

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development**REF NO:** BR/274/20/CLP**LOCATION:** Rear of 184 Hawthorn Road
Bognor Regis
PO21 2UX**PROPOSAL:** Lawful development certificate for the proposed increase in area of garden from neighbouring property at 184 Hawthorn Road.**DESCRIPTION OF APPLICATION**

This application seeks to use garden land change of a dwelling dwellinghouse as part of the garden land of a care home.

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.

In this instance the proposed works will be assessed against the Town and Country Planning (Use Classes) Order 1987

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.

CONCLUSION

It is proposed to use the land for garden land for a C2 use. Whilst the use it relates to would ultimately be different the land would remain as garden land. Planning permission is not required where there is no material change of use. In this case as the land remains a garden no material change of use is considered to have taken place.

RECOMMENDATION**PP NOT REQUIRED**

The Arun District Council hereby certify that on 18th November the 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, was lawful within the meaning of section 192 of the Town & Country Planning Act 1990 as the works do not involve development as defined by s55 of the Town and Country Planning Act 1990.as no material change of use is taking place,

FIRST SCHEDULE

- .The works do not involve development as defined by s55 of the Town and Country Planning Act 1990.as no material change of use is taking place

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

- Location and Block Plan**
- Planning Statement**

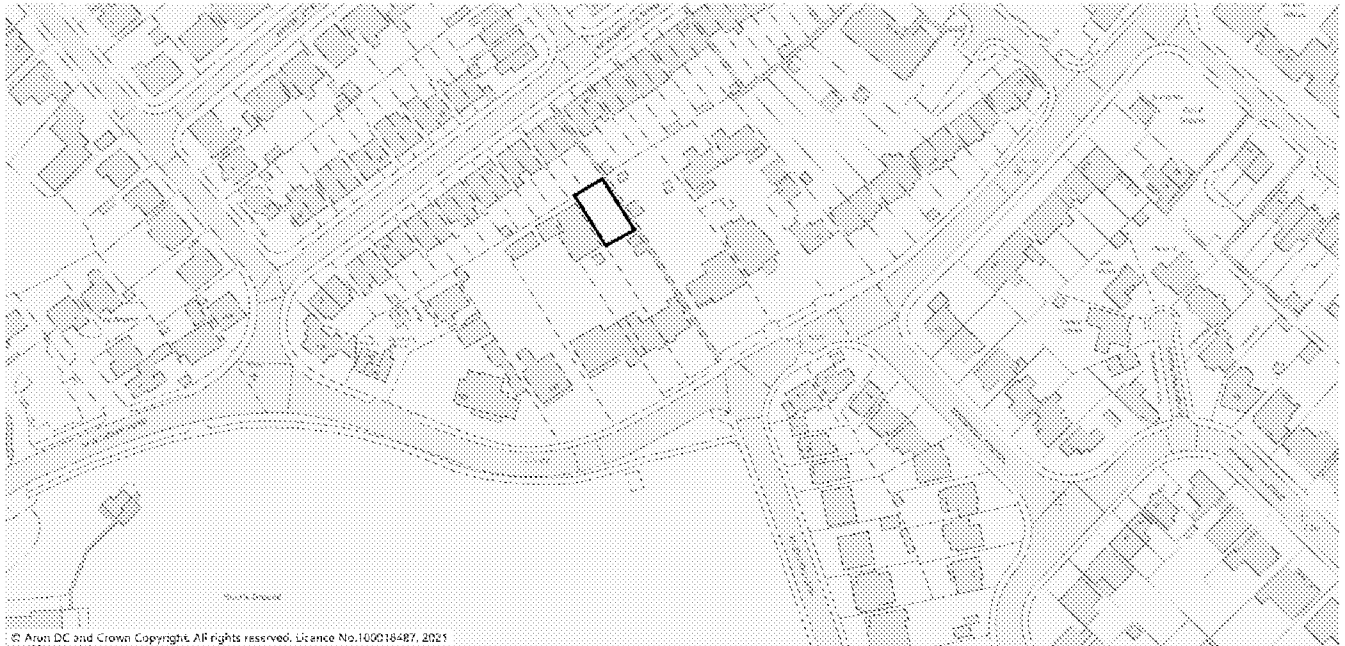
SECOND SCHEDULE

Rear Garden (Part thereof) 184 Hawthorn Road, Bognor Regis

EXTENT OF USE

Use of approximately 11.25m by 18.5m of garden area.

BR/274/20/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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