Expiry Date - 29/03/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0137/24 Recommendation – APPROVE

Site: 266 Findon Road Worthing West Sussex BN14 0HE

Proposal: Application for a Lawful Development Certificate for a C3(b) dwellinghouse for up to six people living together as a single household and receiving care.

Neighbours consulted: N

Additional neighbour notifications: N

Site and Surroundings

The site is located to the east of Findon Road. The property comprises a detached, bungalow, rendered on the ground floor and clay roof tiles. The building is set back from the street with a front garden with parking to the front of the property. The building is not within a conservation area, nor is the building listed.

The garage that is to be converted is the subject of a separate application.

Proposal

A Lawful Development Certificate is sought for the use of the property as a dwellinghouse under Use Class C3b.

Relevant Planning History:
AWDM/1404/23 - Proposed raising of garage roof and insertion of rooflight to facilitate conversion to living accommodation. Approved 26/01/2024.

Consultations: N/A

Representations: None received

Planning Assessment

Principle

The proposal will be viewed against the provisions within The Town and Country Planning (Use Classes) Order 1987 (as amended)

Consideration

The property is currently in use as a dwellinghouse (C3). The relevant consideration is whether the proposed use as a dwellinghouse under class C3b would constitute a material change of use.

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Schedule 1, Class C3 of The Town and Country Planning (Use Classes) Order 1987 (as amended) provides the following types of use within Class C3:

Use as a dwellinghouse (whether or not as a sole or main residence) by:

(a) a single person or by people to be regarded as forming a single household,

(b) not more than six residents living together as a single household where care is provided for residents,

(c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4)

The applicant has applied for confirmation that the use of the property as C3b would be lawful. The dwelling is currently in use as a C3a dwellinghouse with 6 bedrooms. It is considered that the use of the dwelling would not change from that of C3. This is due to the compliance with C3(b) which allows for the provision of care and the number of residents not exceeding 6.

Conclusion

On the basis of the available evidence the Local Planning Authority is satisfied that on the balance of probability the proposed use as a dwellinghouse within Use Class C3b as detailed in the application plans and particulars would not result in a material change of use and therefore does not amount to development as set out in section 55 of the Town and Country Planning Act 1990 (as amended).

Recommendation

Issue a Certificate of Lawfulness for Proposed Development; the submission of a planning application for the works will not be required.

Case Officer: Finlay Gardner Date: 31/05/2024

Authorised by: Louise Prew Date: 31/05/2024