

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development

REF NO: AB/107/18/CLP

LOCATION: 12 Tarrant Wharf
Arundel

PROPOSAL: Lawful development certificate for the removal of existing PVCu window to a kitchen & bricks below window & replacement with a PVCu stable door.

DESCRIPTION OF APPLICATION

The application seeks to replace an existing uPVC window, and the brick below, in order to create an area, in which to install a uPVC door.

DESCRIPTION OF SITE AND SURROUNDINGS

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Comments on Representations received:

CONSULTATIONS

Consultations responses received:

Comments on Consultation responses:

LEGISLATIVE BACKGROUND

Section 192(2) of the Town and Country Planning Act 1990 states:-

If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

CONCLUSIONS

For the purposes of the application it has to be determined whether the removal of the existing window and the bricks below, and replacing this with a door would constitute development.

The Town and Country Planning Act S55 Para 2 states:

"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 or works which

(i)affect only the interior of the building, or

(ii)do not materially affect the external appearance of the building,"

The proposal is not considered to materially affect the appearance of the building, and is therefore not considered to be development, in line with Section 55, Part 2(a)(ii) of the Town & Country Planning Act.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on the 20th of September 2018 the proposal described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in black on the plan attached to this certificate, was not considered to be development within the meaning of section 55 of the Town & Country Planning Act 1990 for the following reasons:

- It is not considered to materially affect the external appearance of the building, as stated in Section 55, Part 2(a)(ii).

FIRST SCHEDULE

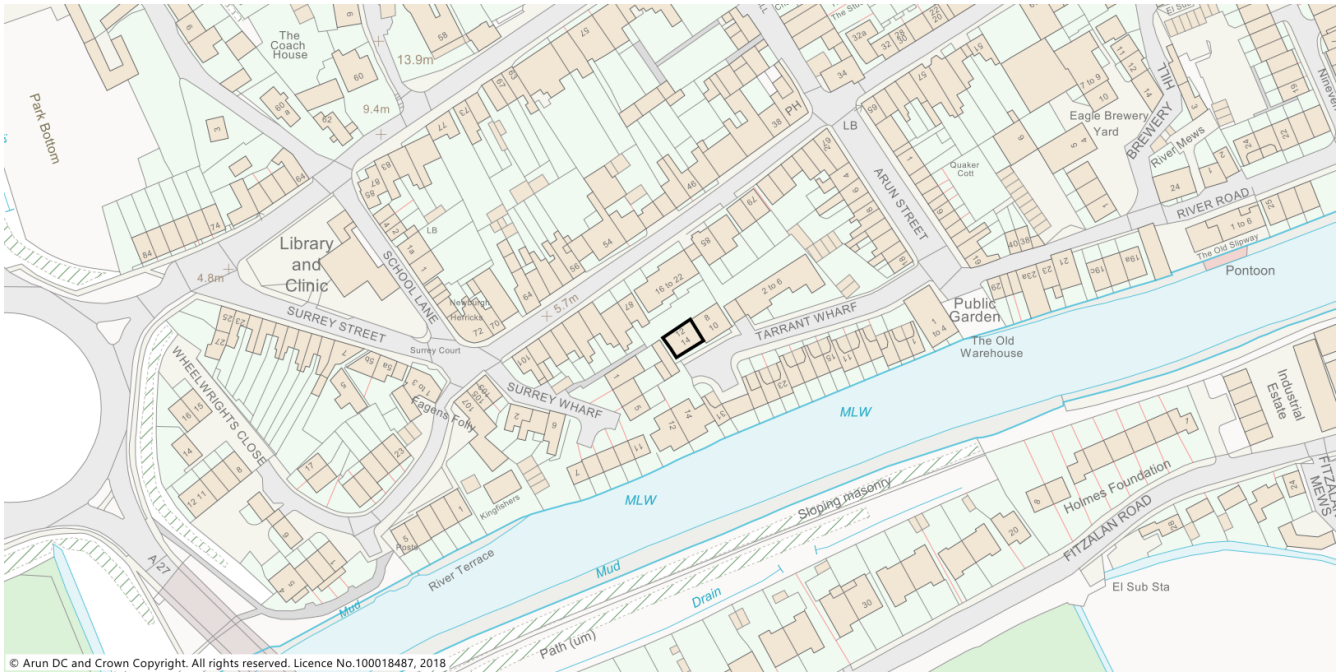
The removal of existing PVCu window to a kitchen & bricks below window & replacement with a PVCu stable door.

SECOND SCHEDULE

12 Tarrant Wharf, Arundel, West Sussex, BN18 9NY

EXTENT OF USE

The removal of existing PVCu window to a kitchen & bricks below window & replacement with a PVCu stable door.



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