



West Offices
Station Rise
York
YO1 6GA

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	<input type="text" value="18"/>
Suffix	<input type="text"/>
Property Name	<input type="text"/>
Address Line 1	<input type="text" value="Scarborough Terrace"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text" value="York"/>
Town/city	<input type="text" value="York"/>
Postcode	<input type="text" value="YO30 7AW"/>

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

Easting (x)	Northing (y)
<input type="text" value="460042"/>	<input type="text" value="452977"/>

Description

Applicant Details

Name/Company

Title

Mrs

First name

Heather

Surname

Gibson-Simpson

Company Name

Address

Address line 1

1Poppleton Hall Gardens

Address line 2

NetherPoppleton

Address line 3

Town/City

York

County

Country

United Kingdom

Postcode

YO26 6LE

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.

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

We have owned 18 Scarborough terrace since August 2007. It has been used as a house of multiple occupation since this time. We have recently been going through the process to formally register the property for an HMO license, further to changes in York councils rules re this. As part of this process we have provided sufficient evidence to Trudi Forrest from the planning enforcement team to demonstrate the house has been an HMO since 2007 and has therefore achieved lawfulness in planning terms. We would like now to apply for a certificate of lawfulness for our records.

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

The house has been used as an HMO since 2007.

Recently as part of formal HMO application process, evidence has been provided to the planning department (Trudi Forrest) demonstrating lawfulness.

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)?

22-09-2007

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

23/01086/HMO18 ScarboroughTerrace

Date (must be pre-application submission)

27/11/2023

Details of the pre-application advice received

18 Scarborough has achieved lawfulness in terms of planning.
Advised we may wish to formally apply for a certificate of lawful use

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

Heather Gibson-Simpson

Date

2023/11/29