Planning Services, Adur & Worthing Councils

Portland House,
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Worthing,
West Sussex,
BN11 1HS

Tel : 01903 221065
websites : www.adur.gov.uk or www.worthing.gov.uk
e-mail : planning@adur-worthing.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: 27

Suffix:

Property Name:

Address Line 1: Stone Lane

Address Line 2: Salvington

Address Line 3: West Sussex

Town/city: Worthing

Postcode: BN13 2BA

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

Easting (x): 512781

Northing (y): 104726

Description:

Applicant Details

Name/Company

Title

First name

Martin

Surname

Machan

Company Name

Piglet Limited

Address

Address line 1

THE PEST HOUSE

Address line 2

Bedlam Street

Address line 3

Town/City

HURSTPIERPOINT

County

Country

United Kingdom

Postcode

BN6 9EW

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of Proposal

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

◯ Yes
⊘ No

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 change of use of a dwelling (C4) to a children's residential home for a maximum of five children with four carers, two of whom will sleep overnight working on a rota basis (c2)

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

The building is currently in use as a five bedroom house in multiple occupation

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 proposed change of use from a five bedroom house in multiple occupation to a children's residential home for a maximum of five children.

Whether or not the change from the current and lawful HMO use to a children's residential home would involve development by reason of a material change of use is a matter of fact and degree and thus a judgement for the LPA to make.
Whilst there is no permitted development right (for a change of use from C4 to C2) that could be relied upon in such a case, the applicant is of the view that there would be no material change of use and seeks a decision from the LPA in this matter and has therefore submitted an application for a certificate of lawfulness in order to obtain confirmation of this position.
The applicant seeks to carry out the proposed development and seeks confirmation that planning permission is not required, hence the making of this application, This is because the issuance of such a certificate would signify that it is “permitted development” under the Town and Country Planning General Permitted Development Order 2015 and is a change of use within the same use class in the Town and Country Planning (Use Classes) Order 1987 (and its subsequent updates) is proposed.
Historically, 27 Stone Lane has been a residential home, a ground floor shop with flat over, a day care centre for persons with dementia and associated office staff (run by the Alzheimer's Society) and currently as a five bedroom house in multiple occupation. There has been a history of people coming and going when the premises were used as a shop and associated traffic. Similarly when used as a day center there would have been frequent visitors and associated traffic movements. Use as a childrens residential home for a maximum of five children would not increase visitors or traffic movements.

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

In respect of 27 Stone Lane Worthing BN13 2BA,the supporting documentary evidence regarding the history of the planning permissions is fully disclosed on the LPA website

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

C4 - Houses in multiple occupation

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C2 - Residential institutions

Is the proposed operation or use

- [x] Permanent
- [ ] Temporary

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

The applicant seeks the granting of a Lawful Development Certificate clarification that a change of use from a five bedroom house in multiple occupation to a children's residential home for a maximum of five children with four carers , two of whom sleep overnight on a rota basis is permitted.
The change of use would involve development by reason of a material change of use and is a matter of fact and degree and thus a judgement for the LPA to make.
If a Lawful Development Certificate is not granted then the applicant could submit a full planning application for change of use from a five bedroom house in multiple occupation to a children's residential home for a maximum of five children with four carers , two of whom sleep overnight on a rota basis.

Site Visit

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

- [x] Yes
- [ ] No

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

- [ ] The agent
- [x] The applicant
- [ ] Other person

Pre-application Advice

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

◯ Yes
⊘ No

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 the questions answered, details provided, and the 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 opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published 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

Martin Machan

Date

13/05/2025