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| LDC (Proposed) Report | | Application number | 2022/1624/P |
| Officer | | Expiry date | |
| Tony Young | | 08/06/2022 (an extension of time agreed until 17/06/2022) | |
| Application Address | | Authorised Officer Signature | |
| Flat 46, The Pryors East Heath Road London NW3 1BS | | | |
| Conservation Area | | Article 4 | |
| Hampstead | | Article 4 Direction (basements) | |
| Proposal | | | |
| Replacement of 13 single glazed, timber framed windows at 3rd floor level on south-west, north-west and inner lightwell 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 eastern side of East Heath Road. Blocks A and B were built in 1904 and 1910 respectively. Flat 46, which is the subject of this application, is a 3rd floor flat located in the western corner of Block B.</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 3rd floor level on the south-west, north-west and inner lightwell elevations does not constitute development and is lawful such that planning permission would not be required.</p> | | | |
| 2.0 Applicants Evidence | | | |
| 2.1 NVBL_023_0.01_Location Plan; NVBL_1.02_Existing_Ground Floor Plan_Plan; and Design and access statement (with drawings) from NVBL dated 13/04/2022. | | | |
| 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> <p>b) rebuilding;</p> <p>c) structural alterations of or additions to buildings; and</p> | | | |

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 methods, materials and finishes, detailing and the overall size of the window openings.

3.3 The proposal would therefore 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 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