

LDC (Proposed) Report		Application number	2025/1099/P
Officer		Expiry date	
Obote Hope		07/05/2025	
Application Address		Authorised Officer Signature	
Flat 2 14 Chesterford Gardens London NW1 0HY			
Conservation Area		Article 4	
No		Basements	
Proposal			
Alterations at to the ground floor windows at the front, rear and side elevations involving the replacement of single glazed timber frame windows with like-for-like double glazed units to the front & rear elevation and the window to the flank elevation would be similar in scale and material used.			
Recommendation:		Issue Certificate	
<p>1.0 Introduction</p> <p>1.1 The application site is a substantial 3-storey (plus lower ground/basement floor) property occupied by 5 self-contained flats. It is situated on the western side of Chesterford Gardens and within the Redington/Frognaal Conservation Area; however, the host building is identified as making a positive contribution to the wider conservation area.</p> <p>1.2 The application seeks confirmation that the proposed replacement of single-glazed timber frame windows with like-for-like double-glazed units to the front and rear elevation and the replacement of the existing 2 x side casement windows with double-glazed casement windows with side openings that match the other half of the existing window do not constitute development and are lawful, such that planning permission would not be required.</p> <p>2.0 Applicant's Evidence</p> <p>2.1 Site location plan; WW.EV.01; WW.EV.02 and WW.EV.03.</p> <p>3.0 Assessment</p> <p>3.1 Development is defined by section 55 of the 1990 Town and Country Planning Act (referred to as 'the Act') as '<i>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</i>'. For the purposes of this Act "building operations" includes—</p> <ul style="list-style-type: none"> 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. <p>The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—</p> <ul style="list-style-type: none"> a) the carrying out for the maintenance, improvement or other alteration of any building of works which— <ul style="list-style-type: none"> (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 their type, glazing pattern, frame size, proportions (including the shape, size and placement of integral glazing bars), opening methods, materials and finishes, detailing and the overall size of window openings.

3.3 Whilst the 2 x timber casement windows would be different in design, the proposed replacement windows would be to the fank elevation, and the design would be uniform, given that it would match the opening of the existing window, which would be openable from the side rather than from the top of the window pane.

3.4 As such, the proposal would 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 Act.

3.5 The application proposal is therefore considered lawful, and it is recommended that a certificate of lawfulness be granted.

4.0 RECOMMENDATION: Grant Certificate of Lawfulness