

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 (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	<input type="text" value="43"/>
Suffix	<input type="text"/>
Property Name	<input type="text"/>
Address Line 1	<input type="text" value="Prospect Lane"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text" value="Hampshire"/>
Town/city	<input type="text" value="Havant"/>
Postcode	<input type="text" value="PO9 5NH"/>

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

Easting (x)	Northing (y)
<input type="text" value="472727"/>	<input type="text" value="108804"/>
Description	<input type="text"/>

Applicant Details

Name/Company

Title

Mrs

First name

Stella

Surname

Kahonde

Company Name

Letombo Limited

Address

Address line 1

30 Cranleigh Road

Address line 2

Address line 3

Town/City

Feltham

County

Country

United Kingdom

Postcode

TW13 4QD

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

**** REDACTED ****

Fax number

Email address

**** REDACTED ****

Reason for Lawful Development Certificate

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.

C2 - Residential institutions

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

Change of use from a residential use (Class C3) to supported accommodation for 4 young people who are aged 16 -21 years.

Grounds for application for 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).

If the certificate is sought on 'Other' grounds please give details

The change of use to Class C2 is another form of residential use which fulfils a proper planning purpose in helping to meet the needs for young people. The objective is to provide a home which will allow young people to live as close to a conventional family life as is reasonably possible. Therefore, the use of the property does not appear to be nor will it be experienced as an institutional environment. The young people form a single household on their own.

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

There are no changes to the external appearance of the dwelling.

The existing use falls within Class C2 and would result in a change in the use of the property from Class C3 to Class C2. However, there would be four young people and one member of staff which is consistent with the number of people that can be accommodated in a normal four bedroomed house under Class C3. Therefore, as a matter of fact, and degree, the scale of the proposed use would not reach the point where it would give rise to such materially different planning circumstances that it would result in such a change in the definable character of the use that it would amount to a material change of use. The change of use would not therefore amount to development for which planning permission would be required.

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)?

01-03-2023

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

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

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

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

Date (must be pre-application submission)

09/05/2024

Details of the pre-application advice received

Enquired whether planning permission would be required for change of use of resident property at No 43 Prospect Lane to supported accommodation for 16 - 21 year olds .

Case officer's response was, "This would appear to be a change of class from Class C3 to C2 Residential institutions which due to a lack of permitted development rights would require formal planning permission".

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

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

Declaration

I/We hereby apply for Lawful development: Existing use as described in the questions answered, details provided, 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.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published 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

Signed

Stella Kahonde

Date

09/08/2024