



Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management Procedure) (England)
Order 2015 - Article 39
Application for Certificate of Lawfulness for a Proposed use or Operation
DECISION NOTICE

Application Ref: AB/9/18/CLP

To Addressee

Regent Property Holdings Ltd
 56 The Drive
 Bognor Regis
 West Sussex
 PO21 4DT

Site Address

Riverside House
 2 Fitzalan Road

BN18 9JS

Description of Application

Lawful Development Certificate for a Proposed use or Development - Minor alterations within building (C3 dwelling) to form 11 bedsits with 11 bathrooms (Sui-Generis).

In pursuance of their powers under this Act and these Regulations the Council **REFUSE** to certify that the development described above is Lawful for the reasons stated below.

The Arun District Council hereby certify that on the 31st July 2018, the development and operation 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 not have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reason:-

The proposals represent a change of use from class C3(a) to a sui generis use. The use classes order confirms that this is not a permitted change of use. Further, this scale and intensity of use would be very different to that of a large single household and a material change of use would occur.

EXTENT OF USE

To form 11 bed sit units.

FIRST SCHEDULE

To form 11 bed sits through conversion of the building to create a single communal kitchen, dining area and lounge at ground floor with 11 separate rooms with beds and bathrooms. Sui Generis use class as outlined on the following submitted plans;

1283 100 - Existing Location Plan
 1283 102 - Existing Ground Floor Plan
 1283 103 - Existing First Floor Plan
 1283 106 - Existing SE & NE Elevations
 1283 107 - Existing NW & SW Elevations
 1283 110 - Proposed Site Plan
 1283 111 AB1 - Proposed Ground Floor Plan
 1283 112 AB1 - Proposed First Floor plan
 1283 113 AB1 - Proposed Attic Floor Plan
 1283 115 - Proposed SE & NE Elevations
 1283 117 - Proposed NW & SW Elevations

SECOND SCHEDULE

Riverside House, 2 Fitzalan Road, Arundel, BN18 9JS.

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 N Crowther

Decision Issued: **14 August 2018**



RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

TOWN AND COUNTRY PLANNING ACT 1990

By Section 195 (as amended) of the Town and Country Planning Act 1990, where an application is made to a Local Planning Authority under Sections 191 or 192 and is refused, or is refused in part, the applicant may by notice under this subsection appeal to the Secretary of State and on any such appeal the Secretary of State:-

- a) if and so far as he is satisfied that the Authority's refusal is not wellfounded, grant to the appellant a Certificate under Section 191/192 accordingly or, as the case may be, modify the certificate granted by the Authority on the Application; and
- b) if and so far as he is satisfied that the Authority's refusal is wellfounded, dismiss the appeal.

If you wish to appeal to the Secretary of State you should write in the first instance to The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

There is no time limit for submission of an appeal following the Authority's decision.

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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