

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Applicant:

Mr David Hufton
Bromyard Tenbury Taxis and Couriers
1a New Road
Bromyard
Herefordshire
HR7 4AH

Agent:

Mr Kenneth Gorman
KPG Design Associates Ltd
Festival House
Jessop Avenue
Cheltenham
GL50 3SH

Date of Application: 15 October 2018

Application No:
183800

Grid Ref:360481:260620

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby certify that on 15th October 2018 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, would have been lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. It is considered that land at The Barn, Hampton Charles, Tenbury Wells, Worcestershire, WR15 8PZ, has, on the balance of probabilities, been used for the purposes of the storage of vehicles in conjunction with Bromyard and Tenbury Taxis and Couriers; the siting of two caravans maximum as overnight accommodation, with their siting being within the green area edged in red on the location plan attached to this decision notice; and the use of the refurbished barn, completed in 2008, for the storage of parts and equipment, for a continuous period in excess of 10 years.



ANDREW BANKS
DEVELOPMENT MANAGER

DECISION DATE: 18 June 2019

On behalf of THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

FIRST SCHEDULE:

The land, caravans and building are used to strategically and securely locate vehicles for the taxi, courier and wedding car business trading. The caravans are used as overnight accommodation. The refurbished barn is used for the storage of parts and equipment.

SECOND SCHEDULE:

The Barn, Hampton Charles, Tenbury Wells, Worcestershire, WR15 8PZ

YOUR ATTENTION IS DRAWN TO THE NOTES BELOW

NOTES:

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- (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.