

LDC Report		15/04/2010
Officer		Application Number
David Peres Da Costa		2010/0968/P
Application Address		Drawing Numbers
4 Lakis Close London NW3 1JX		Refer to draft decision notice.
PO 3/4	Area Team Signature	Authorised Officer Signature
Proposal		
Replacement of door on side elevation with glazed sliding doors at first floor level, replacement of window on front elevation with door onto existing balcony, installation of three rooflights and replacement of uPVC windows with timber framed windows on front elevation of existing residential dwelling (Class C3).		
Recommendation: Refer to Draft Decision Notice		
Assessment		
<p>The application relates to a 3 storey mid-terrace single family dwelling which fronts onto Lakis Close. Permitted development rights were not withdrawn by the original 1968 permission (Planning ref: 4510R). The property falls within the Hampstead Conservation Area. The design of the property is such that part of the first and second floor is built over an adjoining garage which is not part of the application property.</p> <p>Planning history</p> <p>2009/5963/P: Erection of windows and glazed roof to enclose existing front balcony, installation of three new rooflights and replacement of uPVC windows with timber framed windows on front elevation of existing residential dwelling. <u>Grant</u> – replacement windows/rooflights; <u>Refuse</u> - enclosure of the first floor balcony with windows and glazed roof.</p> <p>Proposal</p> <p>The proposal is to enlarge the side door onto the balcony with full height glazed sliding doors and to replace the kitchen window with a door, also opening onto the balcony.</p> <p>The proposal also includes the replacement of the existing windows on the first and second floor on the front elevation and installation of 3 rooflights on upper sloping and flat roofs. These elements of the proposal are identical to those which were granted a certificate of lawfulness in the previous application. The drawings also show the replacement of the glazed roof on the front elevation above the first floor living room. As this is a 'like for like' replacement, this would not require planning permission.</p> <p>Glazed sliding doors providing access from living room to balcony</p>		

The applicant seeks confirmation that the enlargement and replacement of the side door onto the balcony with full height glazed sliding doors can be undertaken as permitted development under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as amended by (No.2) (England) Order 2008. The glazed sliding doors are not considered to be permitted development under Class A as they do not comply with condition A.3(b): any upper floor window located in a wall forming a side elevation shall be non-opening.

Replacement windows (including replacing the window on the front elevation with a door)

The alterations to the fenestration and the replacement of the window with a door on the front elevation at first floor level are considered to be permitted development under Class A providing:

- The materials will be of a similar appearance to those used in the construction of the original dwellinghouse.

An informative will be added to the decision notice confirming this point.

Rooflights

The applicant seeks confirmation that the proposed rooflights could be undertaken as permitted development under Class C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as amended by (No.2) (England) Order 2008. The rooflights have been tested against the various criteria in this part of the GPDO.

C.1

- a) the alteration would not protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof (confirmed by email and also covered by informative).
- b) it would not result in the highest part of the alteration being higher than the highest part of the original roof;
- c) the development
 - (i) would not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (ii) would not consist of the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

C.2

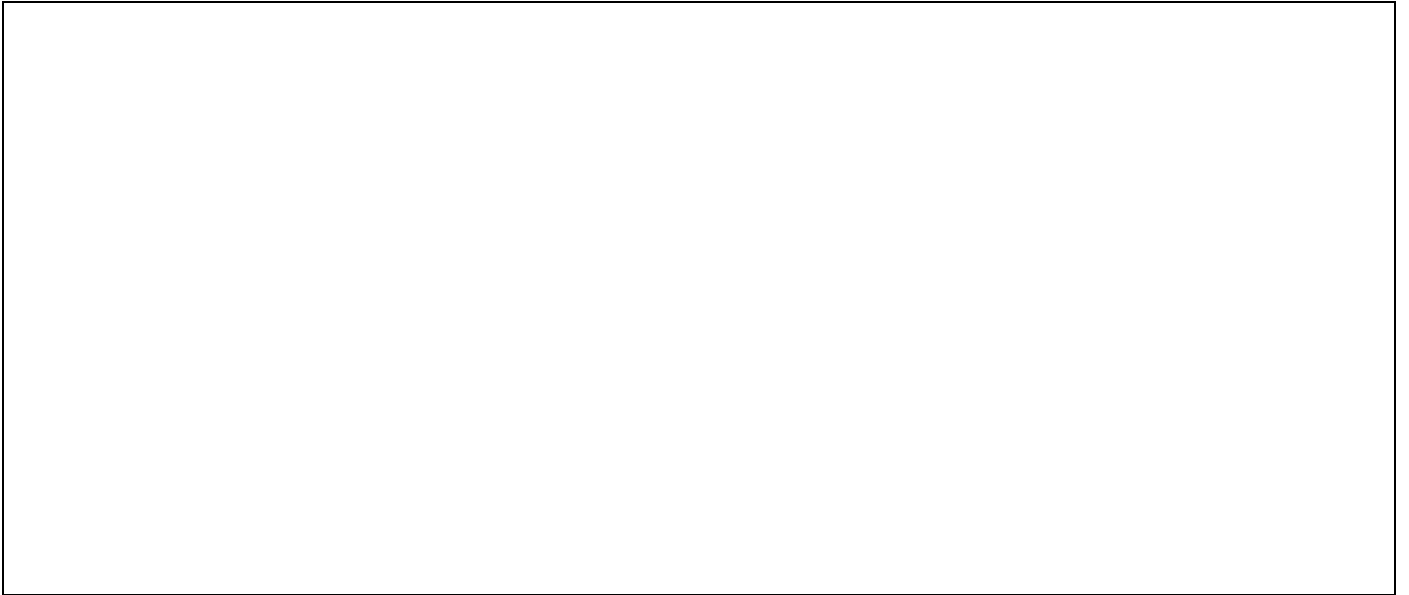
The development is not located on a roofslope forming a side elevation of the dwellinghouse.

Conclusion

For the reasons outlined above, the application is recommended to be part approved and part refused.

The replacement windows (including replacing the window on the front elevation at first floor level with a door) are permitted under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as amended by (No.2) (England) Order 2008. The rooflights are permitted under Class C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as amended by (No.2) (England) Order 2008. A certificate of lawfulness would be granted for these elements of the scheme.

The glazed sliding doors are not considered to be permitted development as they do not comply with condition A.3(b): any upper floor window located in a wall forming a side elevation shall be non-opening. The development would therefore not be considered as permitted development under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as amended by (No.2) (England) Order 2008. A certificate of lawfulness for this element of the proposal would be refused.



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