


**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 & THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

<p><b><u>SUBJECT OF DECISION</u></b></p> <p>Certificate of proposed lawful development and incidental use for the alteration of the existing garage to form an annexe for additional bedrooms, bathroom and living area for a family member as an incidental use for the enjoyment of the main dwellinghouse for the purposes of Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended). ("the proposed development"). Planning application reference: 040875</p>	
<p><b><u>DECISION REFERENCE</u></b></p> <p>DO/38/2025 (MW)</p>	<p><b><u>SOURCE OF AUTHORITY AND REFERENCE</u></b> (i.e. Committee/ Constitution/Minute No. etc.</p> <p>Part 3E.3 a)</p>
<p><b><u>DATE OF DECISION</u></b></p> <p>10 September 2025</p>	<p><b><u>DECISION MAKER (Name and Job Title)</u></b></p> <p></p> <p>Matt Wallbank  <u>Assistant Director – Democracy &amp; Governance</u></p>

## RECORD OF THE DECISION

### a) The issue

Under section 192 of the Town and Country Planning Act 1990, an applicant can ascertain whether any development carried out in, on, over or under land is lawful. This can be done by applying for a certificate of lawfulness.

The Proposed Development falls within Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) subject to conditions set out within the Order as *the maintenance, improvement or other alteration of such a building or enclosure*".

The use of the outbuilding for incidental use as described in the application is not development pursuant to S55 (2) (d) of the Town and Country Planning Act (as amended).

Planning application reference: 040875

### b) The Decision

The Certificate be issued for the proposed development and incidental use for the enjoyment of the dwellinghouse.

## REASON FOR THE DECISION

The assessment is a matter of law, fact and degree. The applicants have submitted proposals that satisfy the requirements of the 2015 Order

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION

Reject the application. This was not an option in view of the submitted proposals.

## WARD RELEVANCE

Heath

## FINANCIAL AND BUDGET IMPLICATIONS

None

## CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS

Consultation has been undertaken with the Legal Services Team and the Planning Services Team.

## ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED

None

IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE (Note if the decision is a non-executive decision, no dispensation can be given).

Not applicable

EQUALITIES IMPLICATIONS

None

HUMAN RESOURCES IMPLICATIONS

None

FINANCIAL IMPLICATIONS

None

HEALTH EQUALITIES IMPLICATIONS

None

SECTION 17 CRIME & DISORDER IMPLICATIONS

None

RISK MANAGEMENT IMPLICATIONS

None

SME (SMALL/MEDIUM ENTERPRISES) & LOCAL ECONOMY IMPLICATIONS

None

ENVIRONMENTAL IMPLICATIONS

None

LEGAL IMPLICATIONS

This decision complies with Section 192 of the Town & Country Planning Act 1990.

ANY OTHER COMMENTS

None

**PLEASE RETURN TO THE MONITORING OFFICER AS SOON AS A DECISION IS MADE OR AS REASONABLY PRACTICABLE THEREAFTER**