



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"/>
Suffix	<input type="text"/>
Property name	<input type="text" value="Long Cutts Wood"/>
Address line 1	<input type="text" value="Puttenham Lane"/>
Address line 2	<input type="text"/>
Address line 3	<input type="text"/>
Town/city	<input type="text" value="Shackleford"/>
Postcode	<input type="text" value="GU8 6AP"/>
Description of site location must be completed if postcode is not known:	
Easting (x)	<input type="text" value="492650"/>
Northing (y)	<input type="text" value="145934"/>
Description	<input type="text"/>

2. Applicant Details

Title	<input type="text" value="Mr"/>
First name	<input type="text" value="Tim"/>
Surname	<input type="text" value="Hepple"/>
Company name	<input type="text"/>
Address line 1	<input type="text"/>
Address line 2	<input type="text"/>
Address line 3	<input type="text"/>

2. Applicant Details

Town/city

Country

Postcode

Are you an agent acting on behalf of the applicant? ☐ Yes ☒ No

Primary number

Secondary number

Fax number

Email address

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

Prior Notification 20/W/00128 Dated 14/12/2020
Class E.2
Single Log Barn for Forestry purposes ONLY

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 Single Log Garage/Barn of 20 square metres is solely for storing the equipment needed to do the Forestry work and not for anything else as I live just 1 1/2 miles away.
The Barn sits on paving stones on the ground and has no foundations, and so can be removed and leave no trace.
As the trees are big, I needed the shed to be big enough to house handling machinery as the size of the trees means they are too heavy to move by hand.

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

History
I bought the wood in August 2019 and it has been untouched for approximately 30 years.
There is a lot of fallen wood which is thought to have blown down in the great storm of 1987
Most of the trees are Sweet Chestnut which would usually be coppiced every 10 years or so and are now very big.
I need to harvest some of these trees and will be getting a felling licence in due course.
I have planted about ten saplings which will take 10 plus years to grow to maturity, and will be planting more.
In the meantime I have been identifying and repairing the boundaries.

Access and Parking.
Access by vehicle is by the B.O.A.T. No.527 (byway open to ALL traffic) and I have used access from both directions weekly, the Land Registry deeds and plan which I attached application show this and the track through the wood itself, access and parking in the wood are not a problem.
I am building the shed to be near the track in the middle of the wood well away from any boundaries.

The proposed wooden shed is solely for storing the equipment needed to do the Forestry work and not for anything else as I live just 1 1/2 miles away.
I have bought a kit form Shed of between 24 Square metres and so it falls within 'permitted development rules' size and which would sit on the ground and not require foundations, and so can be removed and leave no trace.
As the trees are big, I needed the shed to be big enough to house handling machinery as the size of the trees means they are too heavy to move by hand.

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

I have been through the processes of Pre-Planning Advise, Ref:20/W/00181, and Prior Notification planning Ref: 20/A/00128 14/12/2020.
As a result, an email from your Christopher Gent dated 10/8/2020 was that in his opinion I have sufficiently demonstrated that the proposal meets an exception set out in paragraph 145 of the NPPF (buildings for forestry purposes), and the Decision notice 20/W/00128 that Prior Approval is not required. I am following this up with a request for a Certificate of Lawfulness as he advised.

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)?

09/05/2021

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 Mr

9. Pre-application Advice

First name

Surname

Reference

20/A/00181 & 20/W/00128

Date (Must be pre-application submission)

14/12/2020

Details of the pre-application advice received

Email from Christopher Gent 10/8/2020 Re: 20/A/00181
Dear Mr Hepple,
Thank you for your email.
Having had the opportunity to review the additional information provided, it is my opinion that you have sufficiently demonstrated that the proposal would meet with one of the exceptions set out in paragraph 145 of the NPPF (buildings for forestry purposes).
In addition to this, the building may also be permitted development under, Part 6, Class E of the General Permitted Development Order 2015 (as amended). So you may wish to submit a certificate of lawfulness or apply for prior notification. This is a link to some guidance:
https://ecab.planningportal.co.uk/uploads/appPDF/Help016_england_en.pdf
The benefit of the latter is that the determination time is 28 days compared to 56 days for a certificate or planning application.
Alternatively, submit a full application and submit everything that you have set out below in a covering letter, as your justification. Please note that we would likely seek to condition the use of the building for the storage of equipment used in connection with the management of Long Cutts Wood.
Kind regards
Chris Gent
Planning Officer
Planning Services

Prior Notification Decision letter 14/12/2020 Re; 20/W/00128
Town and Country Planning (General Permitted Development)
(England) Order 2015 (as amended)
Reference : 20/W/00128
Date of Decision: 14/12/2020
Proposal: Prior notification under Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to construct a single log barn.
Location: Long Cutts Wood, Puttenham Lane, Shackleford
For: Mr T Hepple
Prior Approval is not required.
Informatives:
1. The Local Planning Authority is not required to consider the proposal against the permitted development criteria of Part 6 Class E, paragraph E.1, as part of this prior approval application. Therefore this decision notice should not be taken as confirmation that the proposed building is permitted development.
It is for the applicant to satisfy themselves that the proposed building complies with all the relevant criteria of this class. To obtain the formal opinion of the Local Planning Authority, a lawful development certificate would need to be submitted. The applicant must also ensure that they comply with all the conditions set out under paragraph E.2 of this class.
2. This decision relates expressly to unnumbered site location plan and additional information received on 19/11/2020.
Tim Dawes
Planning Development Manager

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)

13/05/2021