



Appeal Decision

Site visit made on 17 October 2022

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 DECEMBER 2022

Appeal Ref: APP/B5480/D/22/3297676

29 Crossways, Romford RM2 6AJ

- 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 Michael Killin of AMP Joinery Limited against the decision of the Council of the London Borough of Havering.
 - The application Ref P2207.21, dated 7 October 2021, was refused by notice dated 9 March 2022.
 - The development proposed is to manufacture and install 21 new windows to the property. These will be like for like keeping the same style character and sight lines.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the appearance of the host property and the area, including the Gidea Park Conservation Area (GPCA).

Reasons

3. There is a statutory duty under section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
4. The GPCA is a principally residential area, originally intended to be a garden suburb. It is somewhat unique in that almost all of the houses within it are different. There are, however, some common characteristics, which include timber casement windows, often with small pane glazing. According to the Gidea Park Conservation Area Appraisal (CAA) and the Council's Built Heritage Consultant, the appeal property was constructed between 1912 and 1927. It is not identified as being an exhibition house or a competition entry. Despite having been altered, the property retains its traditional appearance and as recognised by the CAA, it makes a positive contribution to the GPCA.
5. The property is not a listed building and consequently, there is no legislative or policy requirement for the appellant to demonstrate or justify a need for the proposed replacement windows.
6. Based upon the information submitted, it appears that the new windows would be bespoke made, timber framed, double glazed units, of traditional mortise and tenon construction, painted black, with 12mm soldered square leaded glass.

7. However, the submitted drawings do not accurately reflect what currently exists and lack detail as to what is proposed. The elevation drawings identify the position, size and shape of the existing and proposed windows, but not their appearance. Although a drawing has been submitted showing a section of the existing and proposed frames and glazing thickness, the drawing of the lead work is not labelled as existing, proposed or both. Only one window design drawing has been submitted, labelled Revised/Existing, but it is unclear which window(s) in the dwelling this drawing relates to. No detailed drawings or photographs of the individual windows to be removed or their replacements have been provided. Given the variation of windows that exist in the dwelling, which include a circular stained-glass window, top hung stained glass windows, moulded and textured glass, it is necessary to see what each new window, frame and cill would look like, in order to assess their effect on the host property and the area.
8. I acknowledge that within the GPCA, there are a wide variety of window styles and that many of the dwellings in this area do benefit from double glazed windows of varying design quality and materials. My attention is drawn to other nearby new timber framed, double glazed windows, particularly those opposite the appeal property. However, as I am unaware what windows existed in those properties previously and as those windows are unleaded and have timber glazing bars, they are not comparable to the proposal currently before me.
9. Taking the above points together, I cannot be certain that the proposal would preserve or enhance the character or appearance of the GPCA. Nor can I reasonably draw any conclusions against Policies 26 and 28 of the Havering Local Plan 2016-2031 (November 2021) or the associated requirements of the National Planning Policy Framework. These policies seek to ensure that high quality design is promoted which respects, reinforces and complements the local streetscene and preserves or enhances or better reveals the character and appearance of conservation areas.
10. Reference is also made in the decision notice to Policy HC1 of the London Plan. However, as I have not been provided with a copy of this policy it has not informed my decision.

Other Matters

11. In reaching my decision, I have considered whether conditions controlling the details and specifications of the proposed windows could overcome the lack of information in the event the appeal was to be allowed. However, given the substance of the proposal, this would in effect only serve to defer the decision, and so it would be unacceptable to leave this substantive matter to be dealt with by conditions.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

R Bartlett

INSPECTOR