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| Committee Date | 13.04.2023 | |
| Address | Lillys Chelsfield Lane Orpington BR6 6NN | |
| Application Number | 23/00246/PLUD | Officer - Jacqueline Downey |
| Ward | Chelsfield | |
| Proposal | Replacement windows from wooden double glazed frames to aluminium/UPVC double glazed frames. Replacement front and back door from wooden to composite doors. Provide an opening to allow for a small non opening window to the east ground floor. LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) | |
| Applicant | Agent | |
| Mrs Melanie Stevens | | |
| Lillys Chelsfield Lane Orpington BR6 6NN | | |
| Reason for referral to committee | Outside delegated powers: Applicant is Cllr Stevens | Councillor call in No |

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| RECOMMENDATION | Proposed Use/Development is Lawful |
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| <p>KEY DESIGNATIONS</p> <p>Conservation Area: Chelsfield Areas of Archeological Significance Article 4 Direction Special Advertisement Control Area Biggin Hill Safeguarding Area Green Belt Locally Listed Building</p> |
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| Land use Details | | |
|-------------------------|------------------------------|-----------------------|
| | Use Class or Use description | Floor space (GIA SQM) |
| Existing | Single Dwellinghouse (C3) | Not stated |
| Proposed | Single Dwellinghouse (C3) | Same as Existing |

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| Representation summary | Letters to neighbours were sent out on the 06.03.2023 | |
| Total number of responses | 0 | |
| Number in support | 0 | |
| Number of objections | 0 | |

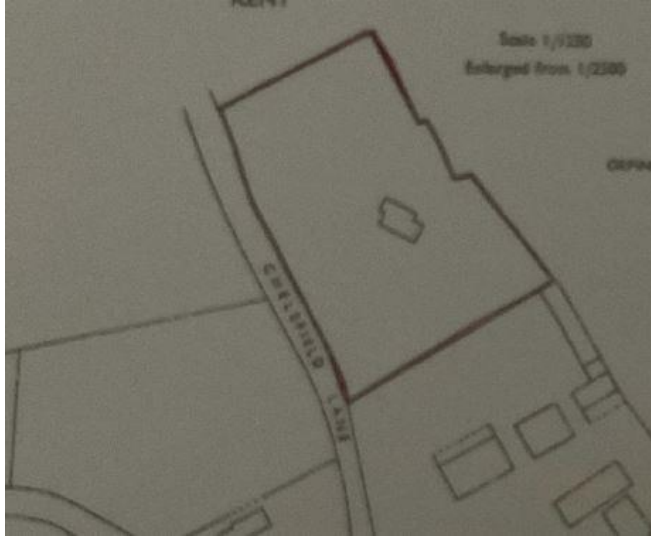
1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development falls within the scope of Class A of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. LOCATION

- 2.1. The site is situated on the north eastern side of Chelsfield Lane, Orpington and is host to a two storey detached dwelling.
- 2.2. The site is situated within the Chelsfield Conservation Area and is located within the Green Belt.
- 2.3. The property is not a Statutory or Locally Listed Building.

2.4. Location Plan:



2.5. OS map of the site:



3. PROPOSAL

3.1. The proposal seeks formal confirmation from the Council that elevation alterations comprising of the replacement of all windows and patio doors, the addition of one ground floor east window and replacement front and rear doors. The proposed alterations are as follows:

- Replacement of the existing windows and doors from dark painted timber double glazed windows and glazed doors to grey/black aluminium/uPVC double glazed windows.
- Replacement of the front and rear doors from timber to composite wood effect doors, colour Chartwell green.

- A new ground floor side non opening window to the east ground floor.

3.2. Proposed window example:



3.3. Photographs of existing property with windows to be replaced (further photographs available on the online case file)

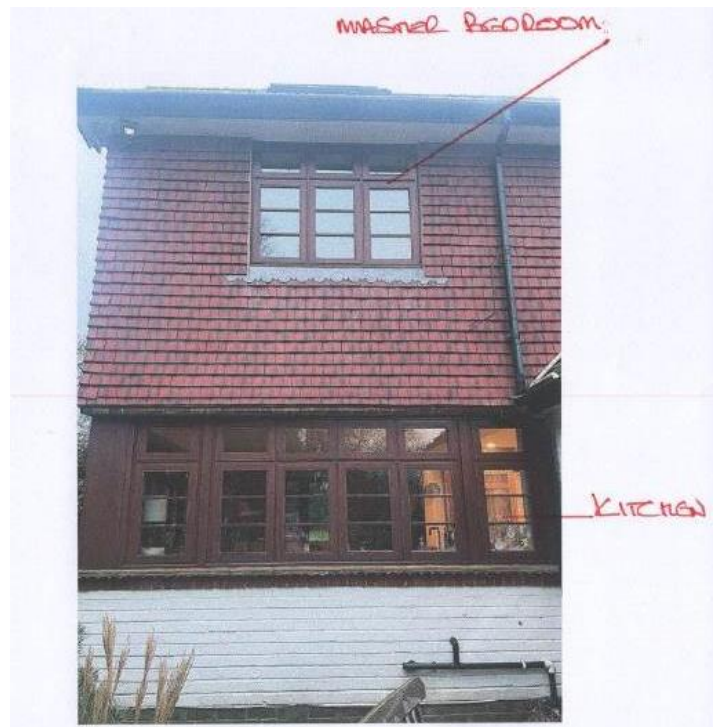
- Front elevation windows:



- East side elevation windows and siting of proposed new window:



- Master bedroom and kitchen windows:



3.4. Existing front door with side windows to be replaced with grey/black uPVC windows



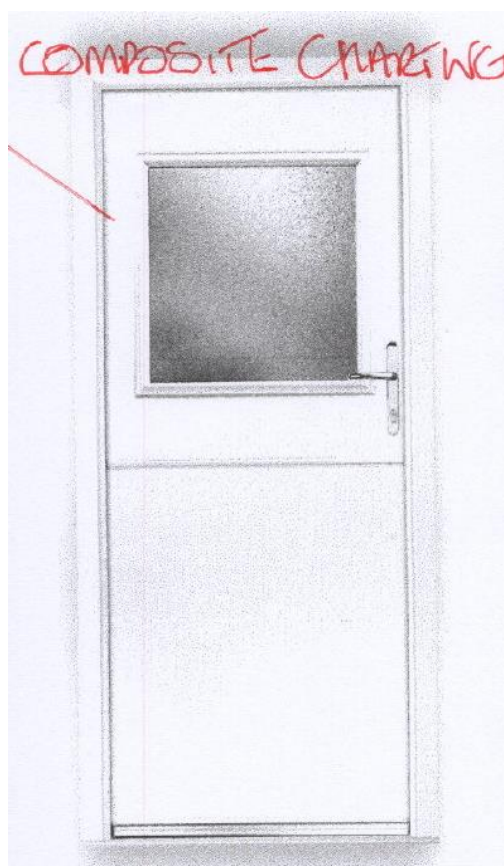
3.5. Proposed front door in composite material with Chartwell (sage) green colour:



3.6. Existing rear timber door:



- 3.7. Proposed rear door stable door opening style in composite material with Chartwell (sage) green colour



4. RELEVANT PLANNING HISTORY

- 4.1. There is no recent and relevant planning history.

5. CONSULTATION SUMMARY

- 5.1. There is no requirement to consult any statutory consultees due to the nature of this application.
- 5.2. Neighbouring occupiers were notified of the application and no representations were received.

6. POLICIES AND GUIDANCE

- 6.1. The application requires the Council to consider whether the proposal falls within the parameters of permitted development under **Class A** of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and specifically whether any limitations/conditions of the Order are infringed.
- 6.2. The main issues in this case are whether the proposals constitute development requiring planning permission under Section 55 of the Town and Country Planning Act 1990 (as amended).

7. ASSESSMENT

- 7.1. Class A Schedule 2, Part 1, permits the enlargement, improvement or other alteration of a dwellinghouse subject to certain limitations. The replacement windows and doors and proposed side ground floor window would fall within an alteration to the existing house under Class A and are considered to be permitted development for the following reasons outlined in the subsequent paragraphs.
- 7.2. Permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use).
- 7.3. The dwelling does lie within a conservation area however the proposal would not involve cladding of any part of the exterior of the dwellinghouse, no enlargements are proposed beyond a wall forming a side wall of the dwelling house or having more than a single storey and extend beyond the rear wall of the original dwellinghouse which are elements which are not permitted under Class A in a Conservation Area.
- 7.4. In relation to the proposed replacement windows, they would be installed within all front, rear and side elevations at the ground floor level and the materials used (aluminium./uPVC) in dark grey colour and the front and rear door would replace the existing timber doors with composite timber effect doors in a Chartwell green.
- 7.5. Condition A.3 of Class A requires that “the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse”.
- 7.6. The MHCLG’s Permitted development rights for householders Technical Guidance offers guidance on the interpretation of this condition, with particular regard to replacement windows where it states:

“it may be appropriate to replace existing windows with new uPVC double-glazed windows or include them in an extension even if there are no such windows in the existing house. What is important is that they give a similar visual appearance to those in the existing house, for example in terms of their overall shape, and the colour and size of the frames”
- 7.7. Having regard to the above and based on a visual analysis of the existing windows and the proposed photographs (as submitted by the Applicant) this scheme will involve the installation of windows and glazed doors of similar proportions, appearance and method of opening as the existing and the materials would match the existing in appearance with the existing dark colour painted timber windows replaced with a dark grey uPVC frame which would have a similar visual appearance. The omission of the glazing bars to the windows is not considered to have a significant impact on the appearance of the windows to the property and windows would still maintain a similar appearance. No additional upper floor flank windows are proposed. Thereby the proposed development would satisfy the criteria of Class A, Part 1 of Schedule 2 of the General Permitted Development Order 1995 (as amended).

8. CONCLUSION

8.1. On the basis of the information presented before the Council it may be considered that the development would fall within the relevant criteria of the Order.

8.2. It is therefore considered that the Certificate should be granted.

8.3. Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: Proposed Use/Development is Lawful

The proposal as submitted would constitute permitted development by virtue of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).