PP-15305283

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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

Parish House

Address Line 1

The Common

Address Line 2

Crich

Address Line 3

Derbyshire

Town/city

Matlock

Postcode

DE4 5BH

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

Easting (x)

435035

Northing (y)

354014

Description

Applicant Details

Name/Company

Title

Dr

First name

Hayley

Surname

Entwistle

Company Name

Address

Address line 1

18 Heyes Drive

Address line 2

Timperley

Address line 3

Town/City

Altrincham

County

Cheshire

Country

GB

Postcode

WA15 6ED

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Applicant Contact Details

Primary number

***** REDACTED ******

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

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

This application seeks formal confirmation ahead of our purchase that the conversion of the two existing vacant residential flats back into one single residential property does not constitute development and is entirely lawful. The two flats are registered as Parish House, DE4 5BH and 4 Surgery Lane, DE4 5BP. 4 Surgery Lane sits immediately underneath Parish House, occupying the same structural footprint under a single, unified legal title deed which the applicant is in the process of acquiring. The current owner is fully aware of and in support of this application being made.

The building has historically held multiple, varied uses (including serving as the Parish Rooms, a fire station, a lock-up, and a mortuary). Following its acquisition from Crich Parish Council, the property was converted into a single dwelling (an apartment above with a workshop below), and a Building Regulations Certificate of Completion was formally issued on this basis in December 1997. Amber Valley Borough Council previously confirmed in writing on 20 November 1997 that this residential use was lawful under the existing planning framework. There is no proposal for any change of use class; the property remains strictly within Use Class C3.

Although currently registered as two separate units for council tax purposes, the building already structurally functions as a single entity. A connecting internal door between the upper and lower levels has been in place for many years; this door opens freely. Furthermore, utility infrastructure reflects a single property: Severn Trent Water maintains only one account and bills solely for Parish House, with no separate billing or independent water supply for 4 Surgery Lane.

Absolutely no external alterations are proposed, ensuring the property's appearance within the Crich Conservation Area remains completely unaffected. No internal structural alterations are required for the property to operate as a unified home, save for the removal of a minor, non-load-bearing internal partial stud wall / peninsular wall. This internal work is planned solely to facilitate the complete decommissioning and removal of the secondary cooking facilities on the ground floor, ensuring the property can no longer be independently occupied. The proposal maintains the exact same potential occupancy, with no bedrooms added or lost.

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

01 Email from Severn Trent confirming unified billing dated 28 September 2026
02 Email from Grant's Estate Agents outlining recent history dated 9 October 2026
03 Letter from Richard Baker to AVBC dated 25 June 1997 seeking confirmation ahead of the auction that the property could be converted to a single dwelling
04 Letter to Robin Ashley Architects from AVBC dated 20 November 1997 consenting to the submitted internal layout as minor amendment to the planning permission dated 20 February 1995
05 Letter from Richard Baker to AVBC dated 26 November 1997 referring to AVBC's letter to Robin Ashley Architects (above) and specifically to the conversion of the property to a single dwelling.
06 Certificate of Completion (of the original conversion) dated 12 December 1997
07 Existing Top Floor Plan
08 Photos of connecting door
09 Peninsular wall removal
10 Existing ground floor plan
12 External elevations - no changes
13 Proposed ground floor plan

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

- [x] Permanent
- [ ] Temporary

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

A Lawful Development Certificate should be granted because the proposed consolidation of the two existing vacant flats back into a single-family dwelling house does not constitute 'development' under Section 55 of the Town and Country Planning Act 1990.

The application meets all criteria for lawfulness based on the following grounds:

1. No Material Change of Use Class:
The property operates entirely within Use Class C3 (Residential Dwellings). Shifting the internal layout from two vacant units to one unified property retains the identical overarching C3 residential use. Under established High Court precedent (LB Lambeth v SSLUHC), the amalgamation of residential units does not represent a material change of use unless specific, highly restrictive local planning policies or Article 4 directions exist to protect housing stock numbers. Amber Valley Borough Council maintains no such localised policies.

2. Established Baseline and Unified Integrity:
As detailed in the historical timeline, the building was formally converted to a single residential dwelling following its acquisition from Crich Parish Council, with Amber Valley Borough Council confirming its lawfulness in writing on 20 November 1997, followed by a Building Regulations Certificate of Completion in December 1997. The building retains a single, unified legal title deed. Structurally and operationally, it already mirrors a single residence: it features a long-standing, unlocked internal connecting door and is serviced by a single Severn Trent water billing account.

3. Permitted Internal Works Only:
Under Section 55(2)(a) of the Act, internal operations that do not materially affect the external appearance of a building are explicitly excluded from the definition of development. The proposed physical works are minor, non-structural, and strictly interior. The removal of the partial internal stud wall / peninsular wall is intended solely to decommission the ground floor kitchen's cooking facilities, removing its capability for independent occupation and fully integrating the space into the main house.

4. No Impact on the Crich Conservation Area:
Absolutely no external structural changes, extensions, window replacements, or alterations are proposed. The external architectural character, facade, and historic fabric of the building remain entirely untouched.

Because the proposal involves neither a material change of use nor any external development as defined by law, it is fundamentally lawful, and a certificate should be granted.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- [x] Yes
- [ ] No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- [ ] The agent
- [x] The applicant
- [ ] Other person

Pre-application Advice

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

- [ ] Yes
- [x] No

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

If Other, please give the names and addresses of anyone who has an interest in the land and state the nature of their interest (if known)

***** REDACTED ******

Have they been informed of the application?

⊘ Yes
◯ No

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

Hayley Entwistle

Date

18/10/2026