Development Management, Economic Development and Planning,
County Hall, Bythesea Road, Trowbridge, BA14 8JN
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Wiltshire 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

Hayward Pool

Address Line 1

Bradford Leigh

Address Line 2

Address Line 3

Wiltshire

Town/city

Bradford Leigh

Postcode

BA15 2RR

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

Easting (x)

383651

Northing (y)

163639

Description

## Applicant Details

### Name/Company

Title

Mr

First name

Shane

Surname

Hayward

Company Name

### Address

Address line 1

Hayward Pool Bradford Leigh

Address line 2

Address line 3

Town/City

Bradford Leigh

County

Wiltshire

Country

United Kingdom

Postcode

BA15 2RR

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

### Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

## Agent Details

### Name/Company

Title

Mr

First name

Tony

Surname

Phillips

Company Name

Thurdleigh Planning Consultancy

### Address

Address line 1

30 Circus Mews

Address line 2

Address line 3

Town/City

Bath

County

Country

United Kingdom

Postcode

BA11PW

## 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.**

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please select the relevant Use Class.

C3 - Dwellinghouses

## 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

Use of building as dwelling to include two side extensions

## 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

The building concerned has been used as a separate dwelling (use class C3) for a period of 4 years or more. The extension works were substantially completed  more than 4 years ago. Unless the Council has evidence to undermine or contradict the applicant's version of events, there can be no good reason to refuse this application.

## 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)?

01-09-2018

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

- [x] 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
- [x] 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.

- [x] I / We agree to the outlined declaration

Signed

Tony Phillips

Date

24/09/2023

Amendments Summary

Clarification of evidence submitted