

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

REF NO: BR/137/17/CLP

LOCATION: 48 Neville Road
Bognor Regis

PROPOSAL: Lawful Development Certificate for a proposed change of existing residential building into a House of Multiple Occupation of 5No. individual rooms with shared kitchen facilities.

DESCRIPTION OF APPLICATION

Change of existing residential building (C3) into a House of Multiple Occupation (C4) of 5No. individual rooms with shared kitchen facilities.

DESCRIPTION OF SITE AND SURROUNDINGS

Semi-detached residential dwelling.

RELEVANT SITE HISTORY

None relevant.

REPRESENTATIONS

Representations received:

None received.

Comments on Representations received:

N/A.

CONSULTATIONS

Consultations responses received:

None made.

Comments on Consultation responses:

None consultations made.

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.

In this instance the proposed works will be assessed against the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Class L - small HMOs to dwellinghouses and vice versa

Permitted development

L. Development consisting of a change of use of a building to:

(a) from a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule;

(b) from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.

Development not permitted

L.1 Development is not permitted by Class L if it would result in the use:

(a) as two or more separate dwellinghouses falling within Class C3 (dwellinghouses) of the Schedule

to the Use Classes Order of any building previously used as a single dwellinghouse falling within Class C4 (houses in multiple occupation) of that Schedule; or

(b) as two or more separate dwellinghouses falling within Class C4 (houses in multiple occupation)

of that Schedule of any building previously used as a single dwellinghouse falling within Class C3 (dwellinghouses) of that Schedule.

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 proposal meets the requirements of Class L and L.1. of the (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (as amended).

The change of use from C3 (dwellinghouse) a five bedroom HMO (C4) is considered to be permitted development and does not require formal planning consent subject to there being no more than 6 residents..

RECOMMENDATION

APPROVE

The Arun District Council hereby certify that on 11-05-17 the change of use 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, would have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990.

FIRST SCHEDULE

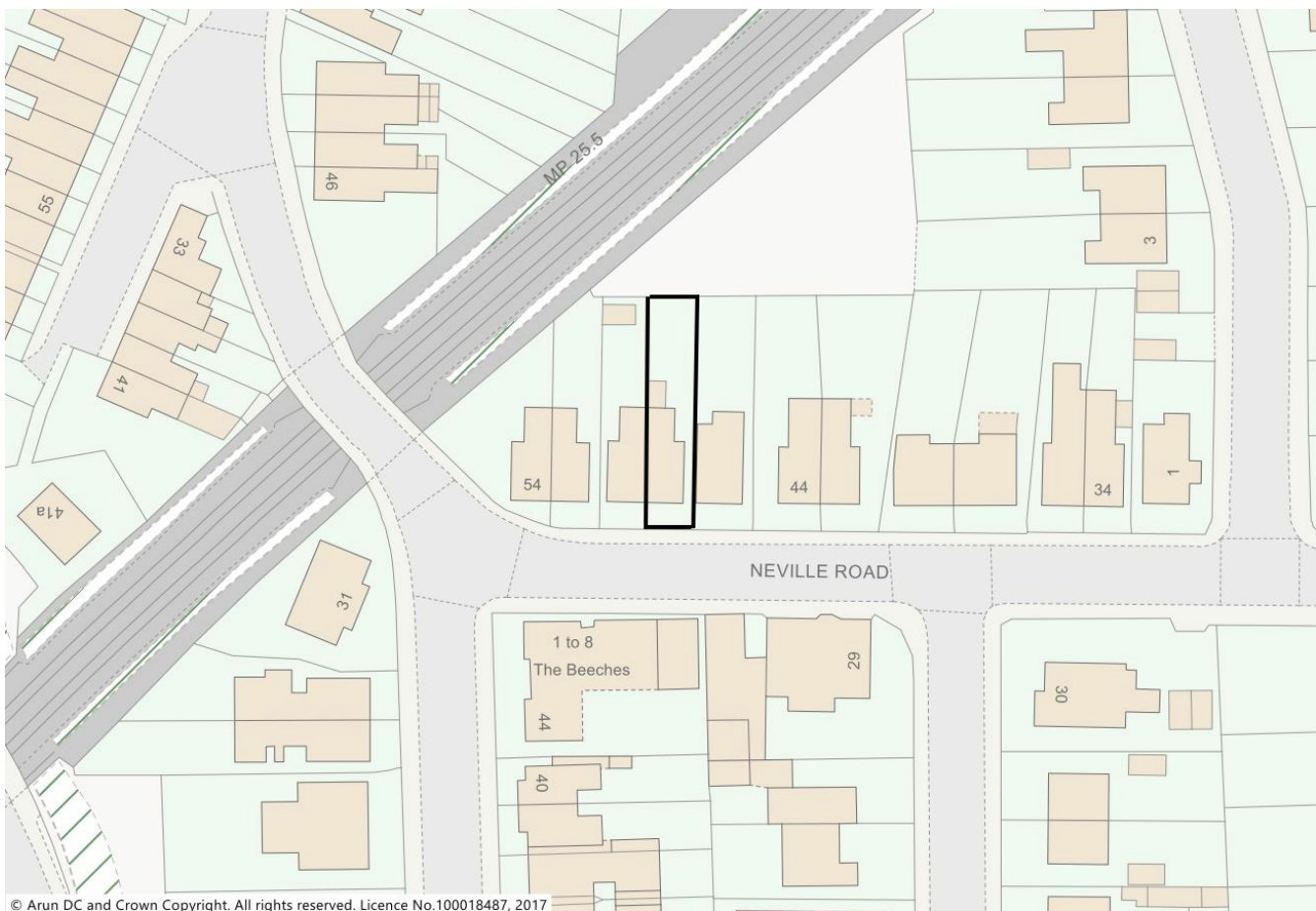
Change of existing residential building (C3) into a House of Multiple Occupation (C4) of 5No. individual rooms with shared kitchen facilities would benefit from permitted development rights under Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

SECOND SCHEDULE

48 Neville Road, Bognor Regis, West Sussex PO22 8BJ

EXTENT OF USE

Change of existing residential building (C3) into a House of Multiple Occupation (C4) of 5No. individual bedrooms with shared kitchen facilities for no more than six occupants.



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