



For assistance with completing this form contact:

The Planning Service
3 Knowsley Place, Duke Street, Bury BL9 0EJ

Phone: 0161 253 5432 **Email:** development.control@bury.gov.uk

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

Dermott

Surname

Hindle

Company Name

Address

Address line 1

167 Butterstile Lane

Address line 2

Prestwich

Address line 3

Town/City

Manchester

County

Country

United Kingdom

Postcode

M25 9UW

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

***** REDACTED *****

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)

I am proposing to remove an existing Conservatory at the rear of my property - which is 3.000m x 3.000m - and replacing with a single story extension across the back of the property by an additional 1.600m further out from the existing house and 4.920m across the back of the house.

There is currently a lean to roof at the back of the property which is 2.250m long - I am proposing a new lean to roof that is extended to 3.850m overall. This would be achieved by completely replacing the existing lean to roof with a new lean to roof which would include 2 or 3 Velux windows within the new lean to roof.

The current Conservatory is 0.350m from the fence panel that is the boundary between myself and my next door neighbour (169 Butterstile Lane). I am proposing to increase the distance to the fence panel boundary to 0.500m.

I am proposing to break up my back door (currently on the side of the property located within the kitchen) to match the existing original brickwork and replace with a 2.100m wide Bi-Fold Door at the rear of the property.

I am proposing to finish the new extension with a light coloured render (K-Rend - colour to be confirmed).

Internally the kitchen and living room are currently two separate rooms. I am proposing to remove an existing stud wall (which is not load bearing) to create an "open plan" kitchen / living room.

I have spoken to my next door neighbour (169 Butterstile Lane) regarding my plans to remove the existing Conservatory and install the extension. My neighbour has implied that there would be no objections and that they would be happy to see the existing Conservatory removed as they can see it from their side of the fence. I have advised my neighbour that I would provide sketches of the proposed works once I have spoken to the Council regarding any required planning.

I am aware that this work will be subject to Building Regulations (and possible Structural Engineers Drawings) and will proceed accordingly once agreed with the Planning Division.

I have attached drawings which I hope will explain in more detail what I am proposing.

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

I believe that my proposal is lawful as I am simply taking down an existing Conservatory and replacing the area that this existing Conservatory covered along the rear of my house.

I am not looking to increase the floor area just simply reposition the area that is currently in use with the Conservatory.

I have previously spoken to and exchanged emails with Mo Warsame Bury Council Planning Division Who has advised me to apply for the Lawful Development Certificate I have previously incorrectly applied and paid for a Pre Application.

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

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Is the proposed operation or use

- ☒ Permanent
- ☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

I believe that my proposal is lawful as I am simply taking down an existing Conservatory and replacing the area that this existing Conservatory covered along the rear of my house.

I am not looking to increase the floor area just simply reposition the area that is currently in use with the Conservatory.

I have previously spoken to and exchanged emails with Mo Warsame Bury Council Planning Division Who has advised me to apply for the Lawful Development Certificate I have previously incorrectly applied and paid for a Pre Application.

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

First Name

Surname

Reference

Date (must be pre-application submission)

Details of the pre-application advice received

I have previously spoken to someone over the phone at the Bury Council Planning Division (unsure who I spoke to) regarding my proposal – they advised I needed to submit a Pre Application.

I submitted and paid for the Pre Application and was assigned Mo Warsame as the case officer. Upon further conversations with Mo I was advised by Mo that I was probably given the wrong advice to make the Pre Application on that's I should apply for a Lawful Development Certificate.

I am therefore making this application for a Lawful Development Certificate on the advice of Mo Warsame.

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 this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted 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

Dermott Hindle

Date

29/05/2023