

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

First name

Surname

Company Name

### Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

### Contact Details

Primary number

Secondary number

Fax number

Email address

## 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 proposal is for the construction of a 9m x 3.7mm outdoor swimming pool, together with surrounding patio area (1m width around the pool), a further patio area just above the pool and the extension of an existing retaining wall (which is all inside the garden area of the property) in order for the existing wall to continue around the pool. This is all shown in the plans attached to this application. Note that there will be no new buildings nor will there be any alteration to existing buildings - it is just the new pool, extension of patio and extension of retaining wall. Furthermore, none of this is visible from any public space nor the neighbours, due to the location of where the pool will be

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 existing use of the land is part of the garden of the house and there is a 6mx5m decking area for seating, which will now be replaced by the pool and patio. This is all part of the normal curtilage of the garden and is used as part of the enjoyment of the house. There are no buildings that will be altered and no new buildings.

I consider the proposed use of the land as a swimming pool to be lawful as under Class E (Permitted development) of the The Town and Country Planning (General Permitted Development) (England) Order 2015, there are no restrictions listed that would apply to this proposal (for example the area covered by the pool is not large enough to breach any restriction, there is no building, it is not in an area of outstanding natural beauty)

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

Site Location

Site plan showing the detailed project at 1:100 scale

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?

This proposal is for an outdoor swimming pool of normal size (9m x 3.7m and max 1.7m depth) for use by my family and any future owners of the property. The only other works involved (other than the pool itself) are the laying of a modest patio area around the pool and an extension of an existing approx 1m high retaining wall, that will be extended to go around one side of the pool (as shown in the plans). There are no new buildings and no alterations to existing buildings. The retaining wall and patio will be done in a style in keeping with the existing property patio and existing walls of the property.

There are no trees that will be impacted by the proposal

Furthermore, the location of where the pool will go cannot be seen from any public space or from neighbours.

I also consider the proposed use of the land as a swimming pool to be lawful as under Class E (Permitted development) of the The Town and Country Planning (General Permitted Development) (England) Order 2015, there are no restrictions listed that would apply to this proposal (for example the area covered by the pool is not large enough to breach any restriction, there is no building, it is not in an area of outstanding natural beauty)

The works are to be carried out by reputable local suppliers who have done other similar projects in the Test Valley to a high quality standard (Verdun Bailey from Ambassador pools for the pool, and Asa Ramsay Dunn from company Venetian Finish for the wall and patio)

### 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

Registration Officer

First Name

Leecy

Surname

Llewellyn

Reference

Vine House

Date (must be pre-application submission)

22/03/2024

Details of the pre-application advice received

Advice was given for me to apply for Certificate of lawful development for my proposed swimming pool project for Vine House

## 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

Nicholas Higham

Date

02/05/2024