

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

REF NO: LU/99/19/CLP

LOCATION: The Park Surgery
St Floras Road
Littlehampton
BN17 6BF

PROPOSAL: Lawful development certificate for the proposed infill of internal courtyard with insulated roof to create new waiting area.

DESCRIPTION OF APPLICATION

The application seeks to construct an insulated roof with 2 rooflights to infill an internal courtyard.

RELEVANT SITE HISTORY

LU/306/16/PL	Storage unit	ApproveConditionally 13-12-16
LU/106/16/DOC	Application for approval of matters reserved by condition imposed under LU/336/15/PL relating to conditions No. 3 (Surface Water Drainage), 5 (Tree protection fencing), 6 (Arboricultural Method Statement), 7 (Landscaping)	DOC Approved 22-06-16
LU/336/15/PL	Construction of a 2 storey extension to provide enlarged & enhanced medical & patient care facilities	ApproveConditionally 15-12-15
LU/1/03/	Roofing over of courtyard.	ApproveConditionally 14-02-03
LU/273/97	Alterations to provide staircase to first floor storage area, minor changes to external appearance and internal alterations to ground and first floor of existing doctors surgery.	ApproveConditionally 28-01-98

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

For the purposes of the application it has to be determined whether the installation of the roof constitutes 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, of
 - (ii)do not materially affect the external appearance of the building,

It can be determined that due to the siting of the proposal which is not visible from the wider area it does not materially affect the external appearance of the building and therefore does not constitute development as stated in the Town and Country Planning Act, S55 Para 2 (a)(ii).

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 4th April 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 development within the meaning of section 55 of the Town & Country Planning Act 1990 for the following reasons.

- The proposal does not materially affect the external appearance of the building.**

FIRST SCHEDULE

The proposed roof infill is not considered to be development as stated within S55 of the Town and Country Planning Act 1990.

The development hereby approved shall be carried out in accordance with the following approved plans

- Site Location Plan - 39020 99 C1**
- Proposed Ground Floor Plan - 39020 200 C1**
- Typical Sections AA-BB - 39020260 C1**

SECOND SCHEDULE

The Park Surgery, St Floras Road, Littlehampton, BN17 6BF

EXTENT OF USE

Infill to the roof of an existing internal courtyard.

