

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)
 (Wales) Order 2012

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 Details

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

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

Michael

Surname

Leyshon

Company Name

Address

Address line 1

65 Lower Colbren Road

Address line 2

Address line 3

Town/City

Gwaun-Cae-Gurwen

Country

United Kingdom

Postcode

SA181HP

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Email address

***** REDACTED *****

Reason for Lawful Development Certificate

Which category describes the existing use or operation or development for which the certificate is sought

- ☒ An existing use
☐ An existing operation
☐ An existing use, operation or activity in breach of a condition

Being a use, operation or activity in effect on the date of this application

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to

C3 - Dwellinghouses

Description of Existing Use, Operation or Activity

Please describe the existing uses, building works or activities for which you want a lawful development certificate. Where appropriate, show to which part of the land each use building works or activity relates

An extension at the rear of an existing property.

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 property in question has a ground floor extension at the rear which is attached to the main dwelling building. This extension was initially built approximately 50 years before the date of this application, and originally served as an additional utility room which could be accessed via the bathroom in the main dwelling. Approximately 8 years ago in 2016, the extension in question was extended further, and the works were substantially completed within the same year. Due to my elderly mother's declining mobility, it was decided that her quality of life would be improved if she moved into the ground floor extension building - she is currently on a waiting list for surgery due to her lack of mobility. She currently still occupies the extension, however it is not an independent residence in its own right and shares the same address and land as the main dwelling. It also feeds off the same electricity produced by the main dwelling's fuse box, and shares the same water supply.

In August 2022, my wife and her children moved into the property. During this time, I carried out minor cosmetic (non-structural) renovations to both the main dwelling building and the extension in an attempt to modernise the property. Some examples of these renovations include new paint on interior walls, new flooring, new kitchen appliances etc. In order to carry out these renovations, we lent money from family members - my wife is currently not working due to deteriorating mental health, for which she receives Employment and Support Allowance (Support Group), and PIP benefits. This has led me to attempt to remortgage the property in order to pay back outstanding loans from family members. The mortgage company has requested planning permission documents in order to process our remortgage application, which is why I am in need of a Lawful Development Certificate.

In addition to this, I believe that the extension building meets the checklist of conditions for "Permitted Extensions". I have been a Qualified Carpenter/Builder for 35 years.

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)?

15/05/2016

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? (Please select only one)

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has pre-application advice been sought from the local planning 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

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

N/A

Date (must be pre-application submission)

09/01/2024

Details of the pre-application advice received

We received brief advice to clarify whether or not we needed to submit an application for a Certificate of Lawful Determination in order to remortgage the property, and this advice was received via email. We did not pay for any specific advice from the Agent and it was given without prejudice to the Council's position.

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 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

Do any of these statements apply to you?

- ☐ 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:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be made available 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

Michael Leyshon

Date

10/01/2024