



FOR ASSISTANCE IN COMPLETING THIS FORM CONTACT

Economy and Environment
Planning Service
Number One Riverside
Smith St
Rochdale
OL16 1XU

Phone : 01706 924305

EMAIL : development.control@rochdale.gov.uk

WEB : www.rochdale.gov.uk

Application for a Lawful Development Certificate for a Proposed Use or Development

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

Kentmere Primary School

Address Line 1

Kentmere Avenue

Address Line 2

Address Line 3

Rochdale

Town/city

Rochdale

Postcode

OL12 9EE

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

Easting (x)

390915

Northing (y)

415097

Description

Applicant Details

Name/Company

Title

Mrs

First name

Karen

Surname

Neville

Company Name

Watergrove Trust

Address

Address line 1

1st Floor Suite

Address line 2

Blue Pit Mill

Address line 3

Queensway

Town/City

Rochdale

County

Lancs

Country

United Kingdom

Postcode

OL11 2YW

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

☒ Yes

☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

The proposal is to add a music pod 7.5m x 7.5m next to the fence on a section of boggy ground that cannot be used by students.

The pod sits within the secure boundary of the school and can be accessed during the school day.

The pod will sit on a concrete base with appropriate damp proof - dig out 8m x 8m 150mm of type 1 MOT

Overall size 7500mm x 7500mm

Elevation - 2500mm

Gable Height - 3240mm

Does the proposal consist of, or include, a change of use of the land or building(s)?

☐ Yes

☒ No

Has the proposal been started?

☐ Yes

☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The existing land is within the school grounds and used for educational purposes.

The pod is behind the line of the principal elevation.

The elevation is 2.5 metres, which meet the maximum requirement for a single storey building.

There are no verandas, balconies or raised platforms

This land has not been used as a playing field at any time in the last 5 years. There are adequate playing fields on the site and this particular area is not used because it is often water logged.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

1. Photograph showing the location.
2. Quote showing the specification for the pod, including sizes and materials.

Select the use class that relates to the existing or last use.

F1 - Learning and non-residential institutions

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Information about the proposed use(s)

Select the use class that relates to the proposed use.

F1 - Learning and non-residential institutions

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Is the proposed operation or use

- ☒ Permanent
- ☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

We feel that the proposed pod meets the guidance for a permitted development, but as there is a potential grey area around the use of playing fields we thought it prudent to request a lawful development certificate.

The pod will support music lessons at school and limit the impact on adjoining classrooms. The proposal will have no impact on neighbours as it is at least 30m away from their properties.

This request is submitted as we want to make sure we are working within planning guidelines. We would like to complete the work this Summer.

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

Senior Technical Officer

Date (must be pre-application submission)

21/04/2023

Details of the pre-application advice received

Email:

Thank you for your enquiry seeking clarification as to whether planning permission is required for a proposed use or development. Please be aware that the Council will not provide informal written advice regarding the need for planning permission as this does not constitute a formal determination under the Planning Acts. This kind of advice would only be provided with the submission of a Pre-application form together with supporting details.

Pre-application advice is a chargeable service, where the officer will assess the proposed development with relevant planning policies. Then the officer would provide a written response as to whether planning permission is likely to be approved or not; if the response looks on the development favourably and if the development required permission then a Householder application would need to be submitted.

Alternatively you view Part 7 Non domestic extension, alterations; Class M of the GPDO (General Permitted Development Order– 'extensions etc for schools, colleges, universities and hospitals' [The Town and Country Planning (General Permitted Development) (England) Order 2015 (legislation.gov.uk)] to ascertain if the works constitute Permitted Development (planning permission not required). After doing this you are advised to make an application to the Council for a Lawful Development Certificate. This is a legally binding decision which will stipulate whether the proposed works require planning permission. Such confirmation is typically required from purchaser's solicitors and can prevent future queries or delays arising at the time of sale as to the legality of work previously carried out to a property.

We bring your attention to Class M1 (ba) whereby any part of the land adjacent to where you are siting the music pods are is used for residential purposes, this must be over 5m away from the boundary of that residential land. Additionally, the maximum height of the music pods as specified within Class M1 (d) should not exceed 5m within 10m of the school's boundary of the curtilage, and should not be over 6m anywhere else.

The building must be ancillary to the school, and must be constructed using materials which have a similar external appearance to the existing school building to which it is an outbuilding of.

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

Interest in the Land

Please state the applicant's interest in the land

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

If Other, please give the names and addresses of anyone who has an interest in the land and state the nature of their interest (if known)

***** REDACTED *****

Have they been informed of the application?

- ☒ Yes
- ☐ No

Declaration

I / We hereby apply for Lawful development: Proposed 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

Karen Neville

Date

19/05/2023