

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	31
Suffix	
Property name	Flat 2
Address line 1	South Terrace
Address line 2	
Address line 3	
Town/city	Littlehampton
Postcode	BN17 5NU

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

Easting (x)	503460
Northing (y)	101532

Description	
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2. Applicant Details

Title	Mr
First name	John
Surname	Mullan
Company name	
Address line 1	Willow Cottage
Address line 2	Longlands Road
Address line 3	

2. Applicant Details

Town/city	The Witterings
Country	
Postcode	PO208DD
Are you an agent acting on behalf of the applicant?	
Primary number	
Secondary number	
Fax number	
Email address	

☒ Yes ☐ No

3. Agent Details

Title	Mr
First name	RICHARD
Surname	HOLLANDS
Company name	GROVE DESIGN UK
Address line 1	8 Willowhale Avenue
Address line 2	Aldwick
Address line 3	
Town/city	
Country	
Postcode	PO21 4AY
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.

C3 - Dwellinghouses

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

Domestic house was split into flats approx 1985,
Client converted from a "one bedroom" flat to a "studio" flat in May 2010
Reason - to remove cramped two smaller rooms and provide one room with much larger open space.
Had in mind selling property and needs the written validation / confirmation of actions done over 10 years ago.

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

The property Landlord stated that no structural work should be done within the building, ie load bearing walls without his permission. The central structural wall including 2 chimney breasts in the middle of Flat 2 were removed when the Landlord himself carried out the work as Conditionally Approved by Arun DC in November 1985 (records are on your Microfiche files in your offices). It is very clear that the chimneys were removed totally out of the building as a whole and that a floor support beam was inserted to support the floor over - boxing is below ceiling in flat. The Landlord created timber stud walls in the flat to create a small bedroom and small lounge / diner / kitchen plus separate bathroom - none of these stud walls were under the beam where the structural wall was removed. Client pointed all this out at the time to the landlord but he insisted that they had done structural work which is clearly not the case as they only remove the timber stud walls. Attached is a copy of my Survey Inspection and report carried out in October 2019 which sets the whole matter out in more detail - it was done to amend an incorrect boundary for Land Registry purposes. Also attached is a Drawing No 19-09-GD-241-01 giving (i) floor plan pre 1985, (ii) floor plan post 1985 [landlord's work] and (iii) client / owner floor plan work in May 2010. Also there is a solicitor witnessed statement from owner - John Mullan to confirm proceedings.

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)?

01/05/2010

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

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?

8. Site Visit

- ☐ 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

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)