STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Staffordshire Moorlands District Council
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Staffordshire Moorlands, ST13 6HQ
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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: 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. Site Address

Number	
Suffix	
Property name	High View
Address line 1	Sutherland Road
Address line 2	
Address line 3	
Town/city	Longsdon
Postcode	ST9 9QD

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

Easting (x)	396270
Northing (y)	354123

Description

2. Applicant Details

Title	Mr
First name	Leonard
Surname	Leigh
Company name	
Address line 1	High View
Address line 2	
Address line 3	Sutherland Rd

2. Applicant Details

Town/city	Longsdon
Country	
Postcode	ST9 9QD

Are you an agent acting on behalf of the applicant? ○ Yes ◉ No

Primary number	
Secondary number	
Fax number	
Email address	

3. Agent Details

No Agent details were submitted for this application

4. Description of Use, Building Works or Activity

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 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 - Dwellinghouses

5. 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

The main property has a detached annexe that was converted from a garage/workshop to living accommodation in 2012. The garage/workshop was converted under permitted development which was confirmed as appropriate use in a letter your ref 11/01094 on 17/01/2012. Building regs were signed off on the garage/workshop conversion into ancillary accommodation 13/3/2014. I wish to use the annexe as accommodation permanently for dependents. Presently the building/annexe is split into garage kitchen/living room, 2 bedrooms and bathroom. I plan to convert the garage into additional living area under permitted development and require the certificate to authorise conversion is acceptable once building regs are signed off. I have informally discussed this with planning officer Mr A Swithenbank w/c 21st July, he has verbally suggested that this is likely to be acceptable but recommends full application of lawful development application.

6. Grounds for application of 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

Clarification required to use annexe for permanent living accommodation for dependents. I am selling the property (annexe and main house), the purchasers seek clarification that they can live permanently in the main house and parents can live permanently in the annexe.

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation? ○ Yes ◉ No

6. Grounds for application of a Lawful Development Certificate

Please state why a Lawful Development Certificate should be granted

Letter your ref 11/01094 (17/1/2012) has been raised by the purchaser's solicitor and it is felt the wording is unclear and are seeking formal clarification that their parents can live permanently in the annexe.

7. 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)?

17/01/2012

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

8. 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

9. 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	Mr
First name	
Surname	
Reference	

Date (Must be pre-application submission)

20/07/2020

Details of the pre-application advice received

Mr Swithenbank consulted a colleague regarding the use of the annexe as detailed in the application and felt what was described would not be a breach of use, verbally. However, asked that a formal application of lawful development application be made to formally confirm.

10. Interest in the Land

Please state the applicant's interest in the land

- ◉ Owner
- ○ Lessee
- ○ Occupier
- ○ Other

11. 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.

○ Yes ◉ No

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?

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 (cannot be pre-application)	24/07/2020