



FOR ASSISTANCE IN COMPLETING THIS FORM CONTACT

Economy and Environment
Planning Service
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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

Land between numbers 11 and 15 Hillcrest Road, with full planning permission and building started. Planning application numbers 07/D49154 (re-submission of D46756). Planning approved 22 June 2007. Erection of pair of semi detached completed. Erection of detached dwelling started and footings inspected 17 June 2017. Franklin Gilmore Developments Ltd (Leeds) liquidated in 2021 so original plans are no longer available and I have enlisted Ian Banks/Atoll Ltd to provide plans fusing information from the photo of the original plans and the measurements taken from the existing footings.

Applicant Details

Name/Company

Title

Ms

First name

Leonora

Surname

Wells

Company Name

Address

Address line 1

41 Lea Mount Drive

Address line 2

Address line 3

Town/City

BURY

County

Country

United Kingdom

Postcode

BL9 7RR

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

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.

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

Plot for detached dwelling between numbers 11 and 15 Hillcrest Road has building works stopped since the last inspection in 2017. I wish to recommence and complete the building works.

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

Please state why a Lawful Development Certificate should be granted

The plot for the remaining dwelling (detached) has been purchased in good faith with understanding that full planning permission applies to the land because although dating from 2007, substantial work has already been completed including the erection of the first two dwellings (pair of semi detached) and the completion of foundations and footings up to DPC for the remaining dwelling (inspected in 2017). Given the national and local need for new build housing of good quality and with EPC level C or above, and the detrimental impact of an open and untended plot with rubbish accumulating on the site in a residential street, I wish to complete the build of this small detached dwelling.

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)?

17-06-2017

In the case of an existing use or activity in breach of conditions has there been any interruption?

- ☒ Yes
☐ No

If Yes, please provide details of the dates, duration and any discontinuance of the development which is the subject of this application. If your application is based on the claim that a use or activity has been ongoing for a period of years, state exactly when any interruption occurred

Building work commenced in June 2007 after planning permission was approved, but no further building work has taken place since the last inspection on 17 June 2017.

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

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

Date (must be pre-application submission)

09/09/2022

Details of the pre-application advice received

Phone call pre-purchase, requesting information about how to proceed with recommencing of building works should I successfully purchase the land. Shagufta informed me of the procedure required once I was in possession of the land.

Interest in the Land

Please state the applicant's interest in the land

- ☒ 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
☒ No

Declaration

I / We hereby apply for Lawful development: Existing use as described in this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available 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

Leonora Wells

Date

09/03/2023

Amendments Summary

Planning application reference numbers corrected within site location section.