



Department of Place
 Development Services
 4th Floor Britannia House
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 BRADFORD BD1 1HX
 Tel: 01274 434605

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 (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

Mr

First name

Simon

Surname

Scholey

Company Name

Address

Address line 1

7 Lees Moor Meadows

Address line 2

Cullingworth

Address line 3

Bradford

Town/City

Country

United Kingdom

Postcode

BD13 5 GY

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Reason for Lawful Development Certificate

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 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. [View more details on Use Classes.](#)

Other (please specify)

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

From March 2022, I decided to embark on a new business venture of high end motorbike detailing to be undertaken in my residential property. Our property was purchased in September 2018 and consisted of a double garage, partitioned into two sections and since that point there has been no external or internal changes to cater for this business. The building is as it was at the time of purchase and will remain that way for the foreseeable future.

My business is only just starting out and the volumes are intentionally low. I tend to carry out work on approx. 3 motorbikes a week which includes a clean and dry, polish and ceramic coating if required.

The wash is carried out on my driveway and comprises of approx. 2/3 minutes of jetting washing to remove the dirt, 5 minutes at most to dry it and then the bike is moved back into my garage for a polish. If the customer has requested a ceramic coating then the bike will remain in my garage until completed.

One bike can be with me for two days in total to ensure they get the full service, less if just requiring a clean but still usually in situ for a full day as minimum.

As the bikes I get are high end/spec, I collect the vehicle from the customers address in my van and then deliver it back to them transporting it to avoid any impacts to work that has been carried out due to dirt on the roads etc.

My operating hours are 9am - 5pm on weekdays only to ensure I do not impact my family commitments and my partner can focus her time and attention on her career.

I would like to continue to run my small business as I am currently for the foreseeable future.

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

- 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).

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

Having discussed my options with an Enforcement Officer, the conditions in which I operate are aligned with the application of a lawful development certificate as opposed to planning permission because:

- I have not or will not ever make any substantial changes to my residence, property or surrounding area.
- My business activity does not constitute a material change of use of land.
- The volume of customers is currently low and plans to stay at a low level for the foreseeable (approx. 3 bikes a week).
- My business does not generate any additional traffic or nuisance to the surrounding area e.g. road use or parking.
- The hours in which I operate are within normal operating hours and will continue to be due to ongoing family commitments (9am - 5pm on weekdays).

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)?

01-03-2022

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

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

Not provided

Date (must be pre-application submission)

13/06/2022

Details of the pre-application advice received

After a telephone conversation, the email provided from Mr Brian Robinson, stated the following:

"The position you have stated at this stage is either that you consider it does not need planning permission or that you will demonstrate this".

Mr Robinson then provided links to assist with applying for this certificate and that the case would be reviewed at the end of July.

Interest in the Land

Please state the applicant's interest in the land

Owner

Lessee

Occupier

Other

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

Declaration

I / We hereby apply for Lawful development: Existing 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

Simon Scholey

Date

14/07/2022