



Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management Procedure) (England)
Order 2015 - Article 39

Application for Certificate of Lawfulness for a Proposed use or Operation
DECISION NOTICE

Application Ref: AB/114/18/CLP

To Addressee

Mr N Dockerill
Hale Hill Farm
West Burton
Nr Pulborough
West Sussex
RH20 1HE

Site Address

31 Tarrant Street (1st & 2nd Floor Flat)
Arundel
BN18 9DG

Description of Application

Application for a Lawful Development Certificate for a Proposed use - replacement windows

In pursuance of their powers under this Act and these Regulations the Council **REFUSE** to certify that the development described above is Lawful for the reasons stated below.

INFORMATIVE:

It is recommended that you speak with the Council's Conservation Officer regarding suitable replacement windows in this instance. They can be contacted at: conservation.officer@arun.gov.uk

The Arun District Council hereby certify that on 10/10/2018 the development 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 considered to be development within the meaning of section 55 of the Town & Country Planning Act 1990 for the following reasons:

- The replacement windows are considered, by virtue of their design, detailing and operation make them appear different to traditional windows, and the visual effect for plastic is out of keeping with more traditional materials. Therefore, the proposal is considered to have a material impact on the external appearance of the dwelling, in conflict with Section 55 (2)(a)(ii) of the Town & Country Planning Act.

EXTENT OF USE

The replacement of existing metal framed windows with uPVC windows. These details are shown in:

- Three photographs showing existing windows to be replaced
- Sketch dated 26th October 2018 showing design of proposed windows

FIRST SCHEDULE

The replacement of existing metal framed windows with uPVC windows.

SECOND SCHEDULE

1st & 2nd Floor Flat, 31 Tarrant Street, Arundel, West Sussex, BN18 9DG.

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Case Officer: Zac Denton

Decision Issued: **19 December 2018**



RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

TOWN AND COUNTRY PLANNING ACT 1990

By Section 195 (as amended) of the Town and Country Planning Act 1990, where an application is made to a Local Planning Authority under Sections 191 or 192 and is refused, or is refused in part, the applicant may by notice under this subsection appeal to the Secretary of State and on any such appeal the Secretary of State:-

- a) if and so far as he is satisfied that the Authority's refusal is not wellfounded, grant to the appellant a Certificate under Section 191/192 accordingly or, as the case may be, modify the certificate granted by the Authority on the Application; and
- b) if and so far as he is satisfied that the Authority's refusal is wellfounded, dismiss the appeal.

If you wish to appeal to the Secretary of State you should write in the first instance to The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

There is no time limit for submission of an appeal following the Authority's decision.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).



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