

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Applicant:

Mr Richard Llewellyn
Plwmp
Heol S O Davies
Merthyr Tydfil
CF48 1DR

Agent:

Mr Matt Hobby
CS Birks Associates Ltd
The Fern
Nash
Ludlow, Herefordshire
SY8 3AX

Date of Application: 13 June 2024

Application No:
241509

Grid Ref: 359923:224011

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby certify that on 13 June 2024 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 be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. Based on the information provided, the Local Planning Authority is satisfied that the lawful use of the building and its intended use fall within Use Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended)



SIMON WITHERS
DEVELOPMENT MANAGER

DECISION DATE: 20 August 2024

On behalf of THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

FIRST SCHEDULE:

Application for a Lawful Development Certificate for use as C2- Residential institution

SECOND SCHEDULE:

December House, Copse Cross Street, Ross-On-Wye, Herefordshire, HR9 5PD

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

NOTES:

- (a) This Certificate is issued solely for the purpose of Sections 192 of the Town and Country Planning Act 1990 (as amended).
- (b) It certifies that the use/operation/matter specified in the First Schedule taking place on the land described in the Second Schedule would be 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/operation/matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operation/matter 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.

The applicant is advised that additional Council Tax payments may be sought in the event that the Valuation Office, who routinely monitor decision notices, consider any part of the development hereby permitted to be self-contained. This assessment is particularly likely to be the case in respect of flats, basement conversions, granny annexes, studio rooms and log cabins and/or where the additional accommodation contains its own kitchen, bathroom and bedroom. Further information can be found on the Council's website at <https://www.herefordshire.gov.uk/search?q=annexes>

Note:
DO NOT SCALE FROM THIS DRAWING. Use
annotated dimensions only. All dimensions must
be checked on site. If in doubt, please ask.

Scale bar

0.1m @ 1:5

0.4m @ 1:20

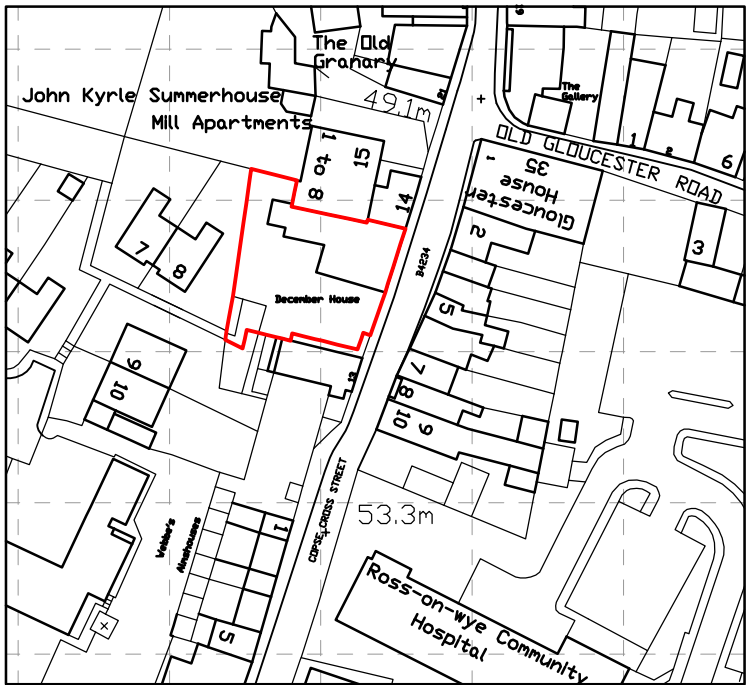
1.0m @ 1:50

2.0m @ 1:100

4.0m @ 1:200

10.0m @ 1:500

25.0m @ 1:1250



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A	03/07/24	Site demise amended
No.	Date	Revisions
<div>C S Birks Associates Ltd</div> <div>"The Fern", Nash, Ludlow, Shropshire, SY8 3AX.</div> <div>csbirks@live.co.uk</div> <div>Mobile: 07772 790193</div>		
Client	Kinsman Residential Properties	
Site	December House, Copse Cross Street, Ross-on-Wye, Herefordshire, HR9 5PD.	
<div><div>Drawing Title</div><div>Site Location Plan</div></div>		
Scale	1 : 1250 @ A4	
Date	June 2024	Drawn by MCH
<div><div>Drawing No</div><div>24 - 031 - 01</div></div> <div><div>Rev</div><div>A</div></div>		