

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 2015

### 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. Site Address

Number	<input type="text" value="54"/>
Suffix	<input type="text"/>
Property name	<input type="text"/>
Address line 1	<input type="text" value="Trevethan Road"/>
Address line 2	<input type="text"/>
Address line 3	<input type="text"/>
Town/city	<input type="text" value="Falmouth"/>
Postcode	<input type="text" value="TR11 2AT"/>

Description of site location must be completed if postcode is not known:

Easting (x)	<input type="text" value="180391"/>
Northing (y)	<input type="text" value="32956"/>

Description

## 2. Applicant Details

Title	<input type="text"/>
First name	<input type="text" value="DAVID"/>
Surname	<input type="text" value="HEMLOCK"/>
Company name	<input type="text"/>
Address line 1	<input type="text" value="The Lodge"/>
Address line 2	<input type="text" value="Treliske Lane"/>
Address line 3	<input type="text"/>

## 2. Applicant Details

Town/city	<input type="text" value="Truro"/>
Country	<input type="text"/>
Postcode	<input type="text" value="TR1 3QN"/>

Are you an agent acting on behalf of the applicant?

Yes  No

Primary number	<input type="text"/>
Secondary number	<input type="text"/>
Fax number	<input type="text"/>
Email address	<input type="text"/>

## 3. Agent Details

No Agent details were submitted for this application

## 4. Description of Use, Building Works or Activity

Please indicate why you are applying for a lawful development certificate

- An existing use
- Existing building works
- An existing use, building work or activity in breach of a condition

**Being a use, building works or activity which is still going on at the date of this application**

**If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please select the relevant Use Class.**

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 Use Classes C2A and C4 or 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

Other

## 5. Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

The property was a student let when I purchased it in June 2018. I assumed the previous owners had applied for the certificates needed to run the business. I got a mortgage for a buy-to-let after my solicitor looked into the matter. Now, I am trying to sell the property but realized that I don't have the certificate of Lawful Use. As I found out, the property has been a student let since 2016 so I would like to apply for a certificate retrospectively.

## 6. Grounds for application of a Lawful Development Certificate

Under what grounds is the certificate being sought

## 6. Grounds for application of a Lawful Development Certificate

- 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

I would like to sell the property as an existing buy-to-let business. I bought it as such but without a Certificate of Lawful use, as I wasn't aware the property needed one.

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?  Yes  No

Please state why a Lawful Development Certificate should be granted

As i mentioned previously, the property has been a student let since 2016 but I reckon it has been operated as such for longer than that. Could you please check the council tax report for this property since students are exempt from paying it.

## 7. Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

01/06/2016

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

### Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?  Yes  No

## 8. 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

## 9. 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

First name

Surname

Reference

Date (Must be pre-application submission)

01/03/2021

Details of the pre-application advice received

## 9. Pre-application Advice

She and the estate agent have sent the link to this application form.

## 10. Interest in the Land

Please state the applicant's interest in the land

- Owner
- Lessee
- Occupier
- Other

## 11. 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.

Yes  No

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?

## 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 (cannot be pre-application)