

Application for a Lawful Development Certificate for a Proposed use or development.
Town and Country Planning Act 1990: Section 192, 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	
Suffix	
Property name	Land To North And South Of
Address line 1	Summer Lane
Address line 2	
Address line 3	
Town/city	Pagham
Postcode	PO21 4NG
Description of site location must be completed if postcode is not known:	
Easting (x)	488920
Northing (y)	98527
Description	

2. Applicant Details

Title	Mr
First name	Daniel
Surname	O'Shea
Company name	Drew Smith Homes Ltd.
Address line 1	Drew Smith Homes Ltd
Address line 2	Mill Court, The Sawmills
Address line 3	Durley
Town/city	Southampton

2. Applicant Details

Country	England
Postcode	SO32 2EJ
Are you an agent acting on behalf of the applicant?	
☐ Yes ☐ No	
Primary number	
Secondary number	
Fax number	
Email address	

3. Agent Details

No Agent details were submitted for this application

4. Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations? ☐ Yes ☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

To construct a temporary access haul road across land attributed to public open space, from Pagham Road, via the Pagham United Reform Church car park. Access via the car park into the field will be created.

Does the proposal consist of, or include, a change of use of the land or building(s)? ☐ Yes ☐ No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

The proposed use of the site as a whole has been approved for public open space. During construction of the development to the North of Summer Lane, a temporary haul road (as alternative access for construction traffic), is proposed to be constructed to a width of 7m with compacted hard-standing materials, to the east of the field. Running from the church car park at the south-east end, to Summer Lane at the north of the land. This will facilitate an alternative construction delivery route, during the agreed hours for construction only.

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

The previous use of the land was agricultural which ceased in September 2019.

Has the proposal been started? ☐ Yes ☐ No

5. Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The previous agricultural use was lawful as the land was managed as farm land for years prior to its current use. The current use has been attributed as public open space as part of consented planning applications on the land.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

P/58/15/OUT - Outline Planning Permission
P/70/19/RES - Reserved Matters Planning Permission
Amendment to CEMP for approval - is a document which details the proposed temporary haul road

Select the use class that relates to the existing or last use. 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 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.

Other

5. Grounds for Application

Other

Previously agricultural.

Information about the proposed use(s)

Select the use class that relates to the proposed use. 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 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.

Other

Other

Public open space, upon partial occupation of development north of Summer Lane.

Is the proposed operation or use

☒ Permanent ☒ Temporary

If Temporary please give details

The access haul road is temporary, to facilitate an alternative construction traffic access route. The route will be removed prior to delivery of the proposed public open space, in accordance with the planning consent and S106 obligations.

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

Because it will improve available access to construction of the development to the north of Summer Lane, providing an alternative route to the site, while mitigating the impact to existing residents along Summer Lane. The proposal creates no detrimental impact to the current use, or neighbouring sites or buildings.

6. 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

7. 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	Simon
Surname	Davis
Reference	n/a

Date (Must be pre-application submission)

27/04/2021

Details of the pre-application advice received

Mr Davis advised that a Certificate of Lawfulness - Proposed Use application should be made to accompany a discharge of condition application, (which sought to amend the Construction Management Plan - to include the alternative access haul road).

8. 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?

9. Interest in the Land

Please state the applicant's interest in the land

- ☐ Owner
- ☐ Lessee
- ☐ Occupier
- ☐ Other

10. 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)

28/04/2021