

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. Applicant Name, Address and Contact Details

Title:	Mr	First Name:	Alan	Surname:	Smithers
Company name:	Monolution				
Street address:	c/o agent				
		Telephone number:			
		Mobile number:			
Town/City:		Fax number:			
Country:		Email address:			
Postcode:					
Are you an agent acting on behalf of the applicant? ☒ Yes ☐ No					

2. Agent Name, Address and Contact Details

Title:		First Name:	Chris	Surname:	Ward
Company name:	Bryan Jezeph Consultancy				
Street address:	Bryan Jezeph Consultancy				
	3 South Street	Telephone number:	01329842668		
	Titchfield	Mobile number:			
Town/City:	Fareham	Fax number:			
Country:	United Kingdom	Email address:			
Postcode:	PO14 4DL	chris@jezeph.co.uk			

3. Site Address Details

Full postal address of the site (including full postcode where available)

House: Suffix:

House name:

Street address:

Town/City:

Postcode:

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:

Northing:

Description:

4. 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: First name: Surname:

Reference:

Date (DD/MM/YYYY): (Must be pre-application submission)

Details of the pre-application advice received:

Copies of planning decisions for 23162 and 23162/1 provided and advice given that permitted use is light industrial and office with condition relating to noisy machinery.

5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land:

☐ a) Owner ☐ b) Lessee ☐ c) Occupier ☒ d) Other

If No to a), b), or c), please give the names and addresses of anyone who has an interest in the land and state the nature of their interest (if known):

The site is being marketed by Savills on behalf of the owners (not known) .
The applicant is in discussions relating to the purchase of the site, and this will proceed depending on the outcome of this application.
The current tenant is relocating, and is in the process of vacating the site.

Have they been informed of the application?

☐ Yes ☒ No

If No, why have they not been informed?

They have been informed that the applicants wish to purchase the site and will be informed as soon as the application is validated that this is the process chosen to allow the purchase to proceed.

6. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

Do any of these statements apply to you?

☐ Yes ☒ No

7. 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:

Planning permission was granted for the existing building in 1973 (extended in 1979) and whilst the description refers to a light industrial use, the definition of such a use in 1973 was far broader than that now included in the current UCO. Consequently, the permission actually permits what would now be a B2 use, with no restrictions in relation to any impact on residential property.
The site is situated within a much larger area of industrial buildings and, with over 1700sq metres of industrial floorspace, plus parking and delivery space for lorries, would be inappropriate within a residential area, meaning that the existing use cannot be considered as B1. hence the use must, by definition, be B2.

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

Planning Statement
Copy of planning permission 23162
Copy of planning permission 23162/1
Photographs of the site.

If you consider the existing or last use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended) state which one:

B2 - General industrial

Information about the proposed use(s)

If you consider the proposed use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one:

B2 - General industrial

Is the proposed operation or use:

☒ Permanent ☐ Temporary

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

The site benefits from a planning permission granted in 1973 for what would now be classed as a B2 use of the site, and there is no restriction on this which would limit activities on site to less than a use within Class B2 (see details within supporting statement). The development proposed is also a use within Class B2. Article 3-(1) of the Use Classes Order provides that a change from one use to another where both are within the same Use Class does not involve development of land, such that planning permission is not required.
In addition, the site is located within a large area of industrial activities, that is entirely appropriate for both the existing and proposed uses, and where any restriction on activities, to levels appropriate to a residential area, would be unnecessary and unreasonable.
See supporting statement for more details.

8. Description of Proposal

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

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:

See Section 4 of the Planning Statement

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

The building has most recently been occupied by a company providing building and maintenance services, and has been used as a maintenance /repair facility for equipment and an assembly area for new items, as well as an admin centre for the coordination of services.
The permitted use is described in more detail in Section 3 of the Planning Statement.

Has the proposal been started? ☐ Yes ☒ No

9. 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? (Please select only one)

☒ The agent ☐ The applicant ☐ Other person

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

20/12/2017

Warning:
The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.