



High Peak Borough Council

working for our community

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 2010

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. Applicant Name, Address and Contact Details

Title:	Mr	First name:	Anthony	Surname:	Makin		
Company name:							
Street address:	3 Owls Nest Farm, Goddard Lane Hadfield			Telephone number:	Country Code	National Number	Extension Number
Town/City:	Glossop			Mobile number:			
County:	Derbyshire			Fax number:			
Country:	United Kingdom			Email address:			
Postcode:	SK13 1HJ						
Are you an agent acting on behalf of the applicant?				<input checked="" type="radio"/> Yes	<input type="radio"/> No		

2. Agent Name, Address and Contact Details

Title:	Mr	First Name:	Ralph	Surname:	Taylor		
Company name:	Paul Butler Associates Ltd						
Street address:	31 Blackfriars Road			Telephone number:	Country Code	National Number	Extension Number
Town/City:	Salford			Mobile number:			
County:	Greater Manchester			Fax number:			
Country:	United Kingdom			Email address:			
Postcode:	M3 7AQ			ralph@paulbutlerassociates.co.uk			

3. Site Address Details

Full postal address of the site (including full postcode where available)

Description:

House:	<input type="text"/>	Suffix:	<input type="text"/>
House name:	<input type="text"/>		
Street address:	<input type="text" value="Storage land adjoining 3 Owls Nest Farm"/>		
	<input type="text" value="Goddard Lane"/>		
Town/City:	<input type="text" value="Hadfield, Glossop"/>		
County:	<input type="text" value="Derbyshire"/>		
Postcode:	<input type="text" value="SK13 1HJ"/>		

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:	<input type="text" value="402312"/>
Northing:	<input type="text" value="396883"/>

4. 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:	<input type="text" value="Mr"/>	First name:	<input type="text" value="Michael"/>	Surname:	<input type="text" value="Darling"/>
Reference:	<input type="text" value="Pre-application advice"/>				
Date (DD/MM/YYYY):	<input type="text" value="19/02/2015"/>	(Must be pre-application submission)			

Details of the pre-application advice received:

Prior to the submission of this application, telephone and email correspondence was held with Michael Darling (Compliance and Monitoring Officer, High Peak Borough Council) and it was confirmed that a Lawful Development Certificate would be submitted.

5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land: a) Owner b) Lessee c) Occupier d) Other

6. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you? Yes No

7. Description of Use, Operation or Activity

Which category describes the existing use or operation or development for which the certificate is sought:

- An existing use
- An existing operation
- An existing use, operation or activity in breach of a condition

Being a use, operation or activity in effect on 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: Other:

8. Description of Use, Operation or Activity

Describe the existing uses, building works or activities for which you want a lawful development certificate. Where appropriate, show to which part of the land each use building works or activity relates:

The geographical areas of the site to which this certificate application relates are identified on submitted drawing number 002 (job no. 15959), 'Land used for open storage of Builders Plant, Equipment and Building Materials and Associated Access (Google Maps)' dated 5 March 2015 and drawing number 003 (job no. 15959) 'Land used for open storage of Builders Plant, Equipment and Building Materials and Associated Access (OS Plan)' dated 5 March 2015.

The land outlined in blue and the land outlined in orange on the aforementioned plans is owned by Mr Anthony Makin who lives at 3 Owls Nest Farm. Mr Makin has always used the land outlined in blue for open storage of builder's plant, equipment and building materials associated with his building contractors business, since he moved into the property in 1985. This use has been constant throughout this period and has not reverted or changed to any other use during at any time. The land outlined in orange on the aforementioned plans has been used as the access to the storage land from the vehicular driveway of 3 Owls Nest Farm, as well as providing access between the stables and the paddock.

Builders plant and equipment to have been stored on the open storage land at any given time may include a small dump truck, a digger, a small flat-bed trailer, and a power generator, whilst building materials to have been stored on this land include timber, roofing materials, upvc piping and stone. Due to the nature the storage use of the land, the specific type of builders plant, equipment and building materials stored on this land varies depending on the specific storage requirements of the applicant's building contractors business.

9. 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).

If the certificate is sought on 'Other' grounds please give details:

If the certificate is sought for a use, operation, or activity in breach of a condition or limitation, please specify the condition or limitation that has not been complied with:

Reference number: Condition number: Date:

Please state why a Lawful Development Certificate should be granted:

The application is made on the basis that the use of land as open storage of builders plant, equipment and building materials and the associated access, which has been used without the benefit of planning permission, is now lawful virtue of the fact that it has been used in this manner for more than 10 years continuously and during this time the land has not reverted or changed to another use.

The following evidence demonstrates at least 10 years continuous use of the identified land:

- Document 1: Letter from Mr Anthony Makin of 3 Owls Nest Farm, Hadfield signed and dated 08.03.2015. This demonstrates at least 29 years continuous use from 1985.
- Document 2: Letter from Mr David Wilmot of 57 West Drive, Tintwistle signed and dated 17.03.2015. This demonstrates at least 21 years continuous use from 1993.
- Document 3: Letter from Ms Jane Moss of 36 The Rises, Hadfield signed and dated 13.03.2015. This demonstrates at least 14 years continuous use from 2000.
- Document 4: Letter from Ms Ann Gatley of 6 Goddard Lane, Hadfield signed and dated 17.03.2015. This demonstrates at least 16 years continuous use from 1998.
- Document 5: Letter from Mr Stephen Williams of 1 Greenfield Street, Hadfield signed and dated 10.03.2015. This demonstrates at least 24 years continuous use from 1990.
- Document 6: Letter from Mr Gary Hunt of 5 Greenfield Street, Hadfield signed and dated 17.03.2015. This demonstrates at least 30 years continuous use from 1984.
- Document 7: Letter from Ms Ann McClelland of 'Harridans', Hadfield signed and dated 15.03.2015. This demonstrates at least 28 years continuous use from 1986.
- The following evidence is submitted in support of the application and demonstrates the more recent use of the identified land:
- Document 8: Letter from Mrs Samantha Wise of 4 Goddard Lane, Hadfield signed and dated 15.03.2015. This demonstrates at least 8 years continuous use from November 2006.
- Document 9: Letter from Ms Gillian Wilde of Burrco House, Hadfield signed and dated 12.03.2015. This demonstrates at least 4 years continuous use from March 2010.
- Document 10: Supplementary Photographic Evidence dated 30.03.2015 prepared by Paul Butler Associates.

10. Information in Support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed?

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

10. Information in Support of a Lawful Development Certificate (cont.) - Residential / Dwelling Units

Does the application for a certificate relate to a residential use where the number of residential units has changed?

Yes No

11. 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? (Please select only one)

- The agent The applicant Other person

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:

08/04/2015

Warning:

The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.