

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

REF NO: LU/107/26/CLP

LOCATION: 18 Holmes Way
Littlehampton
BN17 6GT

PROPOSAL: Lawful development certificate for a proposed relocating of the existing door opening to the garage from the rear elevation to the side elevation.

DESCRIPTION OF APPLICATION

This application seeks a lawful development certificate for the proposed relocating of the existing door opening to the garage from the rear elevation to the side elevation.

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.

The proposed relocating of the existing door is 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.

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

Section 55(2) of the Town and Country Planning Act 1990 (as amended) states 'The following operations or uses of land shall not be taken for the purposes of this Act to involve development.'

The proposal is considered against S55 Para 2(aii) the carrying out for the maintenance, improvement or other alteration of any building of works which do not materially affect the external appearance of the building.

The proposal is to relocate the existing door opening from the rear elevation to the side elevation of the existing detached garage. There will be no material alterations to the external appearance given the scale of the proposed alteration and that the siting of the door would remain within the rear garden serving the host dwelling and would not be visible from the street scene.

Section 55(2) of the Town and Country Planning Act 1990 (as amended) states that the carrying out for the maintenance, improvement or other alteration of any works which do not materially affect the external appearance of the building are not regarded as development. Therefore, the proposed relocation of the pedestrian door within the existing garage would not be regarded as development.

The property known as 18 Holmes Way semi-detached property. Examination of the site history has revealed no restrictions for permitted development.

The proposed relocation of the door opening within the existing garage from the rear elevation to the side elevation complies with relevant sections of Section 55(2) of the Town and Country Planning Act 1990 (as amended). It is considered to be permitted development as 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 10 May 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 that the proposal would not constitute a material change of use, nor would be regarded as development, as defined by Section 55(2) of the Town and Country Planning Act 1990 (as amended).

FIRST SCHEDULE

The proposed relocation of the existing door opening to the garage from the rear elevation to the side elevation as shown on the following submitted plan:

- Location Plan.
- Photo.

SECOND SCHEDULE

18 Holmes Way, Littlehampton, BN17 6GT.

EXTENT OF USE

Relocation of the existing door opening to the garage from the rear elevation to the side elevation.

LU/107/26/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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