Town and Country Planning Act 1990, Sections 191 and 192 (as amended)
Town and Country Planning (General Development Procedure) Order 1995: Article 24

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Applicant:
Mrs Jennifer Morris
The Bunglow
Garway Hill
Hereford
HR2 8HD

Agent:
Mr James Browne
Premier Property Lawyers
1 Frances Way
Grove Park
Enderby
Leicester
LE19 1YD

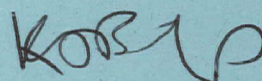Date of Application: 29 March 2012   Application No: S120980/U   Grid Ref:345140:227569

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby certify that on 29 March 2012 the use described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule to this Certificate and edged red on the plan attached to this Certificate, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

Reason for Approval:

1.   The local planning authority consider that on the balance of probability the evidence supporting the application demonstrates that the dwelling has been occupied in breach of the agricultural occupancy condition over a continuous period of 10 years prior to the date of this application.

DECISION DATE: 30 April 2012   **DEVELOPMENT MANAGER**

On behalf of THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

FIRST SCHEDULE:
Certificate of Lawfulness for existing use in breach of agricultural tie.

SECOND SCHEDULE:
The Bungalow, Garway Hill, Hereford, HR2 8HD

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

NOTES:

(a)   This Certificate is issued solely for the purpose of Sections 191 of the Town and Country Planning Act 1990 (as amended).

(b)   It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.

(c)   This Certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

(d)   The effect of this Certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

- If you want to appeal, then you must do so within 6 months of the date of this notice, using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

SHJB-152022.d

H.M. LAND REGISTRY

	TITLE NUMBER	
	HE2452	

ORDNANCE SURVEY PLAN REFERENCE	SO4527	SECTION –	Scale 1/2500

ADMINISTRATIVE AREA COUNTY OF HEREFORDSHIRE

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