



DEPARTMENT OF ENVIRONMENT AND REGENERATION  
TOWN HALL  
LUTON  
LU1 2BQ  
DevelopmentControl@luton.gov.uk  
Tel: (01582) 546605  
Fax: (01582) 546529

## 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

First name

Harun

Surname

Miah

Company Name

### Address

Address line 1

87 Alexandra Avenue

Address line 2

Address line 3

Town/City

Luton

County

Luton

Country

Postcode

LU3 1HQ

Are you an agent acting on behalf of the applicant?

Yes

No

### Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

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)

The application is for a certificate of lawful development for the placement of a caravan with the curtilage of 87 Alexandra Avenue. Within the documents supplied, and the legal case studies uploaded separately, no material change change of use will be taking place. A site licence shall not be required for the use of land as a caravan site if the use is incidental to the enjoyment as such of a dwellinghouse within the curtilage of which the land is situated, as per the legal references outlined below.

Section 55(1) of the Town and Country Planning Act 1990 defines 'development', which requires planning permission, as carrying out of building and other operations or making of any material change in the use of any buildings or other land.

Under s 55(2)(d) of the Town and Country Planning Act 1990 the use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse as such is not to be taken to involve development of the land.

The Caravan Sites and Control of Development Act 1960 Schedule 1. Cases where a Caravan site License is not required. 1. Use within curtilage of a dwellinghouse. A site licence shall not be required for the use of land as a caravan site if the use is incidental to the enjoyment as such of a dwellinghouse within the curtilage of which the land is situated.

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

The siting of a caravan for ancillary use, within a defined planning unit, does not amount to a material change of use of land and thus no development as defined by S55(1) of the 1990 Act will take place.

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

Supporting Statement and Documents 1-15

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?

The siting of a caravan for ancillary use, within a defined planning unit, does not amount to a material change of use of land and thus no development as defined by S55(1) of the 1990 Act will take place.

### 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

## 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

Gary Clayden-Smith

Date

11/03/2024

Amendments Summary

amended description of proposal