

Planning Services
 Shropshire Council, PO Box 4826
 Shrewsbury, SY1 9LJ
 Tel: 0345 678 9004
 Email: customer.services@shropshire.gov.uk
www.shropshire.gov.uk/planning



Shropshire
 Council

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

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

First name

P

Surname

Inions

Company Name

Address

Address line 1

Hall Cottage Folley Road

Address line 2

Address line 3

Town/City

Ackleton

County

Shropshire

Country

Postcode

WV6 7JL

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 ****

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 predominant objective of this submission is to demonstrate to the Local Planning Authority that the implementation of the planning permission for a two storey side extension and rear conservatory under BR/APP/FUL/03/0844 was not fully exhausted by way of the two storey side extension erected in relation to that consent and that the right to implement the rear conservatory remains available to the applicant.

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

The predominant objective of this submission is to demonstrate to the Local Planning Authority that the implementation of the planning permission for a two storey side extension and rear conservatory under BR/APP/FUL/03/0844 was not fully exhausted by way of the two storey side extension erected in relation to that consent and that the right to implement the rear conservatory remains available to the applicant.

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

See accompanying Support Statement and appendices.

It is therefore overwhelmingly clear against the requirement to consider the proposal against the balance of probability, that the works informing BR/APP/FUL/03/0844 were successfully commenced and partly completed with regard to the completion of the two storey side extension. It is also clear that the proposed rear conservatory secured by that planning consent was never implemented and it is the applicant's position that the right to implement the conservatory remains available to them. In light of the significant period of time that has passed since that planning consent was granted, and due to a lack of certainty provided by the Local Planning Authority with regard to the applicant's rights in the meantime, this Lawful Development Certificate for existing use is submitted to obtain confirmation, beyond doubt, that the rights to erect the conservatory secured under that aforementioned consent remains available to the applicant.

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)?

29-10-2008

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

Christopher Whitehouse

Date

16/02/2024

