

London Office:
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London, EC1A 9ET

Sent via planning portal only

03/07/2024

Dear Sir/Madam

LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) - THE TOWN & COUNTRY PLANNING ACT 1990

NEW AND REPLACEMENT WINDOWS AND DOORS

5 ERSKINE MEWS, LONDON, NW3 3AP

Please accept this covering letter as an accompaniment to this lawful development certificate proposed application for the installation of new and replacement windows and doors at no.5 Erskine Mews.

Please also find enclosed a completed application form and a full set of existing and proposed plans.

The site

The site is accessed from the south side of Erskine Road and comprises a mews development of five two-storey homes in active, and private residential use. This proposal relates only to No.5 Erskine Mews which lies to the north side of the site. The mews is gated and cannot be seen from the public realm but is contemporary in appearance with the inward facing properties presenting largely brick elevations punctuated by front doors and small rectangular windows. The site comprises communal car parking and refuse storage.

The site is located outside of, but immediately adjacent to the Primrose Hill Conservation Area to the north and east, and a locally listed terrace (1-29 Ainger Road) to the west. Approximately 23 metres to the south of the site is a Grade II listed terrace (9-14 Chamberlain Street).

The predominant land use in the immediate surroundings is residential and there is also an eclectic range of commercial uses over the wider surroundings.

The site is located in an area with a PTAL Rating of 3. The site is located within flood zone 1 and has a low probability of flooding.

There are no article 4 directions in place or any relevant planning conditions which remove permitted development rights from the property.

The proposal

This application seeks the installation of new and replacement windows and doors to the east (front) and north (side) facing elevations of the property.

Permitted Development Assessment

The property is a single dwellinghouse and the proposal is an improvement or other alteration of the dwellinghouse.

Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) makes provision for the enlargement, improvement or other alteration of a dwellinghouse. This extends to the installation of new and replacement windows and doors.

The application site comprises a dwellinghouse which was not granted by Class M, MA, N, P, PA or Q of part 3 (changes of use) of the GDPO or built under part 20 (construction of new dwellinghouses). The proposal does not increase the external dimensions of the existing property and does not include the construction of a veranda, balcony or raised platform, the installation, alteration or replacement of a microwave antenna, the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or an alteration to any part of the roof of the dwellinghouse.

The materials proposed for the windows and doors are of a similar appearance to that of the existing windows (aluminium framed double glazed windows to match existing). The new upper floor window located in the wall forming the side elevation (north elevation) is proposed to be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The proposal, as outlined above, therefore meets the criteria and conditions as set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is permitted development.

Summary

For the reasons set out in this letter it is considered that the proposed development is permitted development, as set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore is lawful development within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended). It is therefore requested that a certificate of lawful development is granted.

I trust this letter and the enclosed documents provide you with sufficient information to determine the application but if you require any points of clarification or have any questions, please do not hesitate to contact me.

Yours faithfully

Stuart Minty
Director
SM Planning