

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

**REF NO:** LU/265/20/CLP

**LOCATION:** Lower Floor Flat  
17 St Catherines Road  
Littlehampton  
BN17 5HR

**PROPOSAL:** Lawful Development for Proposed conversion to 1 No. ground floor level studio flat.

**DESCRIPTION OF APPLICATION**

The proposal seeks to perform internal works in order to convert the existing three bedroom flat into a studio flat.

**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.

**CONCLUSION**

The proposed closing of the bedrooms in order to create a studio flat is not considered to constitute development.

The Town and Country Planning Act S55 Para 2 states:

"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,"

It is indicated by the detail submitted that the proposed works to the application site are considered to affect only the interior of the building, and do not materially affect the appearance of the building. The proposal is therefore not considered to be development as in Section 55, Part 2(a)(ii) of the Town and Country Planning Act. The proposal would therefore not require an application for planning permission.

Further more section 55 dictates that development comprises changes of use. In this case the use will remain to be residential and therefore no development requiring planning permission will take place as a result of the proposed alterations.

## RECOMMENDATION

### PP NOT REQUIRED

**The Arun District Council hereby certify that on 25/09/2020 the proposal 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 not considered to be development within the meaning of section 55 of the Town & Country Planning Act 1990.**

### FIRST SCHEDULE

**Conversion of 1No. three bedroom flat to studio flat.**

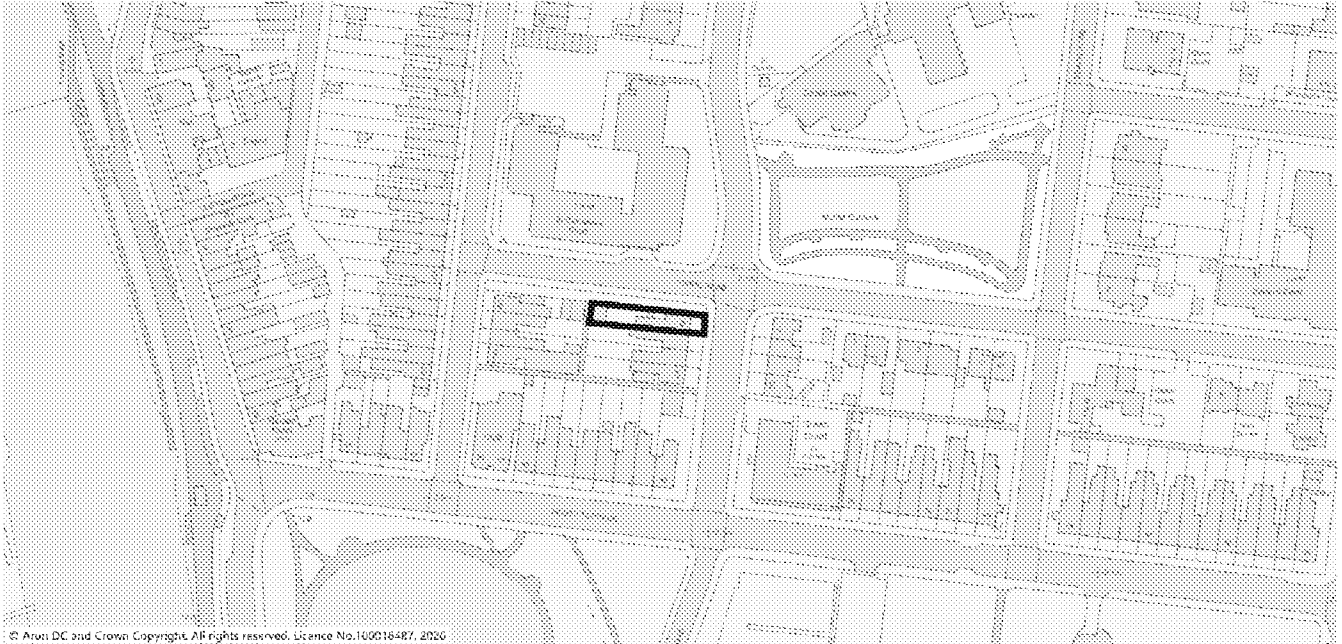
### SECOND SCHEDULE

**Lower Floor Flat, 17 St Catherines Road, Littlehampton, BN17 5HR.**

### EXTENT OF USE

**The conversion of a three bedroom flat to a studio flat.**

**LU/265/20/CLP - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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