

Appeal Decision

Site visit made on 5 January 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2024

Appeal Ref: APP/Y5420/D/23/3328116

8 Avenue Road, Haringey London, N6 5DW

- 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 Anna Goodman against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2023/1418, dated 16 June 2023, was refused by notice dated 9 August 2023.
 - The development proposed is the replacement of any or all existing timber windows with double glazed heritage uPVC. This will not affect existing stained glass windows which would only be replaced like for like so cannot be replaced with uPVC.
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Decision

1. The appeal is dismissed.

Main Issue

2. There is one main issue which is the effect of the proposed replacement windows on the character and appearance of the host dwelling and the street scene of Avenue Road including whether the proposed windows would preserve or enhance the character or appearance of the Crouch End Conservation Area.

Reasons

3. 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 Crouch End Conservation Area (CA).
 4. In considering the significance of the CA, I have had regard to the Council conservation officer's response to a previous proposal to replace the original wood rear windows at the appeal dwelling with uPVC windows. The response explains that the dwellings on the north side of Avenue Road were built to a high standard by W J Collins. They are broadly similar in design but Nos 4 and 6 are detached houses. The others are semi-detached and similar in style and materials but with variations. Nos. 8-14; 20-22; 28-38 and 44-58, including the appeal site, are all two storey houses in red brick with full-height canted bays, a sub-basement and a large brick faced attic gable containing a triple sash window beneath a shallow cambered brick arch.
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5. These dwellings are attractive and imposing buildings and generally well maintained, retaining original features, including original windows. However, some appeared to have replacement windows in all or some openings, either in uPVC or in non-matching wood. These ranged from poor examples which clearly detracted from the character and appearance of the host dwellings and failed to preserve the character or appearance of the CA to probably more recent replacements where the frame and glazing patterns were not dissimilar to the originals. Nevertheless, in these cases the glazing often had a different appearance and modern details were visible. However, I accept that in a small number of cases it was difficult to tell from the street whether the frames were of wood or uPVC.
6. The appeal property is clearly visible from and a fine example within the street, having retained its original features, including many of the windows which appear to be in a good state of repair, notwithstanding that the appellant says they are becoming rotten. It therefore makes a positive contribution to the CA as a whole and adds to its significance. The sash windows have single pane lower sashes with the upper sashes being divided into two rows of small panes at the top and mostly into two panes below this. The frames and glazing bars are slim. Given that most of the dwellings appeared to retain all or some of the original windows, especially in the principle rooms lit by windows in the bays, there is a high level of uniformity in the design and appearance of windows in dwellings on the north side of the street and this visually harmonising feature enhances the quality of the street scene.
7. The fenestration in a building is an important component in defining its visual and architectural character. The proposed windows would be constructed with uPVC frames which the appellant states would be heritage uPVC. Photographs of examples in the surrounding area have been submitted. Nevertheless, no specific details of the proposed windows are provided, such as larger scaled plans or close up photographs of the actual finish.
8. In general, despite the improvement in the quality of uPVC windows there remain characteristics which distinguish them from original wooden frames. These include artificial glazing bars which only appear to separate the panes, separate horns on upper sashes, trickle vents and modern window furniture. Moreover, the material often has a noticeably smoother and more regular texture and a more uniform finish than painted windows.
9. Where uPVC has been used elsewhere in the street it is generally discernible and even where the pattern and frame are similar to the original windows, the material and finish often fail to harmonise with the overall character of fenestration in this part of the CA and appear as an incongruous intrusion into the historic street scene. Moreover, on closer inspection the material would be seen clearly to amount to an alien feature in this row of historic buildings.
10. I therefore find that if uPVC windows were to be installed at the appeal dwelling this would be detrimental to the character and appearance of the host dwelling and the street scene and would fail to preserve or enhance the character or appearance of the CA.
11. Nevertheless, the harm that would arise to the CA as a whole would be less than substantial within the meaning of Paragraph 208 of the National Planning

Policy Framework (NPPF) 2023. That harm must therefore be weighed against the public benefits of the proposed development. In weighing the public benefits of the proposal against the harm identified, the appellant suggests that the proposal would improve the insulation of the property to the benefit of occupiers, including a disabled person. However, I have no substantive evidence that uPVC windows would significantly outperform well maintained timber windows which could be draught-proofed and double glazed or supplemented with secondary glazing.

12. Overall, I find that the public benefits are of no more than limited weight. As a consequence, the public benefits of the proposed replacement windows would not outweigh the great weight that should, in accordance with Paragraph 205 of the NPPF, be given to the conservation of the CA which is a designated heritage asset.
13. I therefore conclude on the main issue that the proposed replacement windows would have a materially detrimental effect on the character and appearance of the host dwelling and the street scene and that the character or appearance of the CA would not be preserved. In consequence, the proposal would conflict with Policies HC1 and D6 of the London Plan, 2021, Policies DM1, DM9 and DM12 of the Haringey Development Management DPD, 2017, and Policies SP11 and SP12 of the Haringey Local Plan Strategic Policies 2013-2026, 2013. Taken together and amongst other things these expect new development in CAs to be of the highest standard of design that respects local context and character and historic significance through site specific and sensitive design quality that respects and/or complements the form, setting, period, architectural characteristics and detailing of the original building. In particular, development affecting heritage assets should be assessed against the significance of the asset which should be conserved.
14. Turning to other matters the appellant argues that the cost of scaffolding to allow the maintenance and painting of the wooden windows would be prohibitive and that climate change may exaggerate the shrinkage and swelling of wood. However, older buildings often require more frequent and costly maintenance. Moreover, as stated above, I have no evidence that properly installed, and maintained wooden windows would be materially less insulting than uPVC. Finally, the appellant states that uPVC is used in UNESCO heritage sites around the world. However, I have no evidence to support this and guidance provided by Historic England makes clear that uPVC is generally unsuitable for historic buildings or in heritage settings.
15. For the reasons set out above and having regard to all other matters raised, including the personal circumstances of the appellant and other occupiers, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR