

<b>LDC (Proposed) Report</b>		<b>Application number</b>	2023/0027/P
<b>Officer</b>		<b>Expiry date</b>	
Sofie Fieldsend		01/03/2023	
<b>Application Address</b>		<b>Authorised Officer Signature</b>	
11 Heath Drive London NW3 7SN			
<b>Conservation Area</b>		<b>Article 4</b>	
N/A		No	
<b>Proposal</b>			
Replacement of 3 single glazed windows with identical double glazed windows on side elevation			
<b>Recommendation:</b>		Grant Certificate of Lawfulness	

## 1.0 Introduction

1.1 The application site is subdivided into 3 flats (Class C3).

1.2 The host building is not listed and sits within the Redington Frogal Conservation Area. The building is identified as making a positive contribution to the special character and appearance within the conservation area. It is also within the Redington and Frogal Neighbourhood Plan.

1.3 The application seeks confirmation that the proposed replacement of single glazed, steel framed windows with double glazed like-for-like windows on the side elevation does not constitute development and is lawful such that planning permission would not be required.

## 2.0 Applicants Evidence

2.1 Site location plan; window details by METWIN and DMW (F Section).

## 3.0 Assessment

3.1 Development is defined by section 55 of the 1990 Town and Country Planning Act as ‘the carrying out of building, engineering, mining or other operations, in, on, or under land or the making of any material change in the use of any buildings or other land’.

For the purposes of this Act “building operations” includes—

- a) demolition of buildings;
- b) rebuilding;
- c) structural alterations of or additions to buildings; and
- d) other operations normally undertaken by a person carrying on business as a builder.

The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

- a) the carrying out for the maintenance, improvement or other alteration of any building or works

which—

- (i) affect only the interior of the building, or
- (ii) do not materially affect the external appearance of the building.

3.2 Notwithstanding that the proposal involves the installation of double glazing to replace single glazing, the applicant has provided sufficient evidence to demonstrate that the proposed replacement windows would match the existing in terms of type, glazing pattern, proportions (including the shape, size and placement of glazing bars), opening methods, materials and finishes, detailing and the overall size of the window openings.

3.3 The proposal would therefore not materially change the external appearance of the building and is not considered to fall within the 'meaning of development' requiring planning permission as defined by the Town and Country Planning Act 1990.

3.4 It is therefore considered that the application proposal is lawful and it is recommended that a Certificate of Lawfulness be granted.

**4.0 RECOMMENDATION:**

Grant Certificate of Lawfulness