacement of timber windows with Upvc. However, I have not been provided with sufficient details of that appeal to determine if it is a direct parallel to the appeal before me, particularly with regard to the quality of the design and whether it mimicked the original windows. In any event, I have determined this appeal on its own merits.
10. I conclude that, due to their incongruous design and use of modern materials, the proposed windows would fail to preserve or enhance the character and appearance of the CA. Whilst the harm to the significance of the CA would be less than substantial, the public and other benefits arising from the proposal are not sufficient to outweigh that harm. The proposal would therefore be contrary to the design and conservation aims of policies HC1 of The London Plan 2021; policies DM1, DM9 and DM12 of the Haringey Development Management DPD 2017; policies SP11 and SP12 of the Haringey Local Plan Strategic Policies 2016; and policy DH2 of the Highgate Neighbourhood Plan 2017.
11. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR

¹ Appeal Ref: APP/C3620/D/18/3216929