Development Management – Delegated Officer Report

Application Number: AWDM/1247/15 Recommendation: GRANT Certificate

Site: 139 Brighton Road, Lancing

Proposal: Application for a Lawful Development Certificate for an existing dwellinghouse

Date of Site Visit: 11 September

Neighbours Checked: N/A

Additional neighbour notification: N

Proposal, Site and Surroundings:

The application site is on the northern side of Brighton Road, to the west of Channel Court and opposite Beach Green and its car park which is just to the west. The property appeared vacant at the time of the site visit.

Planning History:

Planning permission was granted for a change of use from residential to a guest house in 1979 and seemingly implemented the following year. There was a subsequent application for an extension to the guest house (as then described) in 1983. There has been no planning history subsequently and hence the lawful planning use remains as a guest house.

Consultations:

Lancing Parish Council: no comments required

Council Tax: Records indicate that the premises had been used as a private residential property since 1993.

Representations:

None received

Planning Assessment

This is an application where the lawfulness of the proposal is the only consideration. The planning merits of the case cannot be taken into account.

The initial information submitted with the application was insufficient, consisting merely of a tax return from 2012/2013 and a layout plan, neither of which gave any indication of the use of the property.

However, this did appear to be a case where it was likely that, if appropriate evidence could be found, the lawful use of the property was to be residential.

A response was received from Council Tax stating that the property had been in residential use since 1993 (it could be longer but there are no records left to indicate such). After a change in agent, Council Tax records were submitted from 2007 onwards which state that only 1 person was resident (and hence received the single person discount). 3 affadavits were also received stating that the property had been residential use for at least 4 years

The additional information submitted was insufficient to determine the application but following consultation and the submission of additional information, it seems quite clear that the property has been used as a single dwelling house for in excess of 4 years.

Recommendation

On the balance of probability it is considered that the property has been used as a single dwelling house for more than 4 years.

Is recommendation contrary to letter(s) of representation? N/A

Case Officer: Date:

Authorised by: Date: