
Appeal Decision

Site visit made on 9 April 2026

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 May 2026

Appeal Ref: APP/U5360/W/25/3376085

Aldwych Court, 39 Middleton Road, London E8 4BJ

- 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 Emma Field Uniq Block Management Ltd against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2025/1395.
 - The development proposed is Replacement of all existing timber windows with new upvc windows of the exact same design and size.
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Decision

1. The appeal is allowed and planning permission is granted for Replacement of all existing timber windows with new upvc windows of the exact same design and size at Aldwych Court, 39 Middleton Road, London E8 4BJ in accordance with the terms of the application, Ref 2025/1395, and the plans submitted with it 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 numbers Location Plan, TMAC 1001, TMAC 1002, TMAC 1801, TMAC 1802, TMAC 1803, Sliding Sash Window Specs, Trade Dispatch Note.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the street scene.

Reasons

3. The appeal site appears as a modern building but designed in a coordinating style to the traditional local vernacular of typical yellow brick Victorian terraces. I could see that as Middleton Road is a particularly long road, the street scene as a whole is mixed in character with purpose-built flats of differing ages and architectural merit. Court-style development as this one are a strong feature within the street scene as they are large in scale.
4. Aldwych Court forms part of a wider development consisting of an entire block between Holly Street and Celandine Drive, where two large, flatted developments bookend the block. As a whole, the development is sympathetic to the traditional character of the local area and the fenestration reinforces this cohesiveness.

5. The proposal would entail the wholesale replacement of the timber sliding sash windows and the casement windows that are more widely used to the rear of the building.
6. From my inspection I could see there is evidence of deterioration affecting the existing timber windows and this has a deleterious effect on the building as a whole, and a small but noticeable effect on the wider street scene. Wholesale replacement has been offered by the block management company as a means to improve on the condition of the appearance, and the thermal qualities of the building.
7. I am mindful of the green environmental credentials of timber as a natural material as well as the thermal values modern upvc can offer and the fact that upvc frames cannot be easily repaired. However, the Council have provided no compelling evidence as to why timber should be favoured. This is especially so as the site is not protected by any statutory designation. There is evidence of upvc windows installed in some of the houses within the block here and other modern interventions applied to dwellings such as solar panels. The installation of upvc material to windows in a design that would be on a like for like basis would not appear out of character.
8. Furthermore, the complete replacement using white coloured upvc windows set into reveals where applicable would help to mitigate the change in the appearance of the material, and the casement windows would remain largely flush with the existing brickwork.
9. Overall, there would be a change to the appearance of the building however it would be only more than a minor degree of change and would not lead to a detrimental effect on the character and appearance of the building or compromise the architectural integrity of the wider street scene.
10. To conclude on this main issue, the proposal would accord with the design and local character aims of policies LP1 and LP17 of the Hackney Local Plan 2020 and Hackney's Residential Extensions and Alterations SPD (2009). It would also comply with the broad character encapsulating ethos of policies D1 and D3 of the London Plan. The appeal site is not identified as a non-designated heritage asset and is not statutorily designated. Therefore, policy HC1 of the London Plan and policy LP4 of the local plan do not apply.

Conditions

11. I have considered the Council's suggested conditions. The approved plans are included as well as the time limit to implement the permission in the interest of good planning.

Conclusion

12. For the reasons given above the appeal should be allowed.

Alison Scott

INSPECTOR