

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2010

GRANT OF
CERTIFICATE OF LAWFUL USE OR DEVELOPMENT
EXISTING

To: Mr B Pitt
Gundrys Farm
School Lane
Three Legged Cross
Dorset
BH21 6RU

Planning Department

Reference: **3/11/0393/CLU**

Date Received: 14 April 2011

The **EAST DORSET DISTRICT COUNCIL** hereby certify that on the 14 April 2011 the use/development described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto, and edged in 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 reasons:

The Applicant has provided the Council with sufficient evidence to establish that the land described in the Second Schedule has been used for a purpose and/or is the subject of the development as described in the First Schedule and is thereby now lawful.

Signed

Decision Date: 1 June 2011

Chief Executive

FIRST SCHEDULE

In considering this application the Council have determined that the following Development/Use is that proven by the evidence submitted and/or otherwise available. The applicant should note that this may be different from the development/use as submitted on the application form:

1 The Council is satisfied, on the balance of probability, that the land outlined in red on the attached plan has formed, and been used as, the residential curtilage of the farmhouse at Gundry's Farm for at least the last 10 years on a continuous basis.

SECOND SCHEDULE

Gundrys Farm School Lane Three Legged Cross Dorset BH21 6RU

POLICY CONSIDERATIONS AND REASONS

In reaching this decision no account has been taken of any National, Regional or Local, Policies or Development Documents. The grant of this Certificate is based on there being sufficient evidence, on the balance of probabilities, to show that claimed use or development described in First Schedule hereto has existed for a period in excess of Four or Ten years, as prescribed by the legislation, back from the date of the application

NOTES TO APPLICANT

1. This Certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended)
2. The Certificate certifies that the Use specified in the First Schedule hereto was taking place on the land described in the Second Schedule hereto was lawful on the date specified and thus was not liable to enforcement action under Section 172 of the 1999 Act (as amended).
3. This Certificate applies only to the extent of the Use described in the First Schedule hereto and to the land specified in the Second Schedule hereto 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 and/or occupier liable to enforcement action
4. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse or to have amended the description of the Use or the development claimed, then they may appeal to the First Secretary of State (Department of Communities and Local Government) under Section 195 of the Town and Country Planning Act 1990.

There is no time limit for such an appeal to be lodged. If you wish to appeal then you do so by either: -

using a form which is available from the Planning Inspectorate, Room 301 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.,

or

On line through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pcs.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original Certificate of Lawfulness application form and relevant supporting documents supplied to the local planning authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate.

Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

