



# Officer Report

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|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number:</b> | <b>HGY/2026/1604</b>                                                                                                                                                |
| <b>Application Type:</b>   | <b>Lawful development: Existing use</b>                                                                                                                             |
| <b>Address:</b>            | Flat A, 30 Weston Park, Hornsey, London, N8 9TJ                                                                                                                     |
| <b>Proposal:</b>           | Lawful Development Existing Use: Replacement of side uPVC double glazed window with double glazed timber sliding sash window and replacement of front entrance door |
| <b>Case Officer:</b>       | Sabelle Adjagboni                                                                                                                                                   |
| <b>Valid Date:</b>         | 08/06/2026                                                                                                                                                          |
| <b>Applicant:</b>          | Mr R Handley                                                                                                                                                        |
| <b>Agent:</b>              |                                                                                                                                                                     |

## **RECOMMENDATION**

**Approve**

## **PLANNING & ENFORCEMENT HISTORY**

There is planning history in relation to this site is as follows:

HGY/2024/3211

Address: Flat A, 30 Weston Park, Hornsey, London, N8 9TJ

Proposal: Erection of a timber framed garden office/store at the end of the garden with flat roof.

Decision Date: 3 February 2025

Decision: Approve with Conditions

HGY/2016/2804

Address: Flat A, 30, Weston Park, London, N8 9TJ, London

Proposal: Non-material amendment following a grant of planning permission HGY/2016/1795 to add lightwell to approved rear extension

Decision Date: 21 September 2016

Decision: Approve with Conditions

HGY/2016/1795

Address: Flat A, 30, Weston Park, London, N8 9TJ

Proposal: Erection of a single storey rear extension.

Decision Date: 27 July 2016

Decision: Approve with Conditions

## **REPRESENTATIONS**

Planning Practice Guidance (PPG) on Lawful Development Certificates, sets out that:

“There is no statutory requirement to consult third parties. It may, however, be reasonable for a Local Planning Authority to seek evidence from these sources, if there is good reason to believe they may possess relevant information about the content of a specific application. Views expressed

by third parties on the planning merits of the case, or on whether the applicant has any private rights to carry out the operation, use or activity in question, are irrelevant when determining the application.” (Paragraph: 008 Reference ID: 17c-008-2014030).

No representations have been received.

## **RELEVANT PLANNING LEGISLATION**

The application has been made under Section 191 of the Town and Country Planning Act 1990 (as amended). This is not a planning application. Instead, the applicant seeks a Certificate of Lawfulness to confirm that the existing operational development is lawful for planning purposes. A Certificate may be granted where the Council is satisfied, on the balance of probabilities, that the development is lawful at the date of the application.

## **ANALYSIS / ASSESSMENT OF THE APPLICATION**

The application relates to the replacement of a side elevation uPVC window with a timber sliding sash window and the replacement of the front entrance door with a timber door at Flat A, 30 Weston Park. The supporting information confirms that the replacement window was installed in 2019 and the replacement entrance door was installed in 2020.

The property is a flat located within a conservation area. As a flat, the property does not benefit from the permitted development rights available to dwellinghouses under Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Nevertheless, the absence of permitted development rights does not automatically mean that planning permission is required for every alteration to a building.

The works undertaken are extremely limited in scale and nature. They comprise the replacement of a modern uPVC window with a timber sliding sash window and the replacement of a modern entrance door with a timber door. The works did not involve any extension, enlargement, structural alteration, increase in floorspace, change in use, or material alteration to the overall appearance of the building. The replacement elements broadly replicate the traditional appearance and detailing found elsewhere within the building and surrounding area. The applicant states that the works were undertaken specifically to create a more traditional appearance and to better reflect the character of the property and conservation area.

Particular weight is given to the fact that the replacement window and door are located discreetly to the side of the building and are not prominently visible within the public realm. The alterations do not materially affect the architectural composition of the building and would not be readily perceptible in wider views of the property. Their visual impact is therefore negligible.

As a matter of fact and degree, the replacement of a non-original uPVC window with a timber sliding sash window and the replacement of the entrance door constitute minor alterations akin to repair, maintenance and the reinstatement of traditional building fabric. The works are de minimis in planning terms and are not considered to amount to development giving rise to material planning consequences.

In any event, the evidence submitted demonstrates that the replacement window was substantially completed in 2019 and the replacement door was substantially completed in 2020, and both have remained in place continuously since installation. This is supported by the submitted Building Control documentation, photographs and applicant's statement. More than four years have elapsed since the substantial completion of the operational development.

Having regard to the scale, nature and location of the works, it is considered that the replacement of the window and door amounts to a minor alteration involving the reinstatement of traditional materials and detailing. The works are so limited in planning significance that they are properly regarded as de minimis. Furthermore, the evidence demonstrates that the alterations have existed continuously for a period substantially in excess of four years.

## **CONCLUSION**

The replacement of the side elevation uPVC window with a timber sliding sash window and the replacement of the entrance door with a timber door are minor works involving the reinstatement of traditional building fabric. The alterations are discreetly located, have no material effect on the character or appearance of the building, and are de minimis in planning terms. In addition, the evidence demonstrates that the works were substantially completed in 2019 and 2020 and have remained in place continuously since that time. On the balance of probabilities, the existing operational development is lawful and a Certificate of Lawfulness should be granted.