



Appeal Decision

by John Braithwaite BSc(Arch) BA(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2026

Appeal Ref: APP/Y9507/X/24/3351939

Parkins, West Lavant Road, Lavant, West Sussex PO18 9AH

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for a certificate of lawful use or development (LDC).
 - The appeal is made by Lavant House Academy against South Downs National Park Authority.
 - The application ref SDNP/24/02618/LDP is dated 26 June 2024.
 - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 (as amended).
 - The development for which an LDC is sought is 4m rear extension.
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This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 1 December 2025.

Decision

1. The appeal is allowed and attached to this decision is an LDC describing the proposed operation which is found to be lawful.

Preliminary Matters

2. Determination of the appeal requires an assessment of the proposed development against the provisions of The Town and Country Planning (General Permitted Development)(England) Order 2015 (the GPDO). The proposed development is shown on drawings submitted with the application. In these circumstances visiting the site is unnecessary. The appeal has been determined without undertaking a site visit.

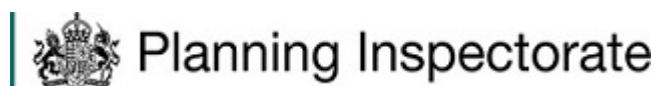
Reasons

3. Parkins is a detached dwelling in the grounds of Lavant House Academy. Class A of Part 1 of Schedule 2 of the GPDO states that the enlargement of a dwellinghouse is permitted development. The appeal was made against non-determination of the application by the Council. After the appeal was submitted the Council undertook an assessment of the proposed rear extension against the limitations of Class A. They concluded that the proposed extension satisfies the limitations and that the extension would be development permitted under Class A of Part 1 of Schedule 2 of the GPDO. There is no reason to disagree with the Council's conclusion.
4. The Council also considered other works against Classes B and C of Part 1 of Schedule 2 of the GPDO. But the application only sought an LDC for the rear extension and not for any other works.
5. For the reasons given above, and on all evidence now available, had the Council refused to grant an LDC for 4m rear extension at Parkins, West Lavant Road, Lavant, West Sussex that refusal would not have been well-founded and the appeal succeeds.

The powers transferred under section 195(2) of the 1990 Act as amended have been exercised accordingly.

John Braithwaite

Inspector



Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 26 June 2024 the operations described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged and cross-hatched in black on the plan attached to this certificate, were lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990 (as amended), for the following reason:

The operations are development permitted under Class A of Part 1 of Schedule 2 of the GPDO.

Signed

John Braithwaite

Inspector

Date:

Reference: APP/Y9507/X/24/3351939

First Schedule

4m rear extension

Second Schedule

Land at West Lavant Road, Lavant, West Sussex PO18 9AH

IMPORTANT NOTES

This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).

It certifies that the operations described in the First Schedule taking place on the land specified in the Second Schedule were lawful, on the certified date and, thus, were not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.

Plan

This is the plan referred to in the Lawful Development Certificate dated:

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

Land at: Parkins, West Lavant Road, Lavant, West Sussex PO18 9AH

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Scale: Not to Scale

