



Arun District Council
 Maltravers Road
 Littlehampton
 West Sussex BN17 5LF
 Tel: 01903 737756
www.arun.gov.uk

Application for a Lawful Development Certificate for an Existing Use or Operation or Activity, including those in breach of a planning condition

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	23
Suffix	
Property Name	
Address Line 1	Torton Hill Road
Address Line 2	
Address Line 3	West Sussex
Town/city	Arundel
Postcode	BN18 9HF

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

Easting (x)	Northing (y)
500988	106724
Description	

Applicant Details

Name/Company

Title

First name

Mark

Surname

Harding

Company Name

Address

Address line 1

The Coach House

Address line 2

Address line 3

Town/City

Liphook

County

Country

GB

Postcode

GU30 7DL

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Applicant Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- ☐ An existing use
- ☒ Existing building works
- ☐ An existing use, building work or activity in breach of a condition

Being a use, building works or activity which is still going on at the date of this application.

Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

Planning permission was granted / approved under planning reference AB/24/23/PL, as amended by AB/23/24/S73 for "The Demolition of existing detached dwelling and garage and erection of 1 No detached dwelling with rear annexe" with a required commencement date of 9th June 2026.

As the description of the approved planning explicitly mentions "The Demolition of existing detached dwelling..." as part of the approved works, it is my understanding that the planning permission granted has been taken up and is now in place for perpetuity, as a result of the demolition of the existing detached dwelling (part of the agreed works under the planning granted) having occurred before the required commencement date.

The Town and Country Planning Act 1990 S.56 (4) (aa) lists Demolition of any part of a building as a material operation for the purposes of determining whether a development has commenced.

The CIL Team were informed in April 2024 of a planned commencement date of 4th May for the Demolition, and subsequently the Building Control Team were notified end of May 2024 that the Demolition of the existing dwelling had occurred.

Please confirm that the planning permission granted under AB/24/23/PL, as amended by AB/23/24/S73 is now in place for perpetuity by fact that the demolition of the existing detached dwelling has occurred before the required commencement date.

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

Where the use, building works or activity began **before 25 April 2024**

- ☐ The use began more than 10 years before the date of this application
- ☐ The use, building works or activity in breach of condition began more than 10 years before the date of this application
- ☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- ☐ The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- ☐ The change of use to use as a single dwelling house began more than four years before the date of this application.
- ☐ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Where the use, building works or activity began **on or after 25 April 2024**

- ☐ The use, building works or activity began more than 10 years before the date of this application.
- ☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years.
- ☒ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

If the certificate is sought on 'Other' grounds please give details

Planning permission was granted / approved under planning reference AB/24/23/PL, as amended by AB/23/24/S73 for "The Demolition of existing detached dwelling and garage and erection of 1 No detached dwelling with rear annexe" with a required commencement date of 9th June 2026.

As the description of the approved planning explicitly mentions "The Demolition of existing detached dwelling..." as part of the approved works, it is my understanding that the planning permission granted has been taken up and is now in place for perpetuity, as a result of the demolition of the existing detached dwelling (part of the agreed works under the planning granted) having occurred before the required commencement date.

The Town and Country Planning Act 1990 S.56 (4) (aa) lists Demolition of any part of a building as a material operation for the purposes of determining whether a development has commenced.

The CIL Team were informed in April 2024 of a planned commencement date of 4th May for the Demolition, and subsequently the Building Control Team where notified end of May 2024 that the Demolition of the existing dwelling had occurred.

Please confirm that the planning permission granted under AB/24/23/PL, as amended by AB/23/24/S73 is now in place for perpetuity by fact that the demolition of the existing detached dwelling has occurred before the required commencement date.

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- ☐ Yes
- ☒ No

Please state why a Lawful Development Certificate should be granted

The description of the approved planning explicitly mentions "The Demolition of existing detached dwelling..." as part of the approved works, so as the demolition has occurred back in May 2024 it is my understanding that the planning permission granted has been taken up and is now in place for perpetuity.

The Town and Country Planning Act 1990 S.56 (4) (aa) lists Demolition of any part of a building as a material operation for the purposes of determining whether a development has commenced.

The CIL Team were informed in April 2024 of a planned commencement date of 4th May for the Demolition, and subsequently the Building Control Team where notified end of May 2024 that the Demolition of the existing dwelling had occurred.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

04-05-2026

In the case of an existing use or activity in breach of conditions has there been any interruption?

- ☐ Yes
- ☒ No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

- ☐ Yes
- ☒ No

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

- ☐ Yes
- ☒ No

Site Visit

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

- ☒ Yes
- ☐ No

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

- ☐ The agent
- ☒ The applicant
- ☐ Other person

Pre-application Advice

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

- ☒ Yes
- ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

Date (must be pre-application submission)

21/04/2026

Details of the pre-application advice received

I was seeking confirmation that the demolition work having occurred meant that the planning permission granted had been taken up, and therefore in place for perpetuity as I had begun part of the agreed works under the planning, namely the demolition of the existing detached dwelling had occurred before the commencement date, in light that S.56 (4) (aa) of the Town and Country Planning Act 1990 states that demolition of a building is taken to mean that commencement of the work has begun.

The advice received from Harry was that he could not provide this confirmation in an email, and that I should make an application for Certificate of Lawful Development.

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

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

Declaration

I/We hereby apply for Lawful development: Existing 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

Mark Harding

Date

23/04/2026