

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development**REF NO:** BR/45/26/CLP**LOCATION:** 68 Hawthorn Road
Bognor Regis
PO21 2DD**PROPOSAL:** Lawful development certificate for a proposed change of use from dwelling to an 5 bed HMO.**DESCRIPTION OF APPLICATION**

The application seeks a certificate of lawfulness for a proposed change of use from a dwelling (C3) to a 5 bedroom house in multiple occupation (C4) for five persons.

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 change of use will be assessed against the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

- Part 3, Class L, which pertains to the change of use of small HMOs to dwellinghouses and vice versa.

Provided the proposed change of use satisfies 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.

The internal works to facilitate the change of use will also be assessed against Section 55(2) of the Town and Country Planning Act 1990 (as amended) regarding the meaning of development. This legislation states that:

- (2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land-
- (a) the carrying out for the maintenance, improvement or other alteration of any building of works which-
 - (i) affect only the interior of the building, or
 - (ii) do not materially affect the external appearance of the building.

CONCLUSION

The proposed change of use from use class C3 to C4 falls under Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

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 property known as 68 Hawthorn Road is a semi-detached, two-storey dwelling. It is not listed and is not located within a conservation area. There are no permitted development restrictions affecting the property, and it is not subject to an Article 4 Direction that would restrict the proposed change of use. The internal alterations would not constitute development as set out at Section 55(2) of the Town and Country Planning Act 1990 (as amended) and as such, do not require planning permission.

The proposed change of use complies with relevant sections of Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended and Section 55(2) of the Town and Country Planning Act 1990 (as amended). It is considered to be 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 23 March 2026, 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, would have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990 by reason of compliance with the relevant criteria within Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended and Section 55(2) of the Town and Country Planning Act 1990 (as amended).

FIRST SCHEDULE

The use of the dwelling as a HMO (Class C4), as per the following plans and supporting information:

- Location Plan
- Block Plan
- Proposed Floor Plans and Elevations PG.2018-26-4
- 'Confirmation of max occupancy' email dated 12-05-2026

SECOND SCHEDULE

68 Hawthorn Road, Bognor Regis, PO21 2DD.

EXTENT OF USE

Lawful development certificate for the proposed change of use from a C3 Dwellinghouse to a C4 House in Multiple Occupation (HMO) for five persons.

BR/45/26/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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