

COMMITTEE REPORT

20240612	23 Merton Avenue	
Proposal:	Replacement of timber windows and doors to UPVC windows and doors at rear of dwellinghouse (Class C3)	
Applicant:	Mrs Rakhi Ward	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	20 July 2024	
CY1	TEAM: PD	WARD: Fosse



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Summary

This application has been brought to committee as the applicant is related to a member of staff at Leicester City Council. One objection has been received regarding concerns about the impact of the development on St Paul's Conservation Area. The main concern is the impact of the development on the heritage asset.

The Site

The application relates to a mid-terraced dwelling located within St Paul's Conservation Area. The site is also within a Critical Drainage Area.

Background

None

The Proposal

The replacement of timber windows and doors to UPVC windows and doors at the rear of the dwellinghouse (Class C3) this includes 2 doors and 6 windows. Two are currently obscure glazed.

Policy Considerations

National Planning Policy Framework (NPPF) 2023

Paragraphs 2 (Application determined in accordance with development plan and material considerations)

Paragraph 11 (Presumption in favour of Sustainable Development)

Paragraphs 39 and 40 (Pre-applications)

Paragraphs 43 (Sufficient information for good decision making)

Paragraph 56 (Six tests for planning conditions)

Paragraphs 135 and 139 (Good design and ensuring high standard of amenity)

Paragraphs 201, 203 and 205 (Heritage Assets)

Development Plan Policies

Development plan policies relevant to this application are listed at the end of this report.

Supplementary Planning Documents (SPD)

Residential Amenity SPD (2008)

St Paul's Conservation Area Character Appraisal 2022

Other legal or policy context

Planning (Listed Building and Conservation Areas) Act 1990

Planning (Listed Building and Conservation Areas) Regulations 1990

Representations

One objection has been received with concerns about the impact of the development on the character of the conservation area.

Consideration

Impact on St Paul's Conservation Area:

23 Merton Avenue is a traditional late 19th century mid terrace two storey dwelling located in the St Pauls Conservation Area. The existing windows and doors throughout the property are later 20th century timber replacements in a modern top hung casement style. As such they are of limited historic or architectural interest and make no meaningful contribution to the significance of St Pauls Conservation Area as a heritage asset.

This application seeks to replace all the windows and doors in the rear elevation with heritage style uPVC. The size of the windows will remain the same, but they will be sash sliding, in a cream wood grain effect. To give the appearance of painted timber.

Due to the tight development grain and back-to-back gardens, views of this elevation are limited to within private gardens, and do not form part of the public realm.

UPVC is an inappropriate material for use in sensitive and/or historic settings and is generally discouraged within Leicester's conservation areas. However, in a context such as this one a high quality, heritage style sliding sash window in uPVC can be accepted when replacing existing timber joinery in rear elevations. Further, the reintroduction of historically appropriate 2/1 sliding sash windows in place of modern top hung casements can be supported as a significant visual enhancement.

Impact on neighbouring amenity:

The smaller window at ground floor level would no longer be obscure glazed. Given its size, I do not consider this would result an unacceptable loss of privacy to the occupants of 25 Merton Avenue.

Conclusion

I recommend APPROVAL subject to the following conditions:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)

2. The development shall be carried out in accordance with the approved external materials and details and retained as such. This should include:
 - Vertical sliding sash windows, 'bottom smaller window', and 'Patio door' (as described in the proposed elevation plans) shall be upvc with a cream woodgrain effect shall be upvc with a cream woodgrain effect: and
 - 'Kitchen door (as labelled in the proposed elevation plans) to be upvc with a Chartwell Green (or similar) woodgrain effectas shown in the proposed elevations 'proposed windows and doors' received on the 2nd April 2024. (In the interests of visual amenity, and to preserve the character of St Paul's Conservation Area in accordance with Core Strategy policy CS03.)

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).

The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2023 is considered to be a positive outcome of these discussions.

Policies relating to this recommendation

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| 2006_PS10 | Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents. |
| 2014_CS03 | The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'. |
| 2014_CS18 | The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. |