



Riverside House, Milverton Hill  
Royal Leamington Spa, CV32 5HZ

Tel: 01926 456130

Email: [planningenquiries@warwickdc.gov.uk](mailto:planningenquiries@warwickdc.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 and Mrs

First name

D and M

Surname

Wheeler

Company Name

c/o PROBUILD 360

### Address

Address line 1

Avon Tor

Address line 2

Barford Road

Address line 3

Town/City

Barford

County

Warwickshire

Country

Postcode

CV35 8BZ

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)

Proposed single storey rear extension to an original wall as confirmed by the Council in matching materials to the existing house.

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

Lawful addition allowable under Permitted Development to the rear of an original wall as confirmed by the Council in matching materials to the existing house.

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

Drawing 006 Proposed Plans Permitted Development on A1 showing the parameters of a 4m deep single storey extension, of less than 4m in height and constructed in matching materials to the existing house.

Other parameters are not relevant to this Application (built area compared to available land; extension is beyond 2m to any boundary, is to the rear, so not forward of the house; no verandas, balconies or raised platforms are proposed; no chimney, flue or soil pipe is proposed; and no existing roof is altered being wholly subservient to the rear elevation of the original wall as confirmed by the Council.

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?

Lawful addition allowable under Permitted Development to the rear of an original wall as confirmed by the Council in matching materials to the existing house and as described below :

Drawing 006 Proposed Plans Permitted Development on A1 showing the parameters of a 4m deep single storey extension, of less than 4m in height and constructed in matching materials to the existing house.

Other parameters are not relevant to this Application (built area compared to available land; extension is beyond 2m to any boundary, is to the rear, so not forward of the house; no verandas, balconies or raised platforms are proposed; no chimney, flue or soil pipe is proposed; and no existing roof is altered being wholly subservient to the rear elevation of the original wall as confirmed by the Council.

## 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

Email

Date (must be pre-application submission)

11/01/2024

Details of the pre-application advice received

Hi Steev,

I'd suggest the first port of call for a complaint would be Rob Young, Business Manager for Development Management: Rob.Young@warwickdc.gov.uk. The advice I've given has been my attempt to help you and your client reach a situation where we can approve a development you've submitted, because I can't approve what has been submitted, for the reasons I've given you. The simpler route might be just to pursue the best outcome you can get through permitted development, since any permission based on a fall back would have to be very closely related to that fall back. I haven't confirmed that the fall back option presented would be permitted development, we can only do that through a Lawful Development Certificate. I don't think parallel applications would be possible, or at least we wouldn't be able to not issue a decision on a planning permission on the basis of the outcome of another separate permission, even if it were for a similar development at the same property.

Thanks,

Theo Collum  
Assistant Planner  
Development Management

## 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

Steev Ellson

Date

20/01/2024