

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. Site Address

Number	8
Suffix	
Property name	Thatched House Inn
Address line 1	Limmer Lane
Address line 2	
Address line 3	
Town/city	Felpham
Postcode	PO22 7EJ

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

Easting (x)	495049
Northing (y)	99815

Description	
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2. Applicant Details

Title	Director
First name	Mark
Surname	Lane
Company name	The Felpham Tap Limited
Address line 1	Thatched House Inn, 8, Limmer Lane
Address line 2	
Address line 3	

2. Applicant Details

Town/city	Felpham
Country	
Postcode	PO22 7EJ
Are you an agent acting on behalf of the applicant?	
Primary number	
Secondary number	
Fax number	
Email address	

☒ Yes ☐ No

3. Agent Details

Title	The Felpham Tap Limited
First name	Mark
Surname	Lane
Company name	The Felpham Tap Limited
Address line 1	The Thatched House Inn
Address line 2	8 Limmer Lane
Address line 3	Felpham
Town/city	Bognor Regis
Country	
Postcode	PO22 7EJ
Primary number	
Secondary number	
Fax number	
Email	

4. Description of Use, Building Works or Activity

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

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please select the relevant Use Class.

4. Description of Use, Building Works or Activity

Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include Use Classes C2A and C4 or the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

A4 - Drinking establishments

5. 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

The original Pub Car park has been in use as a pub garden with multiple seating and table benches too cater for outside drinking and catering. We purchased the pub in 2017 and that time the car park was in use primarily for outside catering and smoking with table and chairs on decking with a retractable awning since then the garden has been refurbished to cater for more safe outside use.

6. Grounds for application of 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).

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

Having been advised by town planning to make this application on the basis that the pub car park was already in use for some time as a pub garden. The Thatched House Inn Pub has been out of action as it was unable to operate safely for the last 12 months for a myriad of reasons during this period we have carried out a major refurbishment to the premises in order to maximise our ability to serve the public outside safely and we thought it prudent we apply to get a Certificate of Lawfulness in order that we can be confident we can operate from April 12th onwards should we be allowed to open.

7. 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)?

02/09/2009

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

8. 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

9. 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	Senior Planning Officer (Compliance)
First name	Tracey
Surname	Headley-Smith
Reference	

Date (Must be pre-application submission)

26/05/2020

Details of the pre-application advice received

Looking to get general advice before making a significant investment to make the pub garden more attractive proposition with out applying for planning permission in order that we open the pub in July to the public. During communications with Tracey we was advised that it would be prudent to apply for a Certificate of Lawfulness for the Pub Garden is it had been used as such for several years.

10. Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

11. 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.

☐ Yes ☒ No

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?

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. ☒

Date (cannot be pre-application) 02/03/2021