



Babergh District Council
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*Making the area a
 better place to live and
 work for everyone*

Email: planning@baberghmidsuffolk.gov.uk

Application for a Lawful Development Certificate for a Proposed Use or Development

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 & Mrs

First name

Martin / Helen

Surname

Leadbetter / Taylor

Company Name

Address

Address line 1

Red House Farm Duke Street

Address line 2

Address line 3

Town/City

Hintlesham

County

Suffolk

Country

Postcode

IP8 3PW

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

Yes

No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

The proposal seeks confirmation through the granting of this Certificate of Lawfulness Application that PHASE 1 works undertaken for project DC/21/05755 would constitute project initiation if completed within 3 years of the decision date. This would mean that the remaining works (PHASE 2) could then be carried out later than 3 years after the decision date.

Does the proposal consist of, or include, a change of use of the land or building(s)?

Yes

No

Has the proposal been started?

Yes

No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The existing site was granted planning permission (Ref: DC/21/05755) for the construction of a new dwelling, including soft and hard landscaping, and a driveway including the associated entrance onto the highway 'Duke Street'.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Drawing

'2074_Hintlesham_001_A_Phased Plan - Certificate of Lawfulness'

This drawing confirms that the construction of the dwelling granted in planning approval : DC/21/05755 will be constructed in two phases. PHASE 1 will establish the construction of the driveway access including the visibility splays, surface of the driveway access, gradient of the driveway access and setting out of the driveway access all within the 3 year deadline following the application decision date.

PHASE 2 will include the remaining works, including the gravel driveway, hard and soft landscaping, connection of services and construction of the dwelling. This can be carried out later than 3 years after the date of decision for DC/21/05755.

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Is the proposed operation or use

- Permanent
 Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

The works to complete PHASE 1 will be undertaken within 3 years of the decision date for application DC/21/05755. This will constitute formal initiation of the project and will allow the PHASE 2 works to be carried out later than 3 years from the decision date of application DC/21/05755.

We received email confirmation from the Case Officer 'Rose Wolton' on 10/10/23 that she believes this proposal would constitute commencement of works.

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

First Name

Surname

Reference

Date (must be pre-application submission)

Details of the pre-application advice received

We received confirmation from Rose that she believed the works on the driveway entrance that include the completion of planning conditions 5, 8, 9 & 10, (described as PHASE 1 within this application) would constitute formal initiation of the project and would secure the planning approval to allow the other works (described as PHASE 2 within this application) to be completed after the 3 year deadline following planning approval.

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

Interest in the Land

Please state the applicant's interest in the land

- Owner
 Lessee
 Occupier
 Other

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, 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.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published 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

Matthew Bell

Date

30/10/2023