

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

REF NO: **AW/87/22/CLP**

LOCATION: 1 The Ridings
 Aldwick
 PO21 4HP

PROPOSAL: Lawful development certificate for the proposed knocking through from house into old garage building.

DESCRIPTION OF APPLICATION

This application seeks a Lawful Development Certificate for the proposed knocking through from house into old garage building, to create a day room.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations Received:

CONSULTATIONS

Consultations Responses Received:

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.

S55 Para. 2 (a) of the Town and Country Planning Act covers what is not development - this includes internal works.

Provided the works satisfy the relevant criteria, and that no restrictive conditions to development have

been imposed on the site, the 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.

CONCLUSION

The application seeks to knock through from the existing house into an attached garage building. The Town and Country Planning Act 1990 Section 55 Para. 2 (a) informs 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 proposed works will only involve internal alterations, and will not materially affect the appearance of the dwelling. As such the application is therefore not classed as development.

The property known as 1 The Ridings is a detached property and is not listed or within a conservation area.

Examination of the site history has revealed no restrictions of permitted development at the property.

The knocking through into the garage is not classed as development, and as such does not require the submission of an application for full planning permission.

The applicant should check other legislation e.g. Building Regulations regarding separate consents.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 04/04/22 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 in black on the plan attached to this certificate, was lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reason:

- The proposal would not be regarded as development, as defined by Section 55 of the Town & Country Planning Act 1990.

FIRST SCHEDULE

Knocking through from house into existing attached garage.

The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan**
- Location Plan showing proposed works**

SECOND SCHEDULE

1 The Ridings, Aldwick, PO21 4HP

EXTENT OF USE

Removal of internal wall to knock through into the existing attached garage of the property.

AW/87/22/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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