

Application AL/72/18/CLE

The Annexe, Evergreens, Level Mare Lane, Fontwell, PO20 3SA

Comments from Legal Services at Arun District Council

1. I am asked to comment on whether the evidence submitted with the application for a Lawful Development Certificate in respect of an annexe at Evergreens, Level Mare Lane, Fontwell, PO20 3SA ("the Property") is sufficient to justify the granting of a Certificate of Lawful Development.

2. The Application, made on 19th June, 2018 claims that the Property has had an existing use as a single family dwelling and has done for a period of at least four years prior to the date of the application..

3. The evidence provided is:

a) Planning Statement by South Eastern Planning Services Limited setting out the details, namely:

- i) that the Property was converted to a self-contained dwelling during 2012;
- ii) that from 1st October 2013 the Property has been let on three successive Assured Shorthold Tenancies (1st October 2013 to present, with short intervals whilst it was re-let) to persons not connected with the occupants of Evergreens.

b) Statutory declaration by Ian John Stent (Applicant) who states:

- i) he and wife have resided in Evergreens since 30th August 2005;
- ii) during 2012 he converted a former brick and tile agricultural storage building to a two-bedroom self-contained dwelling, known as "The Annexe, Evergreens";
- iii) he has let the Property on an Assured Shorthold Tenancy on three occasions since 1st October, 2013.

c) Copies of the three tenancies;

d) Aerial photographs from 2012 and 2013

4. The question for the Council to ask is whether this limited evidence is sufficient in that there is no evidence of the Property having a separate postal address, has a separate electricity, gas or other fuel supply and no evidence of the tenants being included on the electoral roll at the address of "The Annexe, Evergreens".

5. I am of the opinion that the information provided is the bare minimum and that the Council may wish to obtain additional information with regard to fuel, postal address and council tax.

Jeremy Cook

Barrister

22nd August, 2018