
Appeal Decision

Site visit made on 25 June 2025

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2025

Appeal Ref: APP/U5360/W/25/3359206

58 Brooke Road, Hackney, London N16 7RX

- 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 Anne Rattray against the decision of the Council of the London Borough of Hackney.
 - The application reference is 2024/1790.
 - The development proposed is replacement windows to front elevation; replacement balcony railings to rear elevation.
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Decision

1. The appeal is allowed and planning permission is granted for replacement windows to front elevation; replacement balcony railings to rear elevation at 58 Brooke Road, Hackney, London N16 7RX in accordance with the terms of the application reference 2024/1790 subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: Refs SRV100.24 Rev A: Proposed Elevations, SRV100.24 Rev A: Existing Elevations, Cross Sections: Legacy PVCu Sliding Sash Window by Spectus Window Systems, Thames Windows and Doors Brochure: Legacy PVCu Sliding Sash Windows, the photograph of the new balcony railings, and the Location Plan, which shows the site edged red.

Procedural matters

2. The description of development given in the above heading and in my decision is taken from the Council's decision notice. It is a more concise version than that provided on the application form lodged with the Council.
3. The appeal property falls within the Northwold and Cazenove Conservation Area (CA). Accordingly, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main issue

4. The Council raises no objection to the replacement railings that would enclose each of the balconies at the rear of No 58. I, too, find this element of the appeal scheme acceptable in design and appropriate to the style and age of the host building. It

would reflect the style of balcony railings that I saw elsewhere within the CA and so preserve the character and appearance of this designated heritage asset.

5. Consequently, the main issue is the effect of the proposed replacement windows on the character and appearance of the host building and the local area, bearing in mind the statutory duty set out above.

Reasons

6. The appeal property is an end terrace building in use as flats within the CA, which is predominantly residential in character. The CA derives its significance as a designated heritage asset from the high quality and wide range of buildings that originate from the Victorian era and largely remain un-spoilt. A consistent building material used within the CA is London stock brick often with painted window architraves, cills and eaves cornices. Front windows are often sliding sash and include timber frames. Although No 58 is a relatively recent addition to the CA, the front of the building and the wider terrace includes several of these distinctive features. As a result, the frontage of No 58 and the terrace to which it belongs blends in with the overall visual character of the local street scene and the CA.
7. The proposal is to replace 6 single glazed, timber framed sash windows in the front elevation of No 58 with uPVC double-glazing units. The Council's Conservation Area Appraisal (CAA) notes that a strength of the CA includes features such as timber double hung sliding sash windows. It also identifies the insensitive replacement of details such as uPVC windows among the weaknesses of the CA. The proposal would be at odds with the guidance in the CAA.
8. In this case, no change is sought to the painted embellishments to the brickwork around the front windows, which is a prominent feature of the appeal property. The replacement frames would also match their existing counterparts 'like for like' save for the type of material used and the thickness of the glazing. In my experience, uPVC would have a slightly more uniform and even finish than painted wood with its natural, irregular grain and surface imperfections. However, from the details provided, the wood grain effect of the uPVC would very closely resemble the general appearance of painted timber. The differences in material and the thickness of the glass would not be readily discernible from in front of the site given the sympathetic design and modest size of the new windows and their elevated position set back from the street. Consequently, the replacement windows would not draw the eye as incongruous or obtrusive nor would the frames appear heavy or produce a plastic 'sheen'. I observed that other properties along Brooke Road include uPVC window frames that are visible from the road. For all these reasons, the proposal would not look out of the place.
9. I agree that the installation of uPVC window frames is often inappropriate and that alterations that damage original features on buildings within heritage assets should generally be resisted. Unlike timber casements, uPVC is not a traditional material. However, in this case, the general appearance of the front windows would not significantly change, and the character and appearance of the CA would be preserved. Consequently, a conflict with some of the guidance within the CAA is insufficient in this instance to withhold planning permission.
10. On the main issue, I conclude that the proposed development would be in keeping with the character and appearance of the host building and the local area. As such, it does not conflict with Policies D1, D3 and HC1 of The London Plan or Policies

LP1 and LP3 of the Hackney Local Plan 2033. These policies seek to safeguard heritage assets from inappropriate development and ensure that proposals protect and enhance local character. It would also comply with the policies of the National Planning Policy Framework, insofar as they relate to the quality of design and the conservation and enhancement of the historic environment

11. Some of the existing front windows are ill fitting and are in a state of disrepair. Double-glazing is highly desirable for insulation and energy saving and, in this case, it would also reduce the effects of noise and general disturbance from the movement of metal bins and from passing trains and traffic. However, these benefits could be achieved in ways other than by introducing new uPVC windows. Consequently, these benefits, although important to the appellant, have not been critical to my decision.

Conditions

12. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans and details for certainty. No other conditions have been suggested by the Council and, in my view, none are required.

Conclusion

13. Overall, there are no material considerations that indicate the development should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be allowed.

Gary Deane

INSPECTOR