

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: Section 191 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	11
Suffix	
Property name	
Address line 1	Lovedean Lane
Address line 2	
Address line 3	
Town/city	Waterlooville
Postcode	PO8 8HH
Description of site location must be completed if postcode is not known:	
Easting (x)	469347
Northing (y)	111915
Description	

2. Applicant Details

Title	Mr
First name	Roger
Surname	Brewer
Company name	
Address line 1	11 Lovedean Lane
Address line 2	
Address line 3	

2. Applicant Details

Town/city	Waterlooville
Country	UK
Postcode	PO8 8HH

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 Use, Building Works or Activity

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. If the use class is not shown, please select 'Other' and provide details.

Use Classes	C3 - Dwellinghouses
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5. 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

permission was granted on 13th August 2003 for Change of use of 3 bedrooms at 11 Lovedean Lane , we would like to revert the dwelling back to fully residential use. The property has ceased to be used as B&B since November 2015. Mrs Brewer carried out Bed and Breakfast from 2003 - 2015. [REDACTED]

6. Grounds for application of 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).

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

I understand that we should have submitted an application to state that the cessation of Bed and Breakfast in November 2015. I would like to have the house reverted back to fully residential. My wife became poorly with mental health issues and had to stop Bed and Breakfast, she now resides in a care home. Now that I am selling the family home I understand that I am required to apply for a Certificate of Lawfulness to demonstrate to the buyers solicitor that the house is reverted back to fully residential.

7. 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)?

20/06/2003

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

8. 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

If Other has been selected, please provide contact details:

Contact name:

Title	Mrs
First name	
Surname	
Telephone number	
Email address	

9. 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	
Surname	
Reference	GEN/20/00550

Date (Must be pre-application submission)

17/08/2020

Details of the pre-application advice received

My daughter wrote to Mr Toole to ascertain what we had to do with regards to applying to revert the property back to fully residential use. Band and Breakfast accommodation under ref 03/50225/003 He advised that we could either apply for planning permission or apply for a Certificate of Lawful Use if the property has been used as family dwelling for a continuous 4yr period.

10. Interest in the Land

Please state the applicant's interest in the land

10. Interest in the Land

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

11. 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?

12. 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)

28/08/2020