ARUN
DISTRICT COUNCIL

Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management Procedure) (England) Order 2010 (as amended) - Article 35
Application for Certificate of Lawfulness for a Proposed use or Operation

DECISION NOTICE

Application Ref: R/110/14/CLP

To Addressee

Dr Wiseman
33 Seafield Road
Rustington
West Sussex
BN16 2JH

Site Address

33 Seafield Road
Rustington
BN16 2JH

Description of Application

Application for a Lawful Development Certificate for a proposed change from tile hanging to weatherboarding

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The Arun District Council hereby certify that on the 17th of July 2014 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 black on the plan attached to this certificate, would have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reasons:-

The proposal involves the cladding of part of the dwelling in a material (weatherboarding) which will be of a similar colour to the existing tile hanging and is therefore compliant with criterion A.3(a) of The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Part 1.

EXTENT OF USE

Recladding of part of building.

FIRST SCHEDULE

Replacement of existing tile hanging with weatherboarding. The weatherboarding will be of a similar colour to the existing tile hanging.

SECOND SCHEDULE

33 Seafield Road, Rustington, West Sussex, BN16 2JH

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: Mr J Smith

Decision Issued: **10 September 2014**

NOTES RELATING TO CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

TOWN & COUNTRY PLANNING ACT 1990

This certificate is issued solely for the purpose of section 192 of the Town & Country Planning Act 1990 (as amended).

It certifies that the use, operation or matter specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and therefore, would not have been liable to enforcement action under section 172 of the 1990 Act on that date.

This Certificate applies only to the extent of the use, operation or matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations began, in any of the matters relevant to determining such lawfulness.

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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