

LDC Report		04/05/2010
Officer		Application Number
Connie Petrou		2010/0553/P
Application Address		Drawing Numbers
Flats 1-7, 26-49 & 50-73 Dunboyne Road Estate London NW3 2YY		See decision notice
PO 3/4	Area Team Signature	Authorised Officer Signature
Proposal		
The replacement of all doors and windows with double glazed units, on all elevations, to existing residential blocks (Class C3).		
Recommendation: Refer to Draft Decision Notice		
Assessment		
The application site is Dunboyne Road Estate which comprises of three residential blocks (1-7, 26-49 and 50-73) set over ground, first, second and third floor level.		
Proposal		
The application relates to all flats within the Estate. The flats have black timber framed windows and doors with the exception of properties 50-57 and 66-73 which have aluminium framed doors (see type 1 as shown on drawings nos. 2858.105 rev P2 (Existing) and 2858.106 rev P2 (Proposed)). It is proposed to replace the existing black single glazed timber framed windows and doors with double glazed black timber windows and doors. The existing single glazed aluminium doors will be replaced with double glazed aluminium framed doors, also in black.		
Assessment		
S.57 (1) of the Town and Country Planning Act states that ' <i>planning permission is required for the carrying out of any development of land</i> '. The term ' <i>development</i> ' is central to the power of local planning authorities to control the use and development of land. S.55 (1) of the Town and Country Planning Act states that development ' <i>means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change of use of any buildings or land</i> '. S.55 (2) specifies a number of operations and uses which are to be taken to either involve the development of land or not to involve the development of land. The operation referred to in paragraph (a) of S55(2) states:		
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.

And are not works for making good war damage or works begun after 5th December 1968 for the alteration of a building by providing additional space in it underground.

In this case the proposed replacement windows/doors are the same size and proportions as the existing windows/doors. In terms of their detailed design, the extent of glazing, subdivision, colour and materials are essentially the same. The existing and proposed openings are of similar materials. The frames of the proposed window and door openings are marginally thicker in places than the existing.

Whilst there is some variation between the existing and proposed windows/doors this is considered to be a de minimis change which would not materially affect the external appearance of the building. It is therefore considered that the proposed works do not constitute development as defined by the 1990 Act and as such planning permission is not required.

Four representations were received in relation to this application. These concerned potential construction disruption, damage during construction, principle of replacement versus refurbishment, cost of work for leaseholders, lack of consultation with leaseholders, changes to interiors e.g. sills. However, as none of the objections relate to whether the proposals will materially affect the external appearance of the building they were not considered when determining this application.

Recommendation: Issue certificate.

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