
Re: Objection to Planning Application Ref: HPK/2026/0127

Dear Sirs,

1. Lack of Evidence of Lawful Residential Use

2. Historical Use of the Building

I have resided at No. 91 New Mills Road since 1992, during which time the structure has not been used as a dwelling. Instead, it has remained vacant becoming increasingly derelict, at times becoming infested by rats and squirrels. Therefore to change to a residential unit will require full planning permission application process being followed.

To the rear of the “Bungalow” is a further outbuilding historically used for storage (including housing a washing machine). This structure has also not been used for residential purposes and has significantly deteriorated, including partial roof collapse in 2023. The application appears to propose combining these two structures into a single residential unit, yet fails to clearly define the scope or nature of such works.

4. No Established Planning Unit

Neither the “Bungalow” nor the rear structure have ever functioned as an independent planning unit. As such, their proposed use as a standalone dwelling would constitute the creation of a new planning unit and a material change of use. This would require a full planning application rather than a Certificate of Lawfulness.

5. Absence of Continuous Use

There has been no continuous residential use of the structure over the required period (10 years or otherwise). The building has effectively been abandoned for decades. Therefore, the legal tests for establishing lawful use have not been met.

6. Insufficient and Ambiguous Application Details

The information submitted by the applicant is vague, lacks precision, and does not adequately describe the claimed use or the proposed development. On the balance of probability, the evidence provided is insufficient to support the granting of a Certificate of Lawfulness.

7. Attempt to Circumvent the Planning Process

It is noted that a previous application to demolish and redevelop these buildings was refused. This current application appears to be an attempt to circumvent the proper planning process by establishing a use that has not, in reality, existed. Any intensification or change of use should be properly assessed through a full planning application.

Conclusion

Given the absence of evidence of lawful residential use, the lack of continuous residential use, and the clear historical use of the buildings as ancillary and non-habitable structures, I strongly contend that the application fails to meet the legal requirements for a Certificate of Lawfulness.

I therefore urge the Council to refuse this application.

Yours faithfully,

Cameron Moore

91 New Mills Road

Birch Vale

High Peak

SK22 1BX