



Llywodraeth Cymru
Welsh Government

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) Town and
Country Planning (Development Management Procedure) (Wales)
Order 2012 (as amended) Regulations 1992

If printed, please complete using BLOCK CAPITALS and BLACK ink.

1. Applicant Name and Address

Title:	Mrs	First name:	Jane
Last name:	Pesticcio		
Company (optional):			
Unit:		House number:	2
		House suffix:	
House name:			
Address 1:	Westminster Drive		
Address 2:			
Address 3:			
Town:	Cardiff		
County:			
Country:			
Postcode:	CF23 6RD		

2. Agent Name and Address

Title:	Mr	First name:	Stephen		
Last name:	Isaac				
Company (optional):					
Unit:		House number:	4	House suffix:	
House name:					
Address 1:	St George's Court				
Address 2:	Linnet Close				
Address 3:					
Town:	Cardiff				
County:					
Country:					
Postcode:	CF23 7HG				

3. Site Details

Please provide the full postal address of the application site.

Unit:		House number:	34	House suffix:	
House name:					
Address 1:	Albert Avenue				
Address 2:					
Address 3:					
Town:	Newport				
County:					
Postcode: (optional)	NP19 8FS				

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”.

Easting:	332375	Northing:	188616
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Description:

Existing residential property that has been converted to two individual apartments with separate entrances

4. 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).

Please tick if the full contact details are not known, and then complete as much possible: ☐

Officer name:

Reference:

Date (DD/MM/YYYY): (Must be pre-application submission)

Details of the pre-application advice received:

5. Lawful Development Certificate – Interest In Land

Please state the applicant's interest in the land:

Owner Yes

☒

No

☐

Lessee

Yes

☐

No

☒

Occupier Yes

☐

No

☒

If Yes to Lessee or Occupier please give details of the owner and state whether they have been informed in writing of this application:

Name	Address	Have they been informed in writing of the application?	
		Yes	No
		☐	☐

If No to all the above, please give name and address of anyone you know who has an interest in the land:

Name	Address	State the nature of their interest (if known)	State whether they have been informed about this application		If no, please explain why not
			Yes	No	
			☐	☐	
			☐	☐	
			☐	☐	
			☐	☐	

6. Authority Employee/Member

With respect to the Authority, I am:

- 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

☒

If Yes, please provide details of the name, relationship and role:

7. Description of Use, Building Works or Activity

Please state for which of these you need a lawful development certificate/building works (you must tick at least one option):

An existing use

Yes

☒

No

☐

Existing building works

Yes

☐

No

☒

An existing use, building work or activity in breach of a condition

Yes

☐

No

☒

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 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

8. Description of Existing Use, Building Works or Activity

What is the existing site use(s) for which the certificate of lawfulness is being sought? Please fully describe each use and state which part of the land the use relates to.

The property is a residential building that was converted into 2 apartments prior to Mrs Pesticcio purchase in 2010. There are no records of any planning permissions granted for the conversion to 2 apartments.

9. Grounds For Application For A Lawful Development Certificate

Please state under what grounds is the certificate sought (you must tick at least one box).

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:

If applicable, please give the reference number of any existing planning permission, lawful development certificate or enforcement notice affecting the application site. Include its date and the number of any condition being breached:

Reference
Number:

Condition
Number:

Date (DD/MM/YYYY):
(must be pre application submission)

Please state why a Lawful Development Certificate should be granted:

The residential property has been converted into 2 apartments for over 15 years prior to Mrs Pesticcio purchase in 2010 and has been registered as 2 apartments with Newport County Council during that period for the collection of Council Tax.
Council tax account for upstairs apartment is 33408951.
Council tax account for downstairs apartment is 34006475

10. Information In Support Of A Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed:

Date (DD/MM/YYYY): (Must be pre-application submission)

before 2010

In the case of an existing use or activity in breach of conditions has there been any interruption?

Yes

☐

No

☒

If Yes, please provide details of the dates, duration and any discontinuance of the development which is the subject of this application. If your application is based on the claim that a use or activity has been ongoing for a period of years, please state exactly when any interruption occurred:

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

☒

If Yes please provide details?

Does the application for a Certificate relate to a residential use where the number of residential units has changed?

Yes

☒

No

☐

If you answered “yes” to the question above, please specify the existing and proposed number of market and affordable dwellings on the attached plans.

11. Planning Application Requirements – Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The burden or proof in a Lawful Development Certificate is firmly with the applicant and therefore sufficient and precise information should be provided.

The original and 3 copies of a completed and dated application form.



The original and 3 copies of a plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North.



The original and 3 copies of such evidence verifying the information included in the application as you can provide.



The correct fee.



12. Declaration

I/we hereby apply for planning permission as described in this form and the accompanying plans/drawings and additional information. I confirm that, to the best of my knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the persons giving them.

WARNING: The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.

13. Applicant Contact Details

15. 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)*

Agent ☒

Applicant ☐

Other (if different from the agent/applicant's details) ☐

If Other has been selected, please provide:

Contact name:

Telephone number:

Email address: