

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

REF NO: BR/270/19/CLP

LOCATION: Priory Court, Flat 1
Campbell Road
Bognor Regis
PO21 1NW

PROPOSAL: Lawful development certificate for the proposed replacement of 6 No. existing softwood timber window frames with similar design colour PVCu double glazing.

DESCRIPTION OF APPLICATION

Lawful development certificate for the proposed replacement of 6 No. existing softwood timber window frames with similar design colour PVCu double glazing.

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.

- Section 55 of the Town and Country Planning Act is relevant as the proposal is not considered to be development.

CONCLUSION

The proposed replacement existing windows and doors with PVCu framed windows, 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 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 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 26/09/2019 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, were lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reason

- The works are not considered to be development and complies with S55 (2(a)(ii)) of the Town and Country Planning Act 1990.

FIRST SCHEDULE

The proposed replacement existing windows with PVCu framed windows. The approved details are hereby:

- Site Plan**
- Floor Plan**
- Window Schedule and Photos of existing windows.**

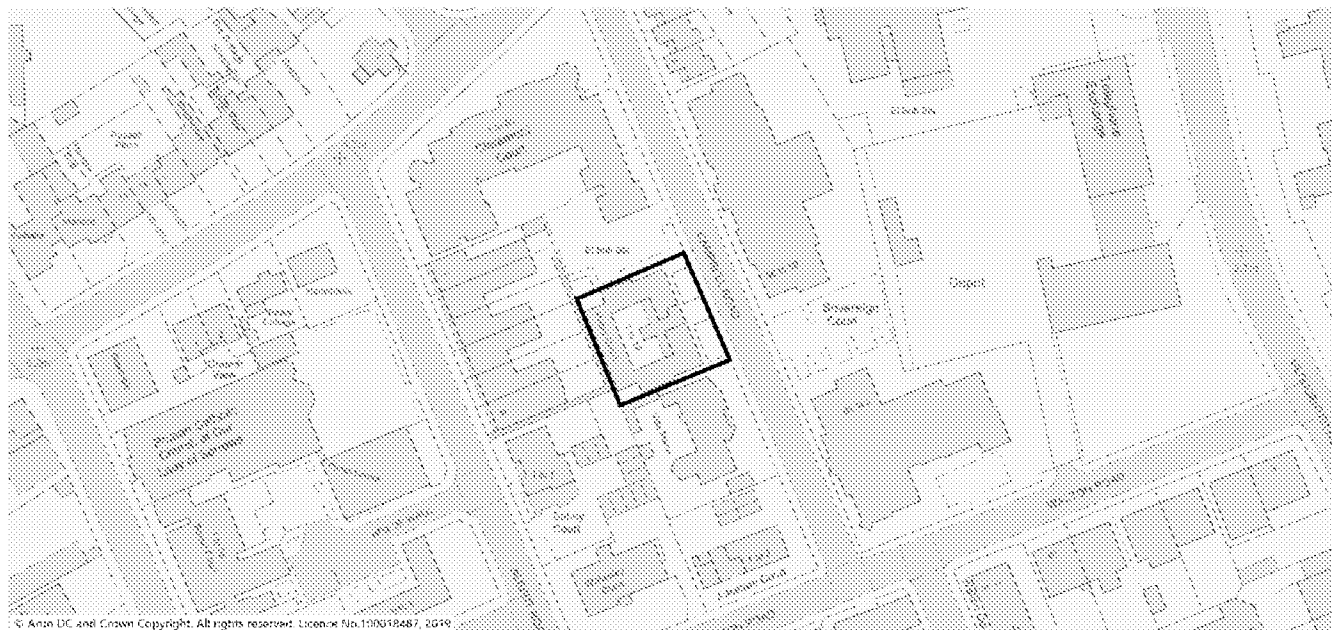
SECOND SCHEDULE

Priory Court, Flat 1, Campbell Road, Bognor Regis, PO21 1NW

EXTENT OF USE

Lawful development certificate for the proposed replacement of 6 No. existing softwood timber window frames with similar design colour PVCu double glazing.

BR/270/19/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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