



GUILD FORD
B O R O U G H

www.guildford.gov.uk

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Planning Services
Guildford Borough Council
Millmead House, Millmead
Guildford, Surrey
GU2 4BB

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="36"/>
Suffix	<input type="text"/>
Property Name	<input type="text"/>
Address Line 1	<input type="text" value="Ash Church Road"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text" value="Surrey"/>
Town/city	<input type="text" value="Ash"/>
Postcode	<input type="text" value="GU12 6LX"/>

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

Easting (x)	<input type="text" value="489789"/>	Northing (y)	<input type="text" value="150758"/>
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Description

Applicant Details

Name/Company

Title

Mr

First name

Carl

Surname

Port

Company Name

Address

Address line 1

36 Ash Church Road

Address line 2

Address line 3

Town/City

Ash

County

Country

United Kingdom

Postcode

GU12 6LX

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

Following on from previous communications with Guildford Borough Council, I can now confirm that we have commenced work for planning approval 20/P/01446. I am submitted this application in order to get written confirmation this is the case. We appointed a contractor to carry out demolition works, as per the planning approval. My understanding is that we have have complied with the process for commencement and demolition is one of the material operations which constitutes commencement. We have have carried out the following:

- * 10 Working days notice given to GBC of intention to commence. Intention to commence was communicated to Rosie Trussler / GBC on 27th November 2023. Rosie updated GBC records to confirm this.
- * Payment of the s106 (SANG/SAMM contributions) in relation to planning approval 20/P/01446 was made to GBC on 15th December 2023 (9527.82), prior to commencement of works.

My understanding is the onus is on myself to prove commencement has taken place, we have the following to evidence this and have uploaded this supporting evidence as part of this application:

- * Correspondence with contractor who carried demolition works, including quote, scope of works and acceptance of quote.
- * Invoice from the contractor for demolition works carried out.
- * Timed before and after photographs of the works (demolition) carried out.
- * Proof of payment to IS homes for completed demolition works carried out.

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

Following the advice of our original case officer from Guildford Borough Council (Carolyn Preskett), we are applying for a lawful development certificate to confirm that we have commenced work for planning approval 20/P/01446. The planning expires on the 11th February 2024. Date of commencement of the demolition was 19th December 2023.

We appointed a contractor to carry out demolition works, as per the planning approval. My understanding is that we have complied with the process for commencement and demolition is one of the material operations which constitutes commencement. We would like a Lawful development certificate to confirm this is the case, so we have something in writing.

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

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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)?

19-12-2023

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

Proposed

Please select the housing categories that are relevant to the proposed units (i.e. the change you are seeking certification for)

- Market Housing
- Social, Affordable or Intermediate Rent
- Affordable Home Ownership
- Starter Homes
- Self-build and Custom Build

Self-build and Custom Build

Please specify each type of housing and number of units proposed

<p>Housing Type: Houses</p> <p>1 Bedroom: 0</p> <p>2 Bedroom: 0</p> <p>3 Bedroom: 1</p> <p>4+ Bedroom: 0</p> <p>Unknown Bedroom: 0</p> <p>Total: 1</p>

Proposed Self-build and Custom Housing Category Totals	1 Bedroom Total	2 Bedroom Total	3 Bedroom Total	4+ Bedroom Total	Unknown Bedroom Total	Total
	0	0	1	0	0	1

Existing

Please select the housing categories for any existing units on the site (i.e. prior to the change you are seeking certification for)

- Market Housing
- Social, Affordable or Intermediate Rent
- Affordable Home Ownership
- Starter Homes
- Self-build and Custom Build

Totals

Total proposed residential units

1

Total existing residential units

0

Total net gain or loss of residential units

1

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

carolyn.Preskett@guildford.gov.uk

Date (must be pre-application submission)

07/11/2023

Details of the pre-application advice received

Carolyn Preskett Carolyn.Preskett@guildford.gov.uk

Tue, Nov 7, 2023, 2:49 PM

to Planning, me

Dear Mr Port

Thank you for your email and apologies for my delayed response but I have a very large workload and this combined with my part time hours and half term have meant I have not had time to respond to your email previously.

In relation to the implementation of a planning application what constitutes a commencement of planning application are material operations and these include construction, demolition, foundation work, road construction or any activity that constitutes a substantial step towards the realisation of the approved development.

The onus would be on you to prove commencement has taken place. In order to prove commencement has taken place you would need to provide evidence of commencement including photographs (timed) and emails and correspondence from engineers/ contractors confirming the scope of works and payment for the works. In addition you would need a letter of comfort from the local authority that development has commenced.

In relation to the s106 on planning approval 20/P/01446 I note that payment is on commencement of the works so this payment would need to be made prior to commencement.

There is also the option of reapplying for planning permission. A new full planning application would be required.

It would be for you to decide how you wish to proceed.

I hope the above is helpful.

Kind regards

Carolyn

Carolyn Preskett

Senior Planning Officer

Development Management (Applications), Place Services

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

Carl Port

Date

30/01/2024