

Planning Statement

Application for a Lawful Development Certificate (Existing)

Site: Rear of 25 Gower Road, Haywards Heath, RH16 4PL

This application is made under Section 191 of the Town and Country Planning Act 1990 for a Certificate of Lawfulness in respect of operational development already carried out at the above property.

The development comprises the insertion of 5no. windows and 1no. door within the east elevation of the existing commercial building. The works involved the formation of new window openings and installation of uPVC double glazed framed glazing units and removal of a window at ground floor to form a doorway.

The works were undertaken in or around March - June 2020 with substantial completion occurring no later than 02 July 2020. The windows and door have remained in situ without material alteration since that time and form part of the established external envelope of the building.

The application site is not located within a designated conservation area. It is, however, situated within the town centre boundary as defined by Policy DP2 of the Mid Sussex District Plan.

These policy designations are noted for completeness; however, they do not affect the legal test applied in this instance. The determination of this application rests solely on matters of fact and evidence, rather than an assessment of planning merit.

Under Section 171B of the Town and Country Planning Act 1990, operational development becomes immune from enforcement action if no such action has been taken within a period of four years beginning with the date on which the operations were substantially completed.

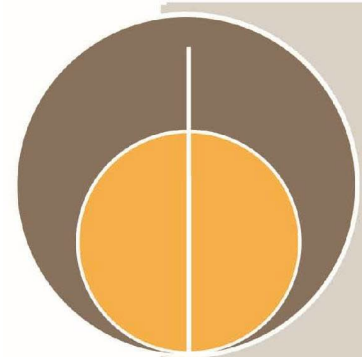
On the basis that substantial completion occurred no later than 02 July 2020 being more than four years prior to the date of this application, and that the development has remained unchanged since that time, the works are now immune from enforcement action and are therefore lawful.

In support of this application, the following evidence has been submitted to demonstrate the date of substantial completion:

- Invoices from OB Carpentry dated 09.03.20 at commencement – 02.07.20 at practical completion.
- Photographs taken on 30 March 2020
- Google street view images taken April 2019 and 2024 which align with the days above

The submitted evidence confirms that the development has been in place continuously for a period exceeding four years.

Accordingly, it is respectfully requested that the Local Planning Authority issue a Certificate of Lawfulness confirming that the development described above is lawful.



Evolution
Chartered Architects

