

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development**REF NO:** BR/303/19/CLP**LOCATION:** 4 Sturges Road
Bognor Regis
PO21 2AH**PROPOSAL:** Lawful development certificate for a proposed conversion of a class C3 (dwellinghouse) to C4 (small HMO).**DESCRIPTION OF APPLICATION**

Lawful development certificate for a proposed change of use from a class C3 (dwellinghouse) to C4 (small HMO).

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 (General Permitted Development) (England) Order 2015 (as amended).

- Part 3 Class L, which pertains to changes of use.

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

Class L - small HMOs to dwellinghouses and vice versa

Permitted development

L. Development consisting of a change of use of a building-

(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.

The proposed change of use complies with relevant sections (a), (b) and is considered permitted development and as such does not require the submission of an application for full planning permission.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on the 4th of November 2019 the use/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, would have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reason:

- The proposed development complies with the limitations of Schedule 2 Part 3 Class L of the General Permitted Development Order 2015.

FIRST SCHEDULE

Lawful development certificate for a proposed change of use from a class C3 (dwellinghouse) to C4 (small HMO). This is shown on the following plans:

- Location Plan**
- Floor Plan AFB/001**

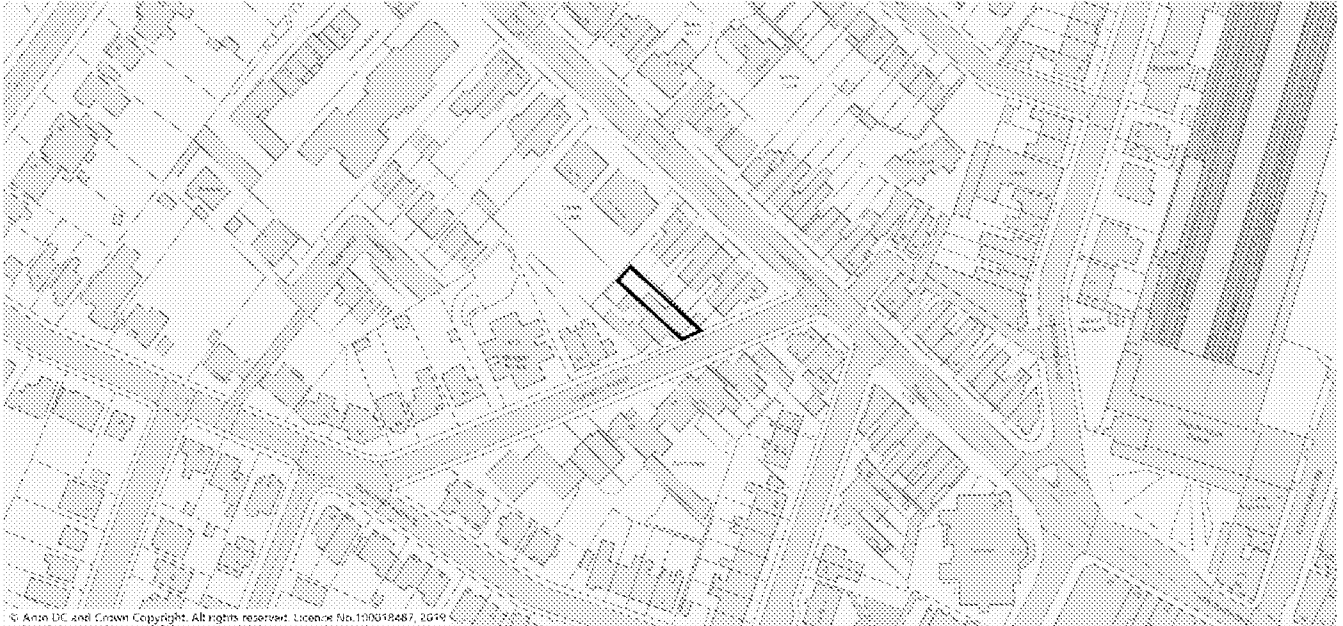
SECOND SCHEDULE

4 Sturges Road, Bognor Regis, PO21 2AH

EXTENT OF USE

Lawful development certificate for a proposed change of use from a class C3 (dwellinghouse) to C4 (small HMO).

BR/303/19/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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