



Appeal Decision

Site visit made on 21 October 2025

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2025

Appeal Ref: APP/U5360/W/25/3370081

38-40 Hertford Road, Hackney, London N1 5AE

- 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 Habinteg Housing Association Ltd against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2024/2591.
 - The development proposed is the replacement of existing timber windows and doors with wood effect uPVC windows and doors with matching profiles.
-

Decision

1. The appeal is allowed and planning permission is granted for the replacement of existing timber windows and doors with wood effect uPVC windows and doors with matching profiles at 38-40 Hertford Road, Hackney, London N1 5AE in accordance with the terms of the application, Ref 2024/2591 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing no's: Location Plan (Scale 1:1250), Location Plan (1655-30-AWSM-XX-XX-DR-A-001), Proposed Elevations (1655-30-AWSM-XX-XX-DR-A-030) and Customer Window Drawing (Ref: 305995).
 - 3) The proposed windows and doors shall be uPVC with a Rosewood timber appearance to replicate the existing windows and doors.

Preliminary Matter

2. A nearby appeal¹ within the same Conservation Area similarly proposes replacement windows and doors. Although there are similarities between the appeal proposals, each appeal is considered separately on its own merits.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building and whether it would preserve or enhance the character or appearance of the Kingsland Conservation Area.

¹ APP/U5360/W/25/3370082

Reasons

4. The appeal site is situated on the eastern side of Hertford Road and consists of a pair of semi-detached properties. It is located within Kingsland Conservation Area (CA)², which has a broadly linear form that follows the alignment of the nearby Kingsland Road. The CA contains a range of uses and buildings of different periods, styles and scales, which reflects the historic development of the area. The mix of uses, and the varied built form contributes positively to the significance of the CA.
5. The appeal property, which dates from the late 20th century, is a relatively recent development compared to earlier buildings referenced in the Kingsland Road Conservation Area Appraisal, which include examples of house building from the 17th century. Whilst the differing ages of buildings contribute to the significance of the CA through an understanding of how the area has evolved over time, the appeal property's modern origins mean it does not share the same historic or architectural value of older buildings. It has a simpler façade and more modern roof materials. The existing windows, which although formed of timber, are not sash windows or of another traditional design found in the CA such as metal windows.
6. The proposed windows would have a timber effect finish, together with other features that the appellant sets out would authentically replicate timber windows. Although I acknowledge that modern materials can sometimes have an overly regular, flat and shiny appearance, in this instance, having regard to the details of the windows before me, I consider that they would be of a sympathetic design.
7. The proposal would be seen on a property that has a modern appearance owing to its age and architectural style. Other nearby properties, including the neighbouring buildings to either side have a varied appearance, including some which have modern window materials. As such, the proposal would not be harmful to the significance of the CA or to the setting of the nearby De Beauvoir Conservation Area.
8. I therefore conclude that the proposal would not be harmful to the character and appearance of the host building, and it would preserve the character and appearance of the CA. As such, it would be compliant with Policies LP1, LP3 and LP4 of the Hackney Local Plan 2033 and Policies D3, D4 and HC1 of The London Plan, which seek, amongst other matters, to preserve the significance of the historic environment. Although the Residential Extensions and Alterations Supplementary Planning Document (SPD) states modern materials, such as uPVC may not be appropriate and seeks for new windows to match the originals with regard to choice of materials, for the reasons set out, the proposal will not conflict with the SPD's aims, which include maintaining townscape character. The development would also not conflict with Section 16 of the National Planning Policy Framework (Framework).

Other Matters

9. Reference has been made to maintenance and sustainability considerations by both main parties. Given my conclusion on the main issue, it is not necessary for me to consider these matters further.

² Also referenced as the Kingsland Road Conservation Area

Conditions

10. I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework. I have imposed a condition requiring compliance with the approved plans and a materials condition is necessary in the interests of the character and appearance of the host building and to preserve the character and appearance of the CA.

Conclusion

11. The proposal would accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be allowed.

F Rafiq

INSPECTOR