



Appeal Decision

Site visit made on 27 September 2024

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2024

Appeal Ref: APP/H5390/D/24/3348084 35A Rosebury Road, London SW6 2NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Nathan Kafi against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref is 2022/01637/FUL.
 - The development proposed is described on the application form as "Replacement of all existing single-glazed timber sash and casement windows (front and rear), and single-glazed timber door to the rear elevation with double-glazed uPVC sash and casement windows and double-glazed uPVC door".
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Decision

1. The appeal is dismissed in so far as the proposal relates the replacement of the existing single-glazed timber sash windows at the front of the property with new double-glazed uPVC sash windows.
2. The appeal is allowed and planning permission is granted in so far as the proposal relates to the works at the rear comprising replacement of single-glazed timber sash and casement windows and single-glazed timber door with double-glazed uPVC sash and casement windows and a double-glazed uPVC door at 35A Rosebury Road, London SW6 2NQ in accordance with the terms of the application, Ref 2022/01637/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the information submitted with the planning application in so far as it relates to the development approved.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building and the surrounding area.

Reasons

4. The appeal property occupies the upper parts of a converted 2-storey terraced house which forms part of a handsome terrace of Edwardian brick-fronted dwellings, most of which retain timber sash windows in their street frontages. Many, including the appeal property, also retain the original ornate arrangement of glazing bars within the upper sashes. These windows make a

significant contribution to the character and appearance of the houses and are a key and important feature of Rosebury Road and the surrounding streets.

5. The proposal would include the replacement of the 3 first floor front windows with a set of double-glazed uPVC sash windows. The illustrative material provided indicates that the upper parts of the windows would be divided into 6 panes and the lower part into 2. This arrangement would appear incongruous in the context of the neighbouring houses and, in combination with the use of uPVC, would result in unacceptable harm to the character and appearance of the host property and the surrounding area.
6. For these reasons the proposal to install double-glazed uPVC sash replacement windows at the front of the property fails to accord with Policies DC1, DC4 and DC6 of the Hammersmith and Fulham Local Plan (2018) which, amongst other matters, require good design that is compatible with existing development.
7. The proposal also includes the replacement of the 2 sash windows, a casement window and a glazed door at the rear of the appeal property. The illustrative material provided suggests that the replacement sash windows would to all intents and purposes replicate the existing upper level windows and in this particular location the use of uPVC would not be incompatible with the surroundings. The existing glazed door and associated casement window are not original features and they detract from the appearance of the property. The replacement with a similar door and window would not therefore result in harm.
8. For these reasons I am satisfied that the proposed double-glazed uPVC sash and casement replacement windows at the rear of the property, and the replacement double-glazed uPVC door would have an acceptable effect on the character and appearance of the appeal property and its surroundings. These aspects of the proposal therefore accord with the aforementioned policies. As these elements are clearly physically and functionally severable from the proposed windows at the front a split decision can be issued allowing the changes at the rear only.

Conditions

9. I have considered the conditions suggested by the Council having regard to the National Planning Policy Framework and Planning Practice Guidance. In addition to the standard time limit condition, and for the avoidance of doubt and in the interests of proper planning, a condition requiring the approved development to be carried out in accordance with the material submitted with the planning application is imposed.

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail in respect of the replacement of the windows at the front of the property and should succeed in respect of the replacement of the windows and glazed door to the rear.

S Poole

INSPECTOR