

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

***** REDACTED *****

Fax number

Email address

***** REDACTED *****

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)

Application for a Lawful Development Certificate for a proposed change of external materials to white render for the entire house, including the ongoing works to the hip to gable loft conversion dormer. This change is in line with the surrounding properties and current adjoining neighbors. The previous owner used a distasteful brown pebble dash, which we are keen to replace to uplift the entire area. This application is entirely lawful and complies with all relevant regulations.

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

Residential Use:

The existing use of the land is as a residential dwelling (C3 use class), which is lawful and has been continuously used for residential purposes. There has been no change of use that would require additional planning permission.

Existing Buildings:

The existing buildings on the property, including the main dwelling and the hip to gable loft conversion, have all been constructed and modified in accordance with approved planning permissions and building regulations. The hip to gable loft conversion and rear extension currently under construction were granted planning permission, ensuring their legality.

Compliance with Planning Permissions:

All existing buildings and structures on the property have been developed in compliance with relevant planning permissions and building regulations. This compliance ensures that the existing buildings are lawful and that the proposed alterations will continue to adhere to these established legal frameworks.

In summary, the existing use of the land as a residential dwelling is lawful, and the existing buildings, including those currently under construction, have been developed in accordance with all relevant planning permissions and building regulations. Therefore, the proposed alterations and the change to white render are lawful and should be granted a Lawful Development Certificate.

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

- 1) Email chain with Harri Mclady - Richmond planning representative, confirming that there is no need for enforcement and recommends the application of a lawful planning certificate (section 192 application)
- 2) Picture of front of the house showing the nearby properties which all have white render and no 39 being different with brown pebble dash
- 3) Picture showing the dormer finish which shows the white render
- 4) Drawings for hip to gable loft conversion which are approved under permitted development

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?

A Lawful Development Certificate should be granted for this proposal for the following reasons:

1. Permitted Development Compliance: The proposed change of external materials from brown pebble dash to white render falls within the criteria of permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1, Class A.
2. Non-Conservation Area: The property at 39 Cross Deep Gardens is not located within a conservation area, meaning the proposed changes do not require additional permissions.
3. Building Control Approval: The proposed white render materials are approved by building control, ensuring compliance with all relevant building regulations and standards.
4. Consistency with Surrounding Properties: The proposed white render aligns with the external appearance of surrounding properties and adjoining neighbors, ensuring visual harmony and continuity in the neighborhood.
5. Enhanced Visual Appeal: Changing from brown pebble dash to white render will significantly enhance the property's visual appeal, uplifting the entire area.
6. Non-Alteration of Dimensions: The proposed works will not alter the height or footprint of the building, keeping within the permissible limits of permitted development rights.
7. Precedent of Approved Works: Building works for a hip to gable loft conversion and rear extension, which had approved planning permission, have already commenced and are currently in the middle of construction. The proposed change to use the same white render for the loft dormer, rather than tiles, ensures consistency in the property's appearance.
8. Proactive Approach: The specific work to change the external materials has not yet started, ensuring the application seeks confirmation of lawfulness prior to commencement.
9. Pre-Application Advice: Following pre-application advice from Harri Mclady of the Richmond Planning Team, it was recommended to apply for a Lawful Development Certificate to confirm the legality of the changes under permitted development rights. Harri also assured that there is no risk of enforcement action for the proposed changes. It was advised that the application could be submitted now or when selling the property, ensuring the changes are documented and compliant.

In summary, the proposal complies with permitted development criteria, does not require additional permissions, aligns with building control standards, and enhances the property's visual appeal in a consistent manner with the neighborhood. Therefore, a Lawful Development Certificate should be granted.

Site information

Please note: This question is specific to applications within the Greater London area.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

Title number(s)

Please add the title number(s) for the existing building(s) on the site. If the site has no title numbers, please enter "Unregistered".

Title Number:

MX219681

Energy Performance Certificate

Do any of the buildings on the application site have an Energy Performance Certificate (EPC)?

- Yes
 No

Further information about the Proposed Development

Please note: This question is specific to applications within the Greater London area.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

What is the Gross Internal Area to be added to the development?

0.00	square metres
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Number of additional bedrooms proposed

0

Number of additional bathrooms proposed

0

Vehicle Parking

Please note: This question contains additional requirements specific to applications within Greater London.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?

- 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

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 sought pre-application advice from the Richmond Planning Team. Harri Mclady was appointed and did a site visit on the 19th June 2024, he then provided the following guidance via email:

Dear James,

Thank you for our discussion earlier. As outlined, I wanted to clarify whether there would be an issue with diverging from the specified materials as set out in your Certificate of Lawful Use. In my professional opinion, there is no interest from the enforcement team in requiring you to use tiles instead of render on the rear dormer extension. However, it is advisable that you submit a new application for another certificate with the updated material type at some point. This could either be done now or when you are selling the property, as the current drawings would no longer be applicable.

In this instance, I will be recommending for this case to be closed, subject to confirmation by my senior.

If you have any questions, please feel free to get in touch.

Harrison Mclady

Based on this advice from the Richmond Planning Team, I am submitting this application for a Lawful Development Certificate to update the materials specified for the rear dormer extension and other parts of the house to white render. The advice confirmed that there is no enforcement interest in restricting the use of render instead of tiles. It was also recommended that a new application could be submitted now or at the time of selling the property to ensure the updated material type is documented and compliant.

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

James Pepper

Date

06/07/2024