

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development**REF NO:** BR/165/20/CLP**LOCATION:** 3 Manor Place
Bognor Regis
PO21 1TB**PROPOSAL:** Lawful development certificate for the removal of existing timber single glazed sliding sash windows and replacement with conservation grade UPVC double glazed sliding sash windows.

The proposed new windows would be Ultimate Rose sliding sash windows manufactured by Roseview Windows. Please find enclosed with the application full photographic and diagram details.

Roseview windows have been selected due to the conservation grade design details that have made them acceptable in other conservation areas around the country.

The existing sash windows are relatively simple in design with no sash horns or Georgian bars etc. However the profiles of the rails, stiles and mullions of the existing windows are 'slim' in profile and therefore the proposed windows have been selected to replicate the 'slim' profile lines of the existing.

DESCRIPTION OF APPLICATION

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RELEVANT SITE HISTORY**REPRESENTATIONS****Representations Received:**

CONSULTATIONS

Consultations Responses Received:

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.

In this instance the proposed works will be assessed against the:-

- The Town and Country Planning Act S55 Paragraph 2.

Provided the proposed works satisfy the relevant criteria, and that no restrictive conditions to development have been imposed on the site, the proposed works will not be Development and would not require planning permission. If the works fail to accord with the criteria then permission will be required for them to take place, possibly through the provisions of the General Permitted Development Order.

CONCLUSION

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 of works which

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

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

It is indicated by the detail as submitted that the proposed replacement windows in this application would not be materially different in appearance to those currently in situ. This is resultant of referring to their design, detailing (the materials and construction of the windows) and operation (layout of openings and how they work).

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

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 19/07/2020 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 not 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 like for like to the existing windows. Therefore, the proposal is considered not to have a material impact on the external appearance of the dwelling, and is acceptable in accordance with Section 55 (2)(a)(ii) of the Town & Country Planning Act.

FIRST SCHEDULE

The proposed removal of existing timber single glazed sliding sash windows and replacement with conservation grade UPVC double glazed sliding sash windows. This is detailed in the following plans:

- Window Photo 1,2,3,4,5,6,7,8,9,10
- Window Brochure

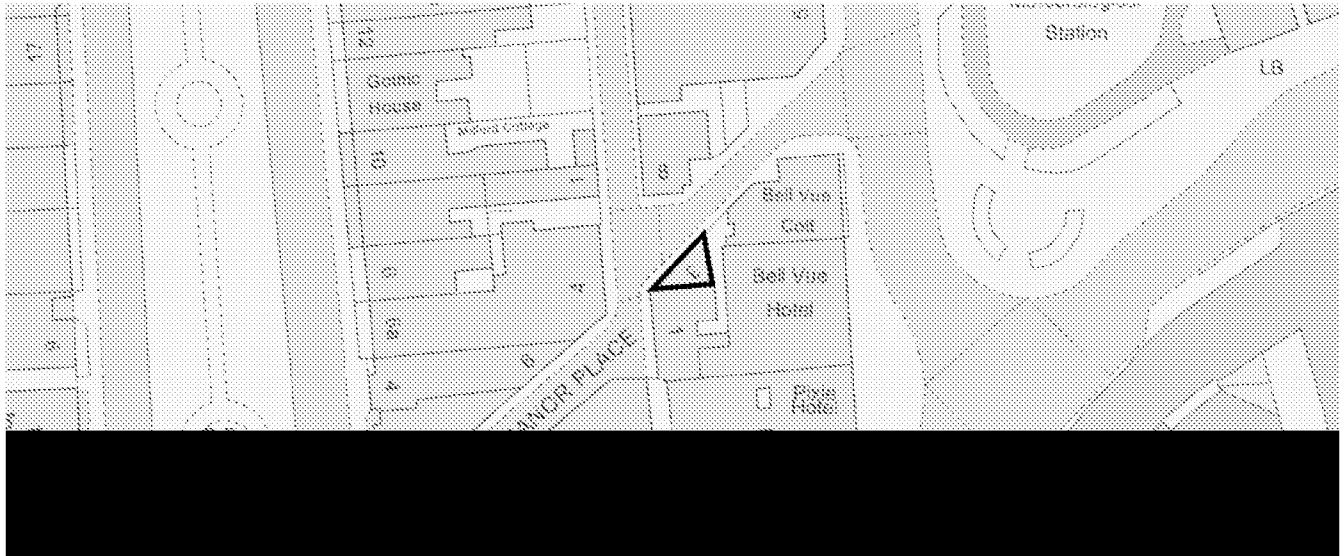
SECOND SCHEDULE

3 Manor Place, Bognor Regis

EXTENT OF USE

The proposed removal of existing timber single glazed sliding sash windows and replacement with conservation grade UPVC double glazed sliding sash windows.

BR/165/20/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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