**Development Management**
Eastleigh House, Upper Market Street, Eastleigh, SO50 9YN
Tel: 023 8068 8264 www.eastleigh.gov.uk
Office hours: Mon-Thurs 8.30am - 5pm, Friday 8.30am - 4.30pm

EASTLEIGH BOROUGH COUNCIL

# 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. Applicant Name, Address and Contact Details

| | |
|---|---|
| Title: | Mr & Mrs |
| First name: | |
| Surname: | Essex |
| Company name | |
| Street address: | 78 |
| | Pitmore Road |
| | |
| Town/City | Eastleigh |
| County: | Hampshire |
| Country: | United Kingdom |
| Postcode: | SO50 4LW |

| | Country Code | National Number | Extension Number |
|---|---|---|---|
| Telephone number: | | | |
| Mobile number: | | | |
| Fax number: | | | |

Email address:

Are you an agent acting on behalf of the applicant? (•) Yes ( ) No

## 2. Agent Name, Address and Contact Details

| | |
|---|---|
| Title: | Mr |
| First Name: | John |
| Surname: | Essex |
| Company name: | houseplans4U Ltd |
| Street address: | 78 Pitmore Road |
| | Allbrook |
| | |
| Town/City | Eastleigh |
| County: | Hampshire |
| Country: | |
| Postcode: | SO50 4LW |

| | Country Code | National Number | Extension Number |
|---|---|---|---|
| Telephone number: | | [redacted] | |
| Mobile number: | | | |
| Fax number: | | | |

Email address: [redacted]

## 3. Site Address Details

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

House: 78 Suffix:

House name:

Street address: Pitmore Road

Town/City: Eastleigh

County: Hampshire

Postcode: SO50 4LW

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

Easting: 445861

Northing: 121421

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: Ms First name: Madelaine Surname: Clavey

Reference: E/15/15848

Date (DD/MM/YYYY): 11/08/2015 (Must be pre-application submission)

Details of the pre-application advice received:

That the development does appear to fall under Householder PD rights and that an application for lawful development certificate should be made.

## 5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land: (•) a) Owner ( ) b) Lessee ( ) c) Occupier ( ) d) Other

## 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. Description of Use, Operation or Activity

Which category describes the existing use or operation or development for which the certificate is sought:

(•) An existing use

( ) An existing operation

( ) An existing use, operation or activity in breach of a condition

Being a use, operation or activity in effect on the date of this application.

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to:

Use Classes: C3 Other:

## 8. Description of Use, Operation or Activity

Describe the existing uses, building works or activities for which you want a lawful development certificate. Where appropriate, show to which part of the land each use building works or activity relates:

**ADDITIONAL APPLICATION FORM AS REQUESTED BY EBC FOR EXISTING APPLICATION U/15/77102**
Erection of raised terrace with games room under following construction of below ground swimming pool.

## 9. 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 development falls under 'Class E' Householder Permitted Development Rights.

If the certificate is sought for a use, operation, or activity in breach of a condition or limitation, please specify the condition or limitation that has not been complied with:

Reference number: | Condition number: | Date:

Please state why a Lawful Development Certificate should be granted:

The excavation and installation of the swimming pool is stand alone and acceptable under Class 'E'. The construction of the basement behind the pool with terrace over does not increase the existing terrace height ('height' as dictated by the Permitted Guidelines being measured from the highest point of the adjacent ground) which is zero in this instance and the development does not exceed 50% total area of curtilage.

## 10. Information in Support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed? 23/08/2015

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

## 10. Information in Support of a Lawful Development Certificate (cont.) - Residential / Dwelling Units

Does the application for a certificate relate to a residential use where the number of residential units has changed? ○ Yes ◉ No

## 11. 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

## 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: 09/09/2015

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.