



Aylesbury Area

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

57

Suffix

Property Name

Address Line 1

Creslow Way

Address Line 2

Address Line 3

Buckinghamshire

Town/city

Stone

Postcode

HP17 8YN

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

Easting (x)

477767

Northing (y)

212034

Description

Applicant Details

Name/Company

Title

Mr

First name

Paul

Surname

Sylvester

Company Name

Address

Address line 1

57

Address line 2

Creslow Way

Address line 3

Town/City

Stone

County

Country

United Kingdom

Postcode

HP17 8YN

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.

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 dwelling prior to October 2023 had frontage consisting of a tarmac driveway c. 30m² in size, an area of gravel c. 6.25m² and grass laid for an area of c. 18m². The boundary between this dwelling and the neighbouring properties was partially marked by small bushes. There were also several small conifer trees partially lining the front boundary line to the pathway and 1 crab apple tree planted in the gravel area.

The full area of the frontage was re-laid using block paving at the end of October 2023. This including the removal of the bushes marking the 2 neighbouring boundaries to no. 59 and 55, installing up to 90cm high decorative fencing to the front boundary line and removal of the trees. The new driveway size is c. 60m²

A prior TPO application was made in June 2022 with the council confirming under reference number 22/01766/ATP that none of the conifers, bushes or crab apple tree were protected under the TPO.

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).

If the certificate is sought on 'Other' grounds please give details

Based on preliminary use of the Bucks CC online check as to whether planning permission and the prior confirmation as to the state of the TPO on impacted greenery, planning permission/lawful development certificate was not obtained. The work was then completed c. 1 month ago however looking for retrospective confirmation that is indeed the case as one neighbour suggested planning might be needed.

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

Based on preliminary use of the Bucks CC online check as to whether planning permission and the prior confirmation as to the state of the TPO on impacted greenery, planning permission/lawful development certificate was not obtained. There has been no change in elevation of the frontage and strip drainage has been installed all along the frontage boundary to the path as well as permeable block paving having been used.

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)?

31-10-2023

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

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 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

Paul Sylvester

Date

2023/11/25

