

# Supporting Statement



Pennicotts Farm, Pagham Road,  
Pagham, PO20 1LN

Application for a Lawful Development Certificate (Existing)  
under Section 191 of the Town and Country Planning Act 1990 (as amended)

Prepared by

**PD Planning UK**

for Town and Country Planning matters

## 1. Introduction

- 1.1. This Statement is submitted to support and provide the background and rationale to the application for a Certificate of Lawful Use (Existing) for the use of the property as two self contained dwellinghouses.

## 2. The Property

- 2.1. The application site is located off a private access road off the Pagham Road, just to the south of its junction with Lower Bognor Road.



Figure 1 - Aerial view of the site (courtesy Google Maps) and site plan

- 2.2. The property is a Grade II Listed farmhouse known as Pennicott's Farmhouse. It was listed on 20th September 1984 and is described in Historic England's Listing records as follows:

*"C18. Two storeys. Three windows. Red brick. Centre window-bay projects slightly. Tiled roof. Glazing bars intact. Outer windows paired windows. Modern gabled brick porch".*



Figure 2 - The front (west) elevation with entrance porch

- 2.3. The property is broadly "L" shaped with a rearwards arm along its southern side, adjacent to which is concrete vehicular drive that leads to farm buildings further to the east.
- 2.4. The two storey building has its main frontage facing westwards onto the unnamed access road, with the main entrance porch centrally placed within this frontage. Attached to the northern side of the main building are several single storey brick elements with pitched roofs, and a glazed conservatory structure to the front, in line with the front elevation. The property has a small front garden with hard surface to its northern end. It is bounded by a low level stone wall to the frontage, which returns along into the side access.



Figure 3 - 1.front/northern elevation, 2.front/southern elevation, 3.inner corner, 4. aerial view of rear

- 2.5. The rearwards arm of the building is also two storeys and has a series of single storey structures with monopitch roofs attached to its southern side and a single storey brick/stone "coal store" at its far end. The additions to the side include another brick porch and entrance door, accessed by a path and gap through the southern boundary wall.



*Figure 4 - The side (south) elevation with entrance porch*

- 2.6. The inner corner of the building has a timber framed structure that provides a rear porch and entrance from the building into the garden.
- 2.7. The building is in a poor state of repair. Internally it has long been divided and altered to enable its use as two separate houses. The "frontage" house utilises the original front door, and has two living rooms and a kitchen/dining room on the ground floor with 3 bedrooms and a bathroom at first floor level. The "side" house utilises the side entrance porch, and has a lounge, dining room, kitchen and conservatory on the ground floor, with two bedrooms and a bathroom at first floor level. Each house has its own area of private amenity space to the side and rear of the building, with direct private access from rear/side doors.

### 3. Relevant Planning History

- 3.1. Other than its statutory listing in 1984, there does not appear to be any planning history relating to this property.

### 4. The Case for Lawful Development

- 4.1. The application seeks to confirm the lawful use of the property as two self contained dwelling houses.
- 4.2. The house has been used as two separate houses since 1975 when internal openings were blocked and the accommodation arranged to enable the use of the property as two separate houses. The plans that accompany this application follow a recent survey of the building and indicate the internal layout of the building. It is in a poor state of repair as indicated in the photos within this documentation.
- 4.3. The address of the additional dwelling has become known as No.2 Pennicotts Farm with its front door utilising the side entrance porch of the building.

- 4.4. Section 171B (2) of the Town and Country Planning Act confirms that where a building has been used as a single dwellinghouse for more than four years, then it is lawful. The same time period applies to any operational development.
- 4.5. Planning Practice Guidance on Lawful Development Certificates advises that *"in the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability"*.<sup>1</sup>
- 4.6. The Applicant's evidence demonstrates that "on the balance of probabilities" there has been a continuous use of the property as 2 separate houses for more than four years. The use as two house has in fact been in existence since 1975 when the No.2 "the annex" was first rented out to persons not related to the occupiers of the main house.
- 4.7. The evidence provided with the application to prove the use of the property as two separate houses includes the following documentation:
- This Supporting Statement,
  - Affidavit of Mr S Cox-Rusbridge, owner of the property, confirming the history of the property and its long term use as two separate dwellings.
  - Existing Plans, Elevations and Photos (Exhibits A, B and C of Affidavit),
  - A list of persons who lived in the annex (Exhibit D of Affidavit),
  - SSE electric bill dated 20 May 2015, relating to Pennicotts Farm (account 66741 92313),
  - SSE electric bill dated 26 May 2015, addressed to the "landlord" and relating to 2 Pennicotts Farm (account 85907 49314),
  - Email dated 27/03/20 from SSE Energy confirming the additional electricity meter installation on 09/12/2006. The position of the two electricity meters as installed are indicated as "EMA" and "EMB" on the ground floor plan reference 971-A110B.

## 5. Conclusion

- 5.1. The premises has been used as two self contained dwelling houses since 1975 and the evidence provided is sufficient to demonstrate the use of the property as such.
- 5.2. It is therefore respectfully requested that the Lawful Development Certificate be granted.

end.

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<sup>1</sup> Planning Practice Guidance: Lawful Development Certificates, Paragraph 006, Reference ID:17c-006-20140306 (06/03/2014)