

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) (England) Order 2015

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.

1. Site Address

Number	<input type="text"/>
Suffix	<input type="text"/>
Property name	<input type="text" value="Stackwood"/>
Address line 1	<input type="text" value="Gilgarran"/>
Address line 2	<input type="text"/>
Address line 3	<input type="text"/>
Town/city	<input type="text" value="Gilgarran"/>
Postcode	<input type="text" value="CA14 4RF"/>

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

Easting (x)	<input type="text" value="303303"/>
Northing (y)	<input type="text" value="522971"/>

Description

2. Applicant Details

Title	<input type="text" value="Mrs"/>
First name	<input type="text" value="Helen"/>
Surname	<input type="text" value="Sharpe"/>
Company name	<input type="text"/>
Address line 1	<input type="text" value="Stackwood"/>
Address line 2	<input type="text"/>
Address line 3	<input type="text"/>

2. Applicant Details

Town/city	Gilgarran
Country	
Postcode	CA14 4RF
Are you an agent acting on behalf of the applicant?	
Primary number	
Secondary number	
Fax number	
Email address	

☒ Yes ☐ No

3. Agent Details

Title	Mr
First name	Simon
Surname	Blacker
Company name	SRE Associates
Address line 1	4 Summergrove Park
Address line 2	
Address line 3	
Town/city	Whitehaven
Country	
Postcode	CA28 8YH
Primary number	
Secondary number	
Fax number	
Email	

4. Description of Use, Building Works or Activity

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

5. 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

On 02/10/18, Copeland Borough Council granted planning permission in full for a 'new building four bedroomed detached dwelling with an integral garage' in the curtilage of Stackwood, Gilgarran (Planning Application 4/18/2332 refers).

5. Description of Existing Use, Building Works or Activity

The pre-commencement conditions for this dwelling were subsequently discharged on 09/11/20 as confirmed in a letter from the Planning and Place Manager (Application 4/20/2303/DOC refers).

The landowners have now commenced with the approved development and seek Lawful confirmation that a Material Commencement has been made to planning permission 4/18/2332/0F in accordance with the stipulated timescales and that the Local Planning Authority now considers the planning permission lawful commenced.

6. Grounds for application of 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 applicants Mr and Mrs Sharpe are seeking Lawful confirmation from the Local Planning Authority that following the approval of all relevant Pre-Commencement Planning Conditions and commencement of works on site that a Material Commencement has been made to planning permission 4/18/2332/0F1 at Stackwood, Gilgarran in accordance with the stipulated timescales and that the Local Planning Authority now considers the planning permission lawful commenced and now benefits from a permission in perpetuity.

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 Planning Permission was granted on 02 October 2018. Condition 1 of this application states that the development shall be commenced within 3 years of the grant of planning permission, and a commencement on the groundworks for the dwelling has been commenced in March 2021, which is within the 3 year period.

Via an application the applicants have secured the approval of all pre-commencement conditions. The applicant then instructed local groundwork/landscape contractor Coombe and Sharpe Ltd to undertake the following works:

- The removal of turf and soil from the development site by mechanical excavation, the installation of edgings, fill with hardcore, further fill with a fine course layer and levelling.
- The marking out of the approved dwelling on the site.

The work undertaken are detailed in the attached invoice from the contractors, and also in the attached photos.

7. 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)?

02/03/2021

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

8. 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

9. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☐ Yes ☒ No

10. Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

11. 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.

☐ Yes ☒ No

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?

12. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form 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. ☒

Date (cannot be pre-application)

23/03/2021