

LDC Report

(Proposed)

Officer

Sarah White

Application Number

2024/2939/P

Application Address

Flat B
43 Lowfield Road
London
NW6 2PP

Recommendation

Grant Lawful Development Certificate (Proposed)

Proposal

Replacement of windows and installation of cavity wall insulation and internal ventilation.

Assessment

The application site comprises a four-storey mid-terrace property which has been split into flats, and this application relates to the middle floor flat only. The site is not located within a conservation area nor is it listed.

This application seeks to confirm that the proposed replacement of windows, cavity wall insulation and internal ventilation would be lawful and would not require planning permission.

Section 55(1) of the Town and Country Planning Act 1990 (as amended) (TCPA) defines the 'meaning of development' as *'the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land'*. Section 55(2) goes further to state that:

'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 of works which—*
 - (i) affect only the interior of the building, or*
 - (ii) do not materially affect the external appearance of the building...'*

The installation of cavity walls and ventilation works would not involve any external works. The windows would be replaced like for like in terms of style, detailing and materials and would be located within the existing openings, with the only difference being a change from single to double glazing. This change would not materially affect the external appearance of the building. As such, the proposed works do not constitute 'development' as defined in Section 55 of the TCPA and therefore would not require planning permission.

Recommendation: Grant Lawful Development Certificate