



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 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

105

Suffix

Property Name

Address Line 1

Heights Avenue

Address Line 2

Address Line 3

Rochdale

Town/city

Rochdale

Postcode

OL12 6JH

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

Easting (x)

389170

Northing (y)

414676

Description

Applicant Details

Name/Company

Title

Mr

First name

Abdul

Surname

Quyyom

Company Name

Address

Address line 1

105 Heights Avenue

Address line 2

Address line 3

Town/City

Rochdale

County

Country

United Kingdom

Postcode

OL12 6JH

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

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

A Planning permission application was put in for first floor extensions to front and rear with new pitched roofs on 22nd of September 2016. Building regulation application no. 018261. We had the approval from Building regulation department for this work. Back extension work was carried out on the assumption that we had the approval to do the work in 2017 and was completed in July 2017 as per plan. which was subsequently approved by building regulation inspector in July 2017. We did not carry out any extension work at the front due to lack of funds at that time.

Now (Oct 2022) as we wanted to carry out work at the front, we were told that we don't have planning permission for this work. Hence to apply for a new Planning permission for the Front development and apply separately for a lawfulness certificate for the back extension as work was done more than 5 years ago.

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

Unfortunately, we obtained building regs at the same time and receiving a letter of approval assumed we were in a position to commence work.

Only much later did we realise that planning was not given but by this time we had already finished the works and actually using the new extension.

All the works carried out were approved by the building inspector.

We have had no complaints from the neighbours, and it blends in with adjoining properties.

Rochdale Planning Ref number 16/01024/hous

Rochdale building regs ref 018261

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)?

13-07-2017

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

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

22/0336/extalt

Date (must be pre-application submission)

27/10/2022

Details of the pre-application advice received

Advice given below,

"Given that the rear extension would constitute operational development, assuming that you are able to evidence that development was substantially completed over 4 years ago, the development would be immune from enforcement action. In order to confirm this in a legally binding way, I would suggest applying for a lawful development certificate which can be done here:

<https://www.planningportal.co.uk/permission/what-to-do-next/lawful-development-certificate>

This would effectively resolve the rear extension part of the development from both a planning and enforcement perspective, assuming that sufficient evidence can be provided."

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

Abdul Quyyom

Date

13/12/2022