ARUN
DISTRICT COUNCIL

Arun Civic Centre
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: Section 191 as amended by section 10 of the Planning and Compensation Act 1991. Town and Country Planning (Development Management Procedure) (England) Order 2015

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.

1. Applicant Name, Address and Contact Details

Title: | First Name: Peter | Surname: Connolly

Company name:

Street address: 3Stewards Rise

Town/City: Arundel

Country: United Kingdom

Postcode: bn18 9er

Telephone number: [redacted]

Mobile number:

Fax number:

Email address: [redacted]

Are you an agent acting on behalf of the applicant? ○ Yes ◉ No

2. Agent Name, Address and Contact Details

No Agent details were submitted for this application

3. Site Address Details

Full postal address of the site (including full postcode where available)

House: 3 | Suffix:

House name:

Street address: Stewards Rise

Town/City: ARUNDEL

Postcode: BN18 9ER

Description of location or a grid reference
(must be completed if postcode is not known):

Easting: 500735

Northing: 106388

Description:

4. 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: Mr First name: Juan Surname: Baeza

Reference: 3 Stewards Rise

Date (DD/MM/YYYY): 26/05/2017 (Must be pre-application submission)

Details of the pre-application advice received:

Site inspection by Mr Baeza in response to a recent complaint to the Council regards the Two New Bay Windows.

5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land: (●) a) Owner ( ) b) Lessee ( ) c) Occupier ( ) d) Other

6. Authority Employee/Member

With respect to the Authority, I am:

(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

Do any of these statements apply to you? ( ) Yes (●) No

7. Description of Use, Operation or Activity

Which category describes the existing use or operation or development for which the certificate is sought:

(●) An existing use

( ) An existing operation

( ) An existing use, operation or activity in breach of a condition

Being a use, operation or activity in effect on the date of this application.

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to:

Use Classes: C3 - Dwellinghouses

8. Description of Use, Operation or Activity

Describe the existing uses, building works or activities for which you want a lawful development certificate. Where appropriate, show to which part of the land each use building works or activity relates:

This concerns the changing of two windows on a Dormer added by the previous owners of 3 Stewards Rise in 1985 under your application reference number TR/3/85/B. That application added two bedrooms to the rear, each with a clear glazed flat window and a shower room on the front of the First Floor at 3 Stewards Rise, Arundel.

In 2010 we applied for and received permission for a rear and side extension on the Ground Floor only under your Reference AB/10/10.

Towards the very end of the building project for the permitted Ground Floor extension, we requested from the contractor a quotation for additional works, to change the two existing Flat Windows on the rear of the First Floor dormer with two New Bay Windows. Please note that there was clear glazing in all panels on the two Original Flat Windows and we replaced them with clear glazing in all panels in the two New Bay Windows.

We are now looking for a Certificate of Lawful Development for Existing Use as the two New Bay Windows were installed in September 2010.

We enclose the following documents to support these facts:

Estimate Reference 2733 from D.C. Hopkins & Sons Ltd dated 1-7-2010 for the installation of 2 No. PVC Bay Windows
Invoice number 05770 dated 15-9-2010 from D.C. Hopkins & Sons Ltd for fitting the Two New Bay Windows

8. Description of Use, Operation or Activity

There was a complaint from one of our neighbours which we were notified about in a letter dated 20th June 2016, your Ref ENF/206/16. Your Ms Emma Lawrence confirmed on 28th June 2016 that as we had proved the windows were not part of the 2010 Planning application, and had been installed for more than 4 years, therefore 'no further action', would be taken by Arun District Council.

As the Two New Bay Windows were installed for approximately 6 years before the complaint by our neighbour, we are seeking this Certificate to remove any mentions on any of the council registers.

We now realise that in dealing with the recurring complaints by the neighbour, after the matter had been closed by your Ms Emma Lawrence, the Arun District Council officers assigned to the reiterated complaints assumed the First Floor Dormer was part of our 2010 project approved under AB/10/10. It was assumed we applied for permission to put in flat windows and installed bay windows instead.

This was not the case. The existing First Floor Dormer was NOT in any way the subject of AB/10/10.

9. Grounds For Application For A Lawful Development Certificate

Under what grounds is the certificate being sought:

- ☐ 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 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).

If the certificate is sought for a use, operation, or activity in breach of a condition or limitation, please specify the condition or limitation that has not been complied with:

Reference number: | Condition number: | Date: 26/05/2017

Please state why a Lawful Development Certificate should be granted:

We are asking for the Lawful Development Certificate as the Two New Bay Windows were installed in 2010, some 6 years before a Complaint was received by Arun District Council as evidenced by the enclosed documents.

10. Information in Support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed? 01/09/2010

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

10. Information in Support of a Lawful Development Certificate (cont.) - Residential / Dwelling Units

Does the application for a certificate relate to a residential use where the number of residential units has changed? ○ Yes ◉ No

Market Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Market Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

10. Information in Support of a Lawful Development Certificate (cont.) - Residential / Dwelling Units

Proposed Market Housing Total

Existing Market Housing Total

Social Rented Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Social Housing Total

Social Rented Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Social Housing Total

Intermediate Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Intermediate Housing Total

Intermediate Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Intermediate Housing Total

Key Worker Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Key Worker Housing Total

Key Worker Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Key Worker Housing Total

11. 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? (Please select only one)

( ) The agent (•) The applicant ( ) Other person

12. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form 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. [x] Date 26/05/2017

Warning:

12. Declaration

The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.