



Arun District Council
 Maltravers Road
 Littlehampton
 West Sussex BN17 5LF
 Tel: 01903 737756
www.arun.gov.uk

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	14
Suffix	
Property Name	
Address Line 1	Hunters Mews
Address Line 2	
Address Line 3	West Sussex
Town/city	Walberton
Postcode	BN18 0UW

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
495541	107143

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

Country

Postcode

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

Secondary number

Fax number

Email address

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- ☒ Yes
☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

My Proposal is requesting consent for a Integral Double Garage Conversion. This will see the garage door replaced with 2 x windows and the surrounding area bricked to match existing brickwork of the house. Also, 1 x internal door from the house is proposed to be installed for access.

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☒ Yes
☐ No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

The proposal would change the current use of this part of the building from: Garage to: A habitable Room.

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

A garage is the current use of this space. This will cease on approval of the proposed Garage conversion and become a habitable room please.

Has the proposal been started?

- ☐ Yes
☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The existing use of the garage is as per the house was originally built.

The proposed change will see the space utilized as a habitable room from a garage. Permission has been sought from the transferer of the property namely "Bellway" to ensure the proper channels are used on this venture and all possible required boxes ticked.

Confirmation in writing from Bellway was received dated the 16th May 2022 Ref: LC/jah from Mr Lawrence Cox (the senior technical manager of Bellway Homes). " Bellway Homes gives formal approval of the Proposed Change of Garage". It goes on to say the works proposed may also require various statutory approvals (such as planning approval or building regulations consent) which I have submitted to Arun District Council on 18th May 2022 Ref: WA/55/22/BN

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Currently, I have submitted a Building Control Application Submission on the 18th May 2022 to Arun District Council. Ref: WA/55/22/BN
Following this, I was advised to contact the Duty Planning Officer at Arun District Council, for a potential "change of use" consent - if required. This I did, and received efficient and informative replies by Amber Willard and Hannah Kersley. Both recommended I apply for a "Certificate of Lawfulness" as they advise the alteration I am proposing will fall under "Permitted Development".

An extract from the email I received by Hannah Kersley on 20/05/2022 is below for your consideration:

"The proposed change of use from garage to habitable room is considered to fall under Permitted Development, and does not usually require planning permission. We would recommend submitting a CLP application (Lawful Development Certificate) for the change of use, as you have been advised, as this would ensure the development is lawful and acceptable. "

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Is the proposed operation or use

☒ Permanent

☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

I am following advice from the experts in this field who have kindly offered their informative help to me on this matter.
Below please find extracts from emails received by the Duty Planning Officers at Arun District council to myself regarding this:

1) Hannah Kersley on 20/05/2022:

"The proposed change of use from garage to habitable room is considered to fall under Permitted Development, and does not usually require planning permission. We would recommend submitting a CLP application (Lawful Development Certificate) for the change of use, as you have been advised, as this would ensure the development is lawful and acceptable. "

2) Amber Willard on 19/05/2022

"Certain works can be undertaken through permitted development, meaning they do not require permission.

It is likely the alteration would fall under permitted development as internal changes do not require permission. The replacement of doors to windows is also like PD.

However I am unable to provide formal written confirmation of this and would advise you submit an application called a certificate of lawfulness where we would conduct a thorough check of what is proposed and confirm whether permission is required. There is additional information on this below."

(She kindly popped the link I required under this)

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☒ Yes
☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

Mr

First Name

Jim

Surname

Henn

Reference

WA/55/22/BN

Date (must be pre-application submission)

18/05/2022

Details of the pre-application advice received

18/05/2022

I called Arun District Council Building Control Department. I was advised the path required was to make a Building Control Application Submission for a Building Notice consent. (This I did, online Ref: OWBCAP6326) and Email the Duty Planning Officer for a change of use consent.

19/05/2022

1) Received confirmation of my Building Notice Submitted. Allocated ref: WA/55/22/BN from Jim Henn, Building Control Manager.

2) A reply email from Amber Willard as per below:

E: F.A.O. Duty Planning Officer RE: The Lillies BN18 0UW

Amber Willard

<amber.willard@arun.gov.uk>

19/5/2022 16:29

Dear Ms Walters,

Certain works can be undertaken through permitted development, meaning they do not require permission.

It is likely the alteration would fall under permitted development as internal changes do not require permission. The replacement of doors to windows is also like PD.

However I am unable to provide formal written confirmation of this and would advise you submit an application called a certificate of lawfulness where we would conduct a thorough check of what is proposed and confirm whether permission is required. There is additional information on this below.

<https://www.arun.gov.uk/do-you-need-planning-permission>

You may also wish to check there is not a condition on the property that states the garage must be used as garage. This is more common on newer builds. If there is, you would need planning permission for the change.

Thanks

Amber Willard

Planning Officer

E: amber.willard@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

www.arun.gov.uk

20/05/2022

3) Received from Hannah Kersley

RE: F.A.O. Duty Planning Officer RE: The Lillies BN18 0UW

Hannah Kersley

<hannah.kersley@arun.gov.uk>

10:42

Dear Louise,

Thank you for your email which has been forwarded to me as Duty Planner for this morning.

The proposed change of use from garage to habitable room is considered to fall under Permitted Development, and does not usually require planning permission. We would recommend submitting a CLP application (Lawful Development Certificate) for the change of use, as you have been advised, as this would ensure the development is lawful and acceptable. It should be noted that there are occasionally restrictions on properties that remove some Permitted Development Rights, such as garage conversions or extensions, and would then require planning permission to be constructed. These restrictions would be highlighted as part of the CLP application, if it is found there are any on the property.

Kind regards,
Hannah Kersley

Planning Officer, Planning Department

A picture containing drawing

Description automatically generated

T: 01903 737856

E: hannah.kersley@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

www.arun.gov.uk

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

Declaration

I / We hereby apply for Lawful development: Proposed use as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Louise Walters

Date

20/05/2022

