

# APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR EXISTING USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990  
SECTION 191

(as amended by section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015

Planning Reference: V/2025/0593

By Mr Tommy Cash  
For Application for a Lawful Development Certificate to confirm a Lawful material start has occurred in accordance with planning permission V/2022/0440  
At Land Adjacent, 73 Nottingham Road, Hucknall, Nottinghamshire, NG15 7PY

ASHFIELD DISTRICT COUNCIL hereby certify that on 24/11/2025 the proposal described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this Certificate, would BE LAWFUL within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended) and consequently the Certificate is granted.

**ON THE BASIS OF THE EVIDENCE SUBMITTED IN RESPECT OF THE DIGGING OF FOOTINGS ON THE 14 JULY 2025 AND LAYING CONCRETE FOUNDATIONS ON THE 7 AUGUST 2025 , IT IS CONSIDERED THAT WORKS HAD COMMENCED IN RESPECT OF CONDITION 1 OF PLANNING PERMISSION V/2022/0440.**

**Address:** Council Offices, Urban Road, Kirkby-in-Ashfield, Nottingham. NG17 8DA  
**Tel:** 01623 450000 **Fax:** 01623 457585  
[www.ashfield.gov.uk](http://www.ashfield.gov.uk)

If reasonable adjustments are needed to fully engage with the Authority - contact **01623 450000**

**FIRST SCHEDULE**

**Commencement of works in accordance with Planning Permission V/2022/0440**

**SECOND SHCEDULE**

**Land Adjacent, 73 Nottingham Road, Hucknall, Nottinghamshire, NG15 7PY**

**Date: 19/12/2025**



**PP. Theresa Hodgkinson  
Chief Executive**



### **IMPORTANT NOTES**

It is your responsibility to make sure that where necessary approval under Building Regulations has been obtained before you start work. The approved plans for both Building Regulations and Planning Permission must be for the same development. You must make sure that any changes made to meet Building Regulations are sent to the Planning Department as well. In some cases you may need further planning approval. Please contact [buildingcontrol@Erewash.gov.uk](mailto:buildingcontrol@Erewash.gov.uk) for more information regarding Building Regulations.

Where residential layouts are involved, a favourable planning decision does not necessarily imply that the infrastructure will be suitable for an adoption agreement under the Highways Act 1980.

Details of how to appeal against the conditions on this decision are given on the attached sheet.

### **Appeals to the Planning Inspectorate**

You can appeal against this decision within the time given below. Appeals should be made to the \*Planning Inspectorate in all cases. In respect of applications for:

- Planning Permission
- Details pursuant to an outline planning permission
- Removal or variation of a condition
- Discharge of condition
- Listed building consent
- Conservation area consent and
- Applications for the determination of prior approval of details.

You have 6 months from the date of the decision to appeal. However, In respect of householder applications you have 12 weeks from the date of decision to lodge an appeal.

\*Planning Inspectorate  
Temple Quay House  
2 The Square  
Temple Quay  
Telephone: 0117 372 6372  
Bristol  
[enquiries.pins@gtnet.gov.uk](mailto:enquiries.pins@gtnet.gov.uk)  
BS1 6PN

Email:

Website: <https://www.gov.uk/government/organisations/planning-inspectorate>

**Notes for applicants who intend to carry out works that affect new or existing Highway and Public Open space:**

It is strongly recommended that the applicant contact the Council at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

Correspondence with the Council should be addressed to:-

**Nottinghamshire County Council  
Highways Management (North)  
Fountain Court  
Bevercotes House  
Sherwood Energy Village  
Ollerton  
Nottinghamshire  
NG22 9FF**

**Telephone contact - 01623-520711  
Email contact [hdc.north@nottscc.gov.uk](mailto:hdc.north@nottscc.gov.uk)**

**Section 38 Agreement (Highways Act 1980)**

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Council, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for road works.

**[www.leics.gov.uk/htd](http://www.leics.gov.uk/htd)**

**Advanced Payments Code (Highways Act 1980)**

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The code applies both to roads/streets that are to remain private and those that are to be adopted. The developer should contact the Council with regard to compliance

with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the applicant contact the Council as early as possible to discuss this.

**Diversions, ‘stopping up’ of public rights of way or highway (Section 247 & 257 of the Town & Country Planning Act 1990)**

The proposed development may affect a public right of way. Following a grant of planning permission, the local planning authority may make an order to stop up or divert a footpath or bridleway if they are satisfied that it is necessary to enable development to be carried out in accordance with Planning Permission.

The granting of planning permission does not mean that public rights of way will automatically be diverted or stopped up. A separate application must be made to stop up or divert a footpath or bridleway following the granting of planning permission. The applicant will need to contact **Legal Services 01623-457323** to ascertain the legal steps required to be undertaken.

Any preliminary obstruction of or interference with the public rights of way concerned is not only an offence but may make it impossible for the local planning authority to proceed with the making of the Order.

**Green Space & Sustainable Urban Drainage Systems (SUDS) schemes**

It is important that the applicant contact the Council at an early stage when looking to introduce any Green Space areas and features or SUDS proposals into any future development sites, to agree long term maintenance issues and help eliminate future land ownership problems and concerns including boundaries, perimeters and public access points.

Correspondence with the Council for Green Space and SUDS enquiries should be addressed to:-

***For public open/green space land transfer-***

***Estates Manager  
Telephone contact 01623-457277***

***And for future maintenance-***

***Service Lead – Waste & Environment  
Telephone contact 01623-457873***

**Notes for applicants who intend to carry out work which will include the demolition of a building of more than 50 cubic metres:**

You will be required to serve a notice on the Authority under Section 80 of the Building Act 1984. The notice should be accompanied by a location plan. Upon receipt of the notice we will consult with the necessary bodies and, where appropriate, a consent to demolish will be issued (under Section 81 of the Act) together with conditions, which must be complied with when demolition is carried out. Please contact [buildingcontrol@Erewash.gov.uk](mailto:buildingcontrol@Erewash.gov.uk) for more information regarding Building Regulations.

**Notes for applicants who intend to carry out work to which the Building Regulations apply:**

Now that your Planning permission has been granted, you will also need to consider applying for Building Regulation approval. The process should be straight-forward and is in simple terms a technical exercise to ensure that your project will comply with current national building standards. These are minimum standards that aim to ensure your health and safety (and other members of your household) is not compromised. Please contact [buildingcontrol@Erewash.gov.uk](mailto:buildingcontrol@Erewash.gov.uk) for more information regarding Building Regulations.