

LDC (Proposed) Report		Application number	2022/1046/P
Officer		Expiry date	
Sonia Cupid		09/05/2022	
Application Address		Authorised Officer Signature	
Ground Floor Flat 48 Arkwright Road London Camden NW3 6BH			
Conservation Area		Article 4	
Redington Froggal		Article 4 Direction (basements)	
Proposal			
Like for like replacement of timber windows and doors to the front and rear elevations.			
Recommendation:		Grant Lawful Certificate	
1.0 Introduction			
<p>1.1 The application site is the ground floor flat at 48 Arkwright Road. The host building is a semi-detached property comprising one self-contained maisonnette and two self contained flats.</p> <p>1.2 The property is not listed and is located, within Redington Froggal Conservation area and Redington and Froggal Neighbourhood Area.</p> <p>1.3 The application seeks confirmation that the proposed replacement of timber sash framed windows with double glazed like-for-like windows at ground floor level to the front and rear elevations does not constitute development and is lawful such that planning permission would not be required.</p>			
2.0 Applicant's Evidence			
<p>2.1 Site location plan; Existing & Proposed Front & Rear Elevations - 01521_00_00; 01521_40_01; 01521_40_02; 01521_40_03: Submission Receipt & Electronic SDLT 5 Certificate</p>			
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> <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.

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 The submitted information shows in the existing and proposed elevations a like for like replacement of all windows in association with the ground floor flat. This is acceptable as it 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 Technical drawings have been provided which show the window's opening mechanisms, frame material, and traditional detailing. It is noted that on some of the technical drawings it shows a type of window which is not like for like; however, this is acceptable in this instance given that the proposed elevations show a clear like for like replacement of all windows.

3.4 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.

3.5 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