

LDC (Proposed) Report		Application number	2021/2574/P
Officer		Expiry date	
Tony Young		13/09/2021	
Application Address		Authorised Officer Signature	
Flat 8, The Pryors East Heath Road London NW3 1BS			
Conservation Area		Article 4	
Hampstead		Article 4 Direction (basements)	
Proposal			
Replacement of single glazed, timber framed windows at ground floor level on north-east and south-east elevations with double glazed like-for-like windows.			
Recommendation:		Issue Certificate	
1.0 Introduction			
<p>1.1 The application site, The Pryors, is formed of two separate residential mansion blocks on the east side of East Heath Road. Blocks A and B were built in 1904 and 1910 respectively. Flat 8, which is the subject of this application, is a ground floor flat located in the south-east corner of Block A.</p> <p>1.2 The host building is not listed and sits within the Hampstead Conservation Area. The building is identified as making a positive contribution to the special character and appearance within the conservation area (<i>Hampstead Conservation Area Appraisal and Management Strategy</i>, adopted October 2011).</p> <p>1.3 The application seeks confirmation that the proposed replacement of single glazed, timber framed windows with double glazed like-for-like windows at ground floor level on the north-east and south-east elevations does not constitute development and is lawful such that planning permission would not be required.</p>			
2.0 Applicants Evidence			
2.1 Site location and site plans - D01 and D2; Existing and proposed drawings - D03, D04, D05, D06, D07; Heritage and Design & Access Statements from Neale+Norden Consultants dated Jan 2021 and May 2021 respectively.			
3.0 Assessment			
<p>3.1 Development is defined by section 55 of the 1990 Town and Country Planning Act as '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'.</p> <p>For the purposes of this Act "building operations" includes—</p> <p>a) demolition of buildings;</p>			

- 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.

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.

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 type, glazing pattern, proportions (including the shape, size and placement of glazing bars), opening method, materials and finishes, detailing and the overall size of the window opening.

3.3 The proposal would therefore not materially change the appearance of the building and is not considered to fall within the 'meaning of development' requiring planning permission as defined by the Town and Country Planning Act 1990.

3.4 It is therefore considered that the application proposal is lawful and it is recommended that a certificate of lawfulness be granted.

4.0 RECOMMENDATION: Grant certificate of lawfulness