



Appeal Decision

Site visit made on 3 May 2022

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th May 2022

Appeal Ref: APP/K5600/W/21/3287820

102 Warwick Gardens, London, W14 8PR

- 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 Neil Greenwold against the decision of Royal Borough of Kensington and Chelsea.
 - The application Ref PP/20/03402, dated 22 June 2020, was refused by notice dated 23 August 2021.
 - The development proposed is removal and replacement of timber framed sash windows with uPVC units at front and rear elevations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the appeal form in the interests of clarity.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Edwards Square, Scarsdale & Abingdon Conservation Area.

Reasons

4. The property lies within the Edwards Square, Scarsdale & Abingdon Conservation Area (the CA). It is an end-terrace townhouse that has been subdivided into flats. The terrace largely comprises properties of similar character and appearance in the Warwick Gardens street scene, and in particular townhouses form the predominant character of this end of the street. The consistency of appearance of these properties contribute to the overall character and appearance of the CA.
5. In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
6. The replacement windows would be of similar appearance to the existing timber windows and would incorporate the sash horns which are recurring features of windows throughout the terrace. However, the glazing bars and frames would be thicker than the existing and would result in a noticeably different appearance to the property. This would be particularly apparent as the house is wider than its neighbours, with more windows facing onto the street.

The proposed replacement of windows to the front elevation of the property would therefore cause harm to both the character and the appearance of the CA.

7. The rear of the property faces onto Pembroke Road, which is not part of any CA. The neighbouring Warwick Gardens properties backing onto Pembroke Road have UPVC windows in their rear elevations. There would therefore be limited further harm to the character and appearance of the CA from the proposed replacement of the rear windows to the property given this context.
8. My attention has been drawn to other properties in the road that have had replacement windows to their front elevations. However, the only recorded planning permission, for No 65, dates from 2012. It was determined before the adoption of the current Local Plan or the National Planning Policy Framework, so was approved under different policies. It therefore carries limited weight in the determination of this appeal. While other properties have had replacement windows fitted, there is no evidence of permission being granted for these works. In any case, the great majority of properties of this type in Warwick Gardens have wooden windows of similar appearance and proportions. This contributes to the overall consistent character and appearance of the street scene and that of the wider CA.
9. As the proposal relates to a single building the proposed development would overall result in less than substantial harm to both the character and the appearance of the CA. The National Planning Policy Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this instance no public benefits have been identified from the appeal proposal, and therefore the harm to the significance of the CA would not be outweighed.
10. The proposed development would therefore conflict with the requirements of Policies CL1, CL2, CL3, CL6 and CL11 of the Royal Borough of Kensington and Chelsea Local Plan 2019. Taken together these policies require that development be of the highest architectural and urban design quality and that it preserve or enhance the character or appearance of the CA.

Conclusion

11. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR