

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

REF NO: Y/14/22/CLP

LOCATION: Willow Cottage
Church Road
Yapton
BN18 0EW

PROPOSAL: Lawful development certificate for the proposed change of use of storage space in separate out building to be used as an occasional office space.

DESCRIPTION OF APPLICATION

The application seeks to determine whether permission is required for storage space in a separate out building to be used as an occasional office space.

RELEVANT SITE HISTORY

PAA/2/22/ A change of use. From a current workshop space to a office space.
To change strip lights to spot lights and to insulate existing to stud wall.
Is permission required ? Or do I need a lawful development certificate?
enclosed photos of current workspace.

Many Thanks Matthew Evans

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.

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 (or not 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

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.'

The partial change of use is considered against S55 Para 2(d) the use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse.

The applicant intends to use an existing storage space in a separate outbuilding as an occasional office. The work will include the change of strip lighting to spot lighting and re-insulation of an existing stud wall. There will be no changes to the external elevations, with the only alterations made being internal and very minimal.

Based on the use as an occasional office space is not a material change and therefore does not constitute development.

The Town and Country Planning Act S55 Para 2(a) informs that the carrying out for the maintenance, improvement or other alteration of any works which affect only the interior of the building or do not materially affect the external appearance of the building are not regarded as development. There are no changes to be made to the external elevation and the proposed change of use would not be regarded as development.

The property known as Willow Cottage is a Grade II listed detached property.

Examination of the site history has revealed no restrictions for permitted development.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 03/02/22 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, was lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reason:

- The proposal would not constitute a material change of use, nor would not be regarded as development, as defined by Section 55 of the Town & Country Planning Act 1990.

FIRST SCHEDULE

The use of a separate outbuilding as an occasional office space,

The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan and Site Plan**
- Floor Plans (NTS)**

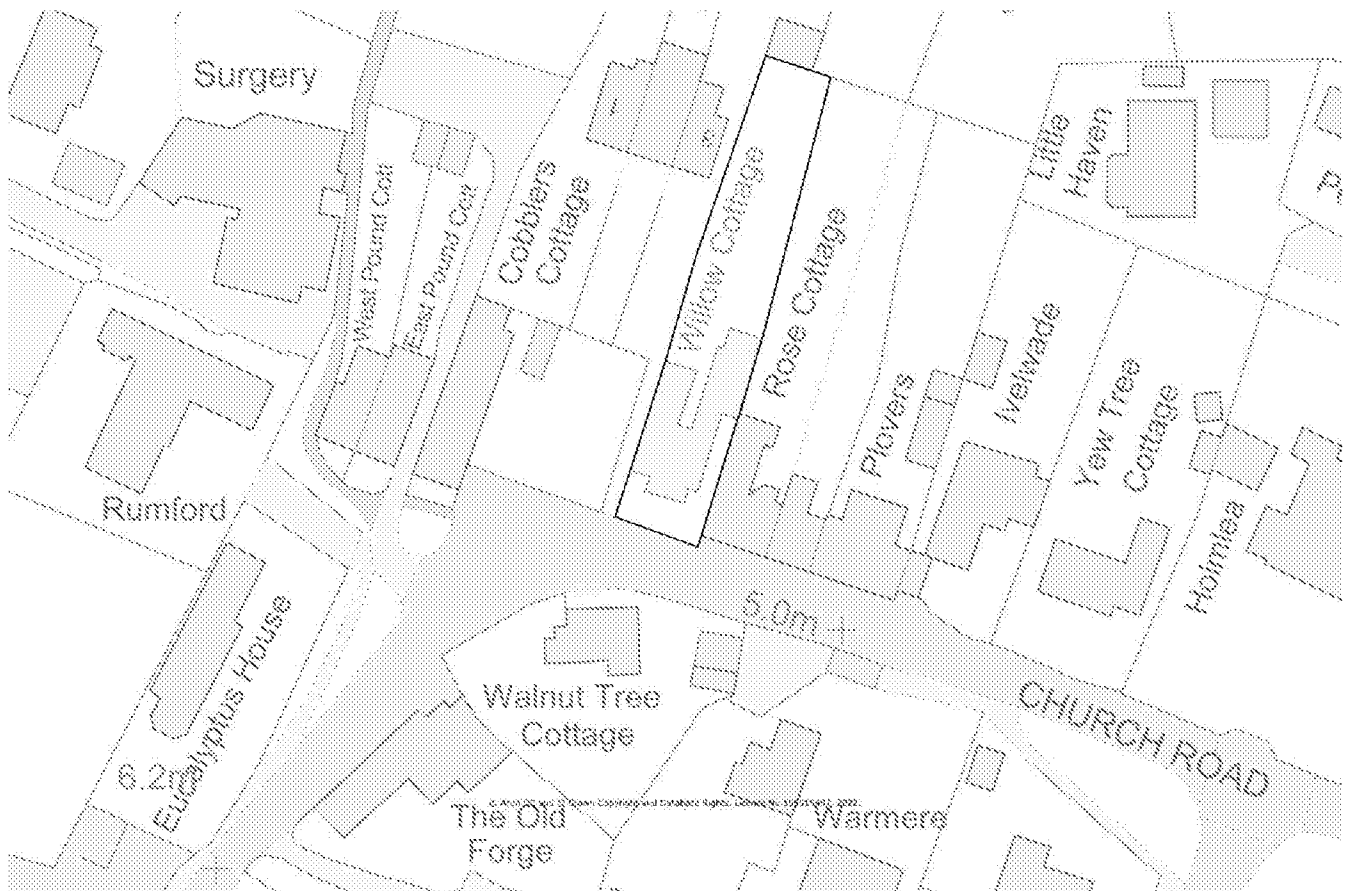
SECOND SCHEDULE

Willow Cottage, Church Road, Yapton, Arundel, BN18 0EW.

EXTENT OF USE

Change of use of storage space in separate outbuilding to be used as an occasional office space.

Y/14/22/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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