



High Peak Borough Council

working for our community

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

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

Applicant Details

Name/Company

Title

-

First name

-

Surname

-

Company Name

University of Derby

Address

Address line 1

c/o Agent

Address line 2

-

Address line 3

-

Town/City

-

County

-

Country

-

Postcode

-

Are you an agent acting on behalf of the applicant?

- ☒ Yes
- ☐ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of Proposal

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

- ☐ Yes
- ☒ No

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

- ☒ Yes
- ☐ No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

Occupation of non-self-contained residential accommodation (bedsits) by non-students.

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

Occupation of non-self-contained residential accommodation (bedsits) by students.

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

Planning permission (reference HPK/2004/0075) was granted on 18th May 2004 for: '4 & 5 storey student residential development to provide approximately 286 bed spaces with associated car parking'. In accordance with this permission, the Site has continually provided non-self-contained accommodation since completion of the building in 2005.

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

Planning Permission reference HPK/2004/0075, final construction floor plans, photographs, example Offer of Accommodation letter, example Room Check System spreadsheet.

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

Other

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.

Other (please specify)

Sui Generis - student accommodation

Information about the proposed use(s)

Select the use class that relates to the proposed use.

Other

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.

Other (please specify)

Sui Generis - large HMO

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

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

On the basis that the existing provision of non-self-contained bedsits and communal facilities (providing shared basic amenities) is to be maintained and continued to be occupied by persons from different households as their sole/main place of residence for stays of 90 days or more, the proposed occupation by non-students (rather than students) is considered to be non-material to the character of the use. As such, the proposed change from student accommodation to an HMO does not amount to a material change of use.

Given that only a material change of use constitutes 'development' for the purpose of Section 55(1) of the TCP Act, and that the proposal is for a non-material change of use, planning permission should not be required to allow the lawful use of High Peak Halls as an HMO (Sui Generis).

It is, therefore, contended that a CLoPUD should be issued to confirm that the occupation of the bedsits by non-students is not material and, therefore, the proposed use of the premises is lawful.

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

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 Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

***** REDACTED *****

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

Jones Lang LaSalle Limited

Date

09/05/2023

