

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development**REF NO:** AL/56/18/CLP**LOCATION:** Thatched House
Sack Lane
Aldingbourne**PROPOSAL:** Lawful development certificate for an existing outbuilding to be used as a proposed ancillary domestic accommodation to Thatched House, Sack Lane, Aldingbourne.**DESCRIPTION OF APPLICATION**

The use of the building would be for purposes ancillary to the use of Thatched House to meet future family needs. This application confirms this, and that such a use would not require the benefit of planning permission in accordance with current planning legislation. There is no change of use and the property would remain a single planning unit.

DESCRIPTION OF SITE AND SURROUNDINGS

Detached stable building within the curtilage of a detached dwelling within the countryside.

In 2017 a Certificate of Lawfulness was issued for modifications to the existing annex building to provide accommodation incidental to the use of Thatched House. This was granted on the basis that the building is situated within the domestic curtilage of Thatched House. (Reference AL/76/17/CLP).

RELEVANT SITE HISTORY

AL/75/88	New stables comprising two loose boxes, hay store and tack room	ApproveConditionally 22-08-1988
AL/76/17/CLP	Lawful Development Certificate for proposed formation of new windows & doors (removing some of the existing) & new internal arrangements	Approve 24-08-2017
AL/124/17/CLP	Lawful development certificate for a proposed outbuilding to be used as ancillary domestic accommodation/annexe to Thatched House, Sack Lane, Aldingbourne.	PP Required 22-03-2018

Stables granted planning permission is 1988 by AL/75/88. Condition 2 states:-

"The stables hereby permitted shall be used in connection with the existing dwelling only and for no other purpose.

REASON : To safeguard the amenities of neighbouring properties and the locality."

AL/76/17/CLP granted a lawful development certificate for "proposed formation of new windows & doors (removing some of the existing) & new internal arrangements" for the stables building August 2017.

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.

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 continue use of the annex to serve as living area, bathroom and bedrooms accommodation for family & friends would not be regarded as a change of use under The Town and Country Planning Act 1990 (c. 8) Part III Section 55 Para. 2 (d) which states that the use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse is not development.

The proposal is outlined in part 8. of the application forms that the existing annexe building is to be retained and all external alteration/modifications are in line with the alterations granted under AL/76/17/CLP.

Section 55 Para. 2 (a) of the Town and Country Planning Act 1990 as amended states that the carrying out for the maintenance, improvement or other alteration of any building of works which affect only the interior of the building, or do not materially affect the external appearance of the building are also not regarded as development. The internal conversion of the existing annexe would not therefore be classed as development.

RECOMMENDATION

APPROVE

The Arun District Council hereby certify that on 24th May 2018 the use in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in black on the plan attached to this certificate, would be lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reasons:

Compliance with The Town and Country Planning Act 1990 (c. 8) Part III Section 55 Para. 2.

FIRST SCHEDULE

Outbuilding (Stables) to be used as ancillary domestic accommodation/annexe to Thatched House, Sack Lane, Aldingbourne.

The lawful use is hereby approved subject to the approved plan: Drawing No.1 as dated 31st May 2018.

SECOND SCHEDULE

Thatched House, Sack Lane, Aldingbourne, West Sussex PO22 9PE

EXTENT OF USE

Outbuilding to be used as ancillary domestic accommodation/annexe to Thatched House, Sack Lane, Aldingbourne.



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