

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

REF NO: FG/44/19/CLP

LOCATION: Protacol
5 The Pantiles
Ferringham Lane
Ferring
BN12 5NE

PROPOSAL: Lawful development certificate for the proposed replacement windows and doors.

DESCRIPTION OF APPLICATION

The proposed replacement existing windows and doors with UPVC framed windows and Aluminium doors.

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.

CONCLUSION

The proposed replacement existing windows and doors with UPVC framed windows and Aluminium doors, 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 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. he proposal would therefore not require an application for planning permission.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 02/04/2019 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, 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 replacement existing windows and doors with UPVC framed windows and Aluminium doors. The approved details are hereby:

- Item 3 - Aluplast Casement - 1620 x 2190 - Style 5**
- Item 3 - Aluplast Casement - 1220 x 2190 - Style 5**
- Item 3 - Quote 873 - RAL 7016 - Anthracite Grey**

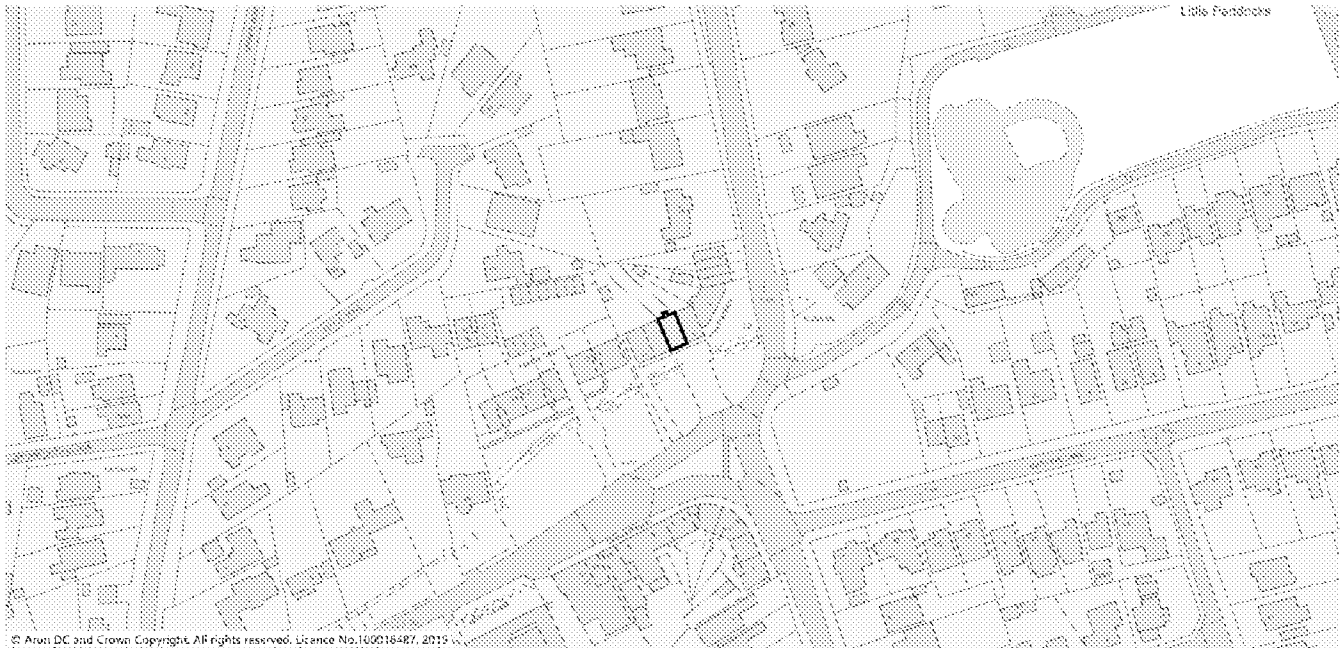
SECOND SCHEDULE

Protocol, 5 The Pantiles, Ferring

EXTENT OF USE

The proposed replacement existing windows and doors with UPVC framed windows and Aluminium doors.

FG/44/19/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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