PlanningPortal

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

Suffix

Property Name

The White Hart

Address Line 1

A345 Marlborough Road Pewsey Near Junction With Roads To Wilcot And Stowell Park North East To Oare

Address Line 2

Address Line 3

Wiltshire

Town/city

Oare

Postcode

SN8 4JA

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

Easting (x)

415825

Northing (y)

163149

Description

Applicant Details

Name/Company

Title

Mr

First name

Surname

Jones

Company Name

Address

Address line 1

Royal Oak

Address line 2

Wootton Rivers

Address line 3

Town/City

Marlborough

County

Wiltshire

Country

Postcode

SN8 4NQ

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

Secondary number

Fax number

Email address

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.

C3 - Dwellinghouses

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

Ongoing development of land in accordance with permission 14/07813/FUL which was begun and documented in September 2017.

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

To clarify beyond doubt that the permission granted under reference 14/07813/FUL remains extant for the resumption of development of the site.

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

Given that a material start was made and documented prior to the expiry of the period mandated in condition 1 of t14/07813/FUL and that all other pre-commencement conditions were satisfied, the approval remains valid.

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)?

01-09-2017

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

First Name

Nick

Surname

Clark

Reference

14/07813/FUL

Date (must be pre-application submission)

01/11/2017

Details of the pre-application advice received

Officer report leading to approval.

Interest in the Land

Please state the applicant's interest in the land

- [x] 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
- [x] No