



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

Ms

First name

Vicky

Surname

Kenworthy

Company Name

Address

Address line 1

Denton House

Address line 2

Fairfield Road

Address line 3

Town/City

Buxton

County

Country

Postcode

SK17 7DL

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

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)

a) Replacement of a Upvc conservatory with masonry built extension of the same size with a monopitched slate roof containing 2 Velux or similar skylights, addition of a window to the kitchen along with modifications as required to surface water and foul water drains to suit the new works in line with current building regulations.

b) Rebuilding the existing dormer bedroom to increase the ceiling height to meet current building regulations and provide an adequate fall to the flat roof to remedy the existing leaking roof due to insufficient fall to effect drainage. It is proposed to form the walls with a traditional cavity construction instead of the current un-insulated timber frame. The main elevation will be set back the required 0.2m from the original property wall to avoid the need for planning permission

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 conservatory and dormer bedroom were constructed (believed to be without planning or building regulations approval as neither record could be found during solicitor searches when the house was recently purchased). The additions were both constructed around 24 years ago as confirmed by the neighbouring property owner

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

Both parts were built by the couple who lived in the property in the late 1990's to the early 2000's No records can be found regarding any approvals for the work

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

C3 - Dwellinghouses

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.

C3 - Dwellinghouses

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?

Given that the 10 year timescale has passed whereby action can be taken to consider the current building works unlawful, and given that the proposed alterations are minor changes to the existing and should be considered improvements/betterment that do not require planning permission due to their overall surface area, height or distance from the boundary wall it is considered sensible that an LDC can be granted

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

JMTDXTTT

Date (must be pre-application submission)

08/03/2023

Details of the pre-application advice received

The replacement conservatory and work to the ground floor is likely to meet the requirements of permitted development being within the percentage area of the entire dwelling, not exceeding 3m in height and at least 7m from the closest boundary to the rear of the property. The original drawings for the dormer bedroom alterations presented a problem due to not having the original eaves of the dwelling house retained and at least a 0.2 m offset utilised to the main elevation of the bedroom. The drawings have now been amended and again it is now felt that this should be considered permitted development under the general order. The bedroom currently is suffering from water ingress due to poor construction and has insufficient ceiling height internally. Rainwater goods (gutter etc.) were never fitted to the roof catchment area and this causes further problems

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

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

Paul Kenworthy

Date

26/06/2023