



Appeal Decision

Site visit made on 24 January 2023

by Emma Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2023

Appeal Ref: APP/H5390/W/22/3304813

Jerdan House, North End Road, London SW6 1PD

- 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 Peter Smith on behalf of Lexington Estates Limited against the decision of the London Borough of Hammersmith and Fulham.
 - The application Ref 2022/01219/FUL, dated 18 May 2022, was refused by notice dated 27 July 2022.
 - The development proposed is the replacement of existing single glazed timber sash windows to first and second floor flats with Heritage Style uPVC double glazed windows to match size and style of existing.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council altered the description of the development to read as set out in the banner heading above. This is more precise than that given on the application form therefore I have dealt with the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and whether the proposed development would preserve or enhance the character or appearance of the Walham Green Conservation Area.

Reasons

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Walham Green Conservation Area (the CA). The CA includes a range of commercial uses commonly found in town centres. The buildings are typically in mixed use, with residential uses above, with pockets of residential development beyond. The built form is mainly terraced frontage development, primarily 3 storeys and greater in height intersperse with 2 storey buildings. The buildings are varied in terms of their appearance and materials, including some modern buildings as well as buildings of historic and architectural merit. The retention of original features in several of the older buildings, including windows of a traditional design, makes a positive contribution to the character and appearance of this part of the CA.

5. Jerdan House is a 3 storey building with commercial use at ground floor and residential units in the floors above. It occupies a prominent corner position at the junction of North End Road and Jerdan Place. The front elevation of the appeal site is particularly conspicuous in the street scene in views along North End Road. This is in part due to its position opposite St Johns Church with its verdant setting and the more open layout to the front of the property. Due to the age and architectural interest of the building it contributes to the character and appearance of the CA.
6. The appeal proposal seeks to replace the first and second floor windows to the outward facing elevations of the building. The windows are currently single glazed timber sash windows which complement the character of both the building and the CA. The proposed replacement windows would be Heritage Style uPVC double glazed units of the same design, with a glazing pattern that would reflect that of the existing windows. The appeal submissions indicate that the windows would replicate the appearance of the existing traditional timber sash windows, including a woodgrain finish with the same construction detail, traditional jointing, horn detailing and integral glazing bars. They would be installed behind the existing window reveals with the same margins showing around the frame as timber sliding sashes.
7. I note the appellant's view that the windows would match the style and painted timber finish of the existing single glazed timber units such that the difference would not be discernible, particularly in views of the building from street level. Photographs of Heritage Style uPVC sash windows have been included as part of the appeal. They show that the texture and appearance of the woodgrain effect uPVC would reflect the detailing found in traditional timber windows.
8. Notwithstanding this, the example windows put forward differ in design to the appeal proposal. The existing windows in Jerdan House include multi pane sashes of varying sizes as well as much smaller multi pane windows in the upper part of the building. Due to the dimensions of the individual panes and number of glazing bars, these are likely to be difficult to replicate successfully whilst maintaining the elegant proportions of traditional timber windows. In the absence of clear information pertaining to the profile details of the proposed windows, in order to demonstrate that the existing proportions could be maintained such that the windows would not be distinguishable as modern additions, I cannot be certain that the proposal would not detract from the historic integrity of the building or appear as an incongruous feature in the street scene.
9. In light of the above considerations, I conclude that the proposal would detract from the character and appearance of the host property and would fail to preserve or enhance the character and appearance of the CA. In finding harm, this is something to which I have given considerable importance and weight to.
10. The harm that would arise would be localised and therefore the impact on the CA as a whole would be less than substantial. In accordance with the Framework, 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.
11. A number of reasons for the replacement of the existing windows in the materials proposed have been set out by the appellant. There are public benefits with regards to the improvements that the windows would make to the

energy efficiency of the building. They would also be more durable which offers benefits in terms of their general appearance and the effect of this on the surrounding area. The reduced maintenance costs associated with uPVC windows would be a private benefit.

12. It is suggested that the windows would be more secure, however I have no reason to believe that timber framed windows could not be made to be equally secure. Whilst I note that the proposed windows would have a greater resistance to pigeon droppings, which can cause timber windows to rot, and the design would mean they are easier to clean from inside the building, I have not been presented with any substantive evidence that, even if pigeon droppings were a particular problem they could not be dealt with by other means of deterrent or a regular cleaning regime.
13. As such the public benefits of the appeal scheme are of no more than limited weight and would therefore not outweigh the harm to the significance of the designated heritage assets that I have identified.
14. In that regard the proposal would fail to accord with Policies DC4, DC6 and DC8 of the Hammersmith and Fulham Local Plan (February 2018) which collectively seek high quality design, including that replacement windows should respect the architectural character of the building and its surroundings and should match the original windows as closely as possible in terms design and materials and that development should protect, restore and enhance heritage assets within the borough. The proposal would also conflict with the Council's Planning Guidance Supplementary Planning Document (February 2018) Key Principles BM2, which sets out that proposals affecting buildings of merit will only be permitted where specific criteria are met, and CAG3 which requires that alterations in a CA, including windows, should be sympathetic to the architectural character of the built context and should not have a harmful impact on the character and appearance of the conservation area.

Other Matters

15. My attention is drawn to other examples of buildings with uPVC windows within the CA. Whilst I noted that there were examples of both uPVC and wooden windows within the CA, I am not aware of the individual circumstances of these and in any event I have determined the appeal on its own merits.

Conclusion

16. For the reasons set out above the proposal would conflict with the development plan as a whole. There are no material considerations which would indicate otherwise that permission should be granted. The appeal is, therefore, dismissed.

Emma Worley

INSPECTOR