



Officer Report

Application Number: HGY/2023/1419
Application Type: Non-Material Amendment
Address: 8 Avenue Road, Hornsey, London, N6 5DW
Proposal: Non-Material Amendment for use of UPVC windows relating to application HGY/2018/2152.
Case Officer: Cameron Sturges
Valid Date: 17/06/2023
Applicant: Anna Goodman
Agent:

RECOMMENDATION

Approve

1. RECOMMENDATION

GRANT Non-Material Amendment

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved development

2.1 HGY/2018/2152 - Renewal of application HGY/2015/0046 which has recently expired plus amendment to include conversion of two windows in Flat 1 to a larger single window. HGY/2015/0046 was for erection of single storey garden room and replacement of the single glazing to communal and Flat 1 windows with double glazing.

Other relevant applications

2.2 HGY/2023/1418 - Replacement of existing timber windows with double glazed heritage uPVC.

Proposed amendments

2.3 The applicant has applied for a non-material amendment to application HGY/2018/2152 for approval of a retrospective replacement uPVC windows on the rear elevations.

Site and surrounds

2.4 The application site comprises a two-storey plus basement and accommodation in the roofspace, semi-detached building divided into flats and located on the northern side of Avenue Road. The property is not listed however is located within the Crouch End Conservation Area. The surrounding area is predominantly residential in nature.

3. CONSULTATION RESPONSE

3.1 The following were consulted for the NMA:

LBH Conservation - The application is not supported:

- Previous consent HGY/2018/2152 allowed for double glazed timber framed windows to be installed throughout.
- The proposed uPVC windows are not supported in principle within the heritage setting as their design and materiality are uncharacteristic of the original design of the host buildings and would detract from its architectural interest and historic character.
- Historic England provides ample guidance in relation to the inappropriateness of UPVC windows for historic buildings and in heritage setting and state the following:
 - "although PVCu (unplasticised polyvinyl chloride) rigid plastic replacement windows are popular, their visual character and operational differences make them unsuitable for older buildings, particularly those that are listed or in conservation areas. Because the components used to manufacture PVCu windows are weaker than their timber counterparts, they tend to be much thicker. This, along with different detailing and opening arrangements, can have a significant impact on the appearance and character of older buildings.
 - For example, in traditional windows the glazing bars (usually wooden or metal) are rigid and separate the panes of glass, whereas in PVCu windows they are often only strips of plastic inserted within the glass sandwich of a double-glazed unit.
 - The service life of PVCu windows is relatively short (less than 25 years) compared to well-maintained traditional windows (many of which survive for over 100 years). PVCu windows are not maintenance-free, as is commonly believed, and can be difficult to repair. This means they are usually replaced at the end of their service life. Although it is possible to recycle PVCu, this is still not done widely. Therefore, the carbon cost of a PVCu replacement window will be higher than an appropriately upgraded traditional window."

4. ANALYSIS/ASSESSMENT

4.1 S96 of the Town and Country Planning Act 1990 (as amended) allows the Council to make a change to any planning permission if satisfied that the change is not material. An application for a non-material amendment can only be made by or on behalf of a person with an interest in the land to which the planning permission relates and the application may be made only in respect of so much of the planning permission as affects the land in which the person has an interest.

4.2 The National Planning Practice Guidance (NPPG) sets out that there is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application. As an application to make a non-material amendment is not an application for planning permission, the existing Town and Country Planning (Development Management Procedure) (England) Order 2015 provisions relating to statutory consultation and publicity do not apply. Therefore, local planning authorities have discretion in whether and how they choose to inform other interested parties or seek their views.

4.3 The NPPG states that when making a decision the local planning authority must have regard to the effect of the change, together with any previous changes made under section 96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. As this is not an application for planning permission, section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply.

4.4 Most of the properties on Avenue Road have outriggers which have varying fenestration, some with conservatories. Unlike the main rear elevation which has a consistent pattern of sliding sash window with glazing bar detail, the outriggers are less significant. As such changing the windows here is not considered significant, nor will it be widely visible.

4.5 In respect of the rear elevation the proposal is to replace the 2no. 1st floor windows in uPVC of the same proportions as the original. While it is accepted that uPVC can result in a smoother finish to that of timber, the profile and proportions of the windows in uPVC would be very similar to the original.

4.6 Given the rear elevation of the property in question is not openly visible from public vantage points and the need to avoid regular maintenance the use of uPVC here is considered acceptable.. The minor variation caused here by the use of uPVC as opposed to timber does not significantly alter the appearance of the building in question, as such preserving the character and appearance of this part of the conservation area.

4.7 The proposed amendment is considered to be non-material and would not have significant material impact on the external appearance of the building, more specifically their design and materiality is characteristic of the original design of the host buildings and would preserve its architectural interest and historic character. The proposal would not have an adverse impact on the design and appearance of the host property and the Conservation Area.

4.8 The proposed development would be in general accordance with Policies DM1, DM9 and DM12 of the Development Management, Development Plan Document 2017, and Policy SP11 and SP12 of Haringey's Local Plan Strategic Policies 2017. The proposed development would also accord with the relevant policies of the London Plan 2021 and the NPPF.

5. RECOMMENDATION

GRANT Non-Material amendment.