

**Planning**

South Downs National Park Authority  
 South Downs Centre  
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 Midhurst  
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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

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

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

Easting (x)

Northing (y)

Description

## Applicant Details

### Name/Company

Title

First name

Surname

Company Name

### Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

### Contact Details

Primary number

Secondary number

Fax number

Email address

## Agent Details

Name/Company

Title

First name

Surname

Company Name

## Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

## Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

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.

B2 - General industrial

## 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

Commercial Bakery use of Unit 1 with associated parking of trade and private vehicles adjoining the premises

## 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).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- Yes
- No

Reference number

LW/11/0459/NP

Condition number

1 - 6 inclusive

Date (must be pre-application submission)

22/06/2011

Please state why a Lawful Development Certificate should be granted

The Old Dairy, Glynde was originally used as an agricultural building as part of the wider Glynde Estate and then for many years as office and warehousing.

The Old Dairy is an L shaped building with shared access, parking and services to the east. Flint Owl Bakery moved into the smaller unit closest to The Street in 2008/2009 and started operating their commercial bakery. In February 2011 the larger, corner unit in the same building was vacated by the then tenant, BabaSling Ltd. The premises remained vacant and in April 2011 a planning application was submitted on behalf of Ouse Valley Foods for the Change of Use from B1 Offices and Storage to B2 Manufacturing, Offices and Warehouse (LW/11/0459/NP). The red line for the application appears to include the boundaries of the whole site, rather than specifically the corner unit.

On 22nd June 2011, planning permission was granted. Whilst the Description of Development is generalised, Condition 1 clearly states.. "The premises shall only be used by Ouse Valley Foods or its successors in name". The Reason given for the imposition of this restrictive Condition was..."Use by a different company for other B2 purposes may have an adverse impact on nearby residential amenity and the locality generally, having regard to Policy ST3 of the Lewes District Local Plan."

It is also useful to note in the Officer's Report for the application it states "The site is a modest commercial premises located in Glynde Village. The premises are part occupied, but the subject floorspace is vacant". It does not identify the occupant of the other unit but the D&A Statement states "The Glynde Estate is encouraging specialist food producers to move into the village. Adjacent units to The Old Dairy currently house a specialist baker, cake maker and cheese producer." Just to clarify, "The Old Dairy" is the name given to the whole building and on earlier applications it was referred to as The Old Dairy Buildings.

In 2012, the owners of Flint Owl Bakery (also known as Flint Owl Ltd) were approached by The Glynde Estate, when Ouse Valley Foods withdrew from their planned occupation, and were offered the opportunity to relocate from their end unit into this larger corner unit immediately next door (and only separated by a wall). Because a move to an adjoining unit would greatly minimise any disruption to their business, they agreed to take the larger unit. They were not made aware of any potential restrictions on their occupation of that unit. The occupier has evidence of a video recorded in July 2012 of the works being carried out to facilitate their occupation. On 4th September 2012 Flint Owl Ltd and David Bland signed a 5 year lease with The Trustees of the Glynde Endowment Settlement to occupy the now refurbished unit, then re-named as "Unit 1". They moved in immediately and have remained there operating ever since on a 24 hour basis. Their lease includes the area to the east of the building where they park their vehicles.

## 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)?

04-09-2012

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

Surname

Reference

Date (must be pre-application submission)

Details of the pre-application advice received

## Interest in the Land

Please state the applicant's interest in the land

- Owner  
 Lessee  
 Occupier  
 Other

If Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

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## 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

Diane Aldridge

Date

20/12/2023