

Our Ref: MK/KN0024/26

3 March 2026

Planning Department
High Peak Borough Council
Buxton Town Hall
Market Place
Buxton
Derbyshire
SK17 6EL

Dear Sir/Madam,

RE: Application for a Certificate of Lawful Existing Use or Development

36, 38 & 38a Thornsett and 5-7 Riverside, Birch Vale SK22 1AZ

Planning Portal Reference: PP-14748968

We are instructed by Mellor Homes Limited to submit an application for a Certificate of Lawful Existing Use or Development in respect of the above property. The application seeks a Certificate to confirm the presence of two residential units; 5 and 7 Riverside, as part of the overall building.

In addition to this covering letter, application form and planning fee, the application comprises of the following:

1. Site Location Plan Ref: 2539/G/307
2. Existing Floor Plan: -2 Level Ref: 2539/G/002Rev B
3. Existing Floor Plan: -1 Level Ref: 2539/G/003Rev B
4. Photographs of the Building
5. Statement of Truth by Thomas Branson
6. Statement of Truth by Robert Branson

Mellor Homes are in the process of purchasing a detached four storey building at Thornsett, Birch Vale, SK22 1AZ. The building has been in the same family ownership for 70 years and has a somewhat complicated configuration. It has no planning history but comprises of five residential units in a single ownership. The units are described as follows:



1. No.36 Thornsett – a two-storey residential property accessed from Thornsett with ground and first floor levels.
2. No.38 Thornsett – a two-storey residential property accessed from Thornsett with ground and first floor levels.
3. No. 38a Thornsett – a two storey residential property accessed via steps from Thornsett, situated over two levels underneath No.38.
4. No.5 Riverside – sitting directly below No.36 Thornsett but accessed separately from Riverside.
5. No.7 Riverside – sitting directly below part of No.38 Thornsett but accessed separately from Riverside.

Figure 1 on the photosheet of the building shows 36 and 38 Thornsett. Figure 2 shows No.38a, No.5 & No.7 Riverside.

No's 36, 38 and 38a are registered for Council Tax. No's 5 & 7 Riverside are not.

Mellor Homes wish to establish under Section 191 of the Town and Country Planning Act 1990 that No.5 Riverside and No.7 Riverside are two separate lawful residential units, separate from No. 36 and 38 and 38a Thornsett. The existing floor plans ref: 002B and 003B identify the two properties in question in red.

The properties have been in the ownership of the Branson family since 1956 and benefit from five separate postal addresses. Each unit has its own front door and is self-contained with a bathroom and kitchen, bedrooms and living area. Access to both No.5 and No.7 that this application relates to is via steps on the western side of the building leading down from Thornsett and up from Riverside to a rear terrace where the front doors are located. See Figures 3 & 4.

Thomas Branson and Robert Branson, the vendors, have prepared and signed separate Statements of Truth with an accompanying plan confirming the history of the properties and identifying that they have consisted of four separate properties since at least 1956. No mention is made in their Statements about 38a but it is understood that it was separated off from the property above (No.38) at least 21 years ago and research has confirmed that it is registered by the Council for Council Tax.

In the absence of any planning history to the building and given the current vendors knowledge, it is clear that No's 5 & 7 Riverside comprise of separate residential units and have existed continuously for over 10 years and therefore have established use.

This application therefore seeks to confirm the lawful use of 5 and 7 Riverside as two separate residential properties.

Should you require any further information then please do not hesitate to contact us.



Yours faithfully,



Mark Krassowski BA(Hons)BSc MRICS

Director

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