



Arun District Council
 Maltravers Road
 Littlehampton
 West Sussex BN17 5LF
 Tel: 01903 737756
www.arun.gov.uk

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

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.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

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

Easting (x) Northing (y)

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

Country

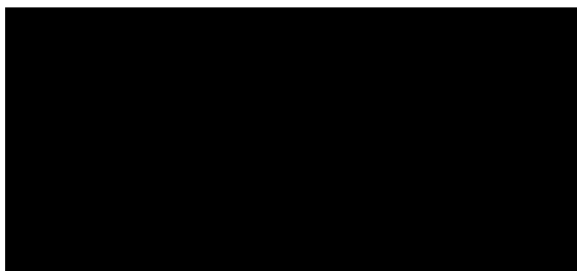
Postcode

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details



Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

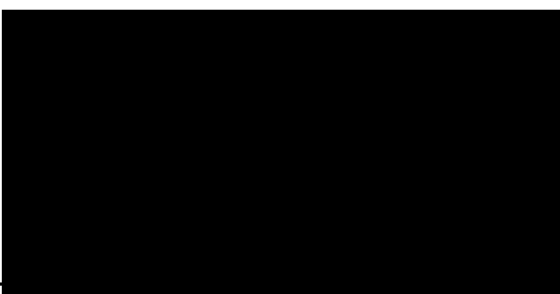
Address line 3

Town/City

Country

Postcode

Contact Details



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)

Operations to comply with R/205/19/PD pursuant to the approved plans

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☐ Yes
☒ No

Has the proposal been started?

- ☒ Yes
☐ No

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 LPA approved conversion from Light Industrial B1c to C3 per R/205/19/PD - also see below

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

R/205/19/PD

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

B1 (c) - Light industrial

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.

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

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.

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

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

The council has contended that the building the subject of prior approval reference R/205/19/PD was demolished. No evidence has been provided to substantiate that assertion. The applicant suspects what lies behind this, as set out in his statement, which is corroborated by the site contractors' statement (both attached).

The approval engages analysis of the relevant plans and law.

As to plans, a comparison between E01 and P01 is required and to note what is absent i.e. any elevations. The latter could have been sought before granting approval, but one is compelled to conclude the LPA felt that sufficient information had been provided.

Conversions under GDPO 2015 apply to a variety of buildings e.g. farm barns, offices, shops. They all entail works to facilitate that conversion. Under Class Q as an example, there is considerable detail about what one can and cannot do, in others, nothing prescriptive. The absence of limitation only means Parliament decided it was not necessary, not that such is impermissible. Moreover, Parliament decided for office to residential (Class O) it had been mistaken, and increased the level of prescription to ensure better occupier amenity (light). The same for Class PA. This was a class PA case, but predated the increased prescription from August 2020.

TCPA 190 s55.2.a.ii in any event states alterations that does not materially affect external appear are not development. s55.2.f also excluding changes of use by order i.e. GPDO 2015. Consequently, the council must have concluded (rightly) that the external changes proposed shown on P01 were not material. They were lawful. Those works were underway when the council intervened.

It will be lawful to complete the development pursuant to R/205/19/PD and a certificate is sought.

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

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
☒ No

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.

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?

- ☐ Yes
- ☒ No

Interest in the Land

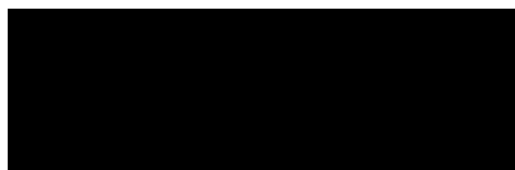
Please state the applicant's interest in the land

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

Declaration

I / We hereby apply for Lawful development: Proposed use as described in this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration



01/04/2022