



Development Management / Rheoli Datblygu
 City of Cardiff Council / Gyngor Dinad Caerdydd
 County Hall / Dinas y Sir
 Cardiff / Caerdydd
 www.cardiff.gov.uk/dc
 Email / E-bost: developmentcontrol@cardiff.gov.uk
 Telephone / Ffôn: 029 22330800

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: Section 191 as amended by Section 10 of the Planning and
 Compensation Act 1991; Town and Country Planning (Development Management Procedure)
 (Wales) Order 2012

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 Details

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

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

First name

David

Surname

Giblette

Company Name

Address

Address line 1

7

Address line 2

Cae Garw

Address line 3

Thornhill

Town/City

Cardiff

Country

United Kingdom

Postcode

CF14 9DX

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Email address

***** REDACTED *****

Reason for Lawful Development Certificate

Which category describes the existing use or operation or development for which the certificate is sought

- An existing use
 An existing operation
 An existing use, operation or activity in breach of a condition

Being a use, operation or activity in effect on the date of this application

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to

C2 - Residential institutions

Description of Existing Use, Operation or Activity

Please describe the existing uses, building works or activities for which you want a lawful development certificate. Where appropriate, show to which part of the land each use building works or activity relates

This application for a Lawful Development Certificate is sought in line with the Permitted Development guidance published on the Welsh Government website.

The installation by Deco Heat of the external chimney/flue for an internal multi-fuel woodburner (model = Chilli Penguin Woody Stove) was completed on 8 January 2024, following several reviews with Deco Heat and HETAS on minor detailed revisions. The external chimney/flue has been affixed on the external west wall and bracketed to both the wall and roof and "does not project by more than 1m from the highest part of the roof".

A HETAS Certificate (with reference number 1682047) was provided dated 8 January 2024, confirming the works had been completed. Further, an email was received from HETAS on 18 January confirming that "remedial evidence had been received and reviewed" and that the works were "deemed as compliant by the HETAS Technical Team".

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

As per the original information provided in this application, the Lawful Development Certificate is sought in line with guidance published on the Welsh Government website related to the installation of external chimneys/flues (<https://www.gov.wales/planning-permission-flue-chimney-or-soil-and-vent-pipe>).

In addition, guidance was received from PlanningAssistants@cardiff.gov.uk in December 2023 noting that installations of external chimneys/flues of this type would 'constitute permitted development'.

Finally and on a personal basis, this Lawful Development Certificate is sought in order to provide full confidence that this installation is compliant and in line with relevant regulation.

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)?

08/01/2024

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? (Please select only one)

- The agent
 The applicant
 Other person

Pre-application Advice

Has pre-application advice been sought from the local planning 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 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

Do any of these statements apply to you?

- 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:

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

David Giblette

Date

20/01/2024