

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

REF NO: R/110/14/CLP

LOCATION: 33 Seafield Road
Rustington

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

DESCRIPTION OF APPLICATION

As above.

DESCRIPTION OF SITE AND SURROUNDINGS

The site is occupied by a detached chalet style dwelling which features tile hanging above ground floor window heads.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

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 2 criteria contained within The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Part 1 Class A, which pertains to the enlargement, improvement, or other alterations to a

dwellinghouse.

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 constitute Permitted Development and would not require planning permission. If the works fail to accord with the criteria then planning permission will be required for them to take place.

CONCLUSIONS

The proposed works represent an alteration to an existing dwelling house and, as such, the extent of development allowable under permitted development is governed by the criteria contained within The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Part 1 Class A.

Criterion A.3(a) stipulates that the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. Although the materials used will be altered as a result of the replacement of existing tiling with weatherboarding, it is considered that the weatherboarding will appear similar to the tiling if an appropriate colour is used. The applicant has confirmed that the weatherboarding will be of similar colour to the tiles that it will replace and, as such, the overall appearance of the dwelling will not be substantially altered.

The proposed works therefore qualify as Permitted Development and, as such, a Certificate for Lawful Development should be issued.

RECOMMENDATION

PP NOT REQUIRED

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.

FIRST SCHEDULE

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

SECOND SCHEDULE

R/110/14/CLP

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

EXTENT OF USE

Recladding of part of building.



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