

Delegated Application Report

Address: 47 Queens Wharf, Queens Road

Application No: 210776/CLP

Proposal: Certificate of Lawfulness for proposed replacement of high level cladding, render and replacement of wooden balconies (amended)

Case Officer: Connie Davis

Agreed Target Date: 25/08/21

Introduction and Proposal

The application site is a 6 storey residential apartment block located on the northern side of Queens Road. The entrance to the block is located on Kennet Side. The block has high level cladding with render over the remaining facades. Apartments have balconies with wooden decking.

Plans Submitted

Proposed Elevation 5 Option 1

Proposed Elevation 1 Option 1 No. 0100

Proposed Elevation 1 Option 1 No. 0105

Proposed Elevation 2 Option 1

Proposed Elevation 3 Option 1

Proposed Elevation 4 Option 1

Received 19th August 2021

Stanlil Sample Submitted Sheet x 2

Received 18th August 2021

Location Plan

Received 12th August 2021

Supporting Information Project No. AS007

Proposed Site Plan Set Up

Existing Elevation 1

Existing Elevation 2

Existing Elevation 3

Existing Elevation 4

Existing Elevation 5

Existing Elevation 6

Application Form

Received 17th May 2021

Material samples submitted:

Decking - Product: Shera, Chestnut Brown

Render - RX561 Extra White

Cladding - Scalamid N922 in RAL 7046 (Telegray 2)

Received 18th August 2021

Relevant Planning History

210777/CLP - Certificate of Lawfulness for proposed replacement of cladding and wooden balconies - Application Withdrawn

Summary of Consultations

No consultations were undertaken as it is not required for an application of this type.

Relevant Planning Policy and Guidance

National Planning Practice Guidance

The Town and Country Planning Act (1990)

Assessment

The applicant is wanting to establish if the change of render, cladding and decking would qualify as Permitted Development (ie. not requiring planning permission).

Section 55(1) of the Town and Country Planning Act (1990) provides the definition of development for which planning permission is required.

Section 55(2) describes what does not constitute as 'development' under the Act, and therefore planning permission is not required:

(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,

Therefore, in order to qualify as permitted Development, replacement materials must be similar that they do not materially affect the external appearance of the building.

A site visit was carried out by the case officer on 18/08/21 with the applicant to compare the proposed sample materials with the existing. It is confirmed that those proposed would not materially affect the external appearance of the building. They would all be of similar colour, bearing in mind the existing materials on site are weathered. The render and cladding would be of the same texture. However, the wooden balconies would be made of a more durable material than wood, which is considered acceptable. The balcony floors would have minimal appearance in the street scene, and as mentioned would be of the same colour. As such, despite the slight deviation in the type of material, it is still qualified as a replacement that does not materially affect the external appearance of the building.

Recommendation

The proposal has been assessed against Section 55 of the Town and Country Planning Act (1990) it can be confirmed that the proposed operations would be lawful for planning purposes on the basis of the following drawings/ documents and samples:

Drawing:

Proposed Elevation 5 Option 1
Proposed Elevation 1 Option 1 No. 0100
Proposed Elevation 1 Option 1 No. 0105
Proposed Elevation 2 Option 1
Proposed Elevation 3 Option 1
Proposed Elevation 4 Option 1

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Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the replacement render, cladding and balcony decking that this would not require planning permission in line with Section 55(2) of the Town and Country Planning Act (1990)

Therefore, the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposal.

Informatives

1. Terms
2. Positive and Proactive

1:1250 Location Plan (Not to scale)

