
Town and Country Planning Act 1990

The Planning (Listed Buildings) (Certificate of Lawfulness of Proposed Works) Regulations 2014

CERTIFICATE OF LAWFULNESS OF PROPOSED WORKS

PLANNING DECISION NOTICE

1 Details of the application

Reference: F/YR22/0210/LBCERT
Registered: 16 February 2022

Applicant: Mr Richard Horton
Christchurch House
Sixteen Foot Bank
Christchurch
Wisbech
Cambridgeshire PE14 9NJ

2 First schedule (description)

Certificate of Lawful Use (Proposed) to a Listed Building: Installation of 3no. Air Conditioning/Heating Units (2no. to north elevation and 1no. to south elevation)

3 Second schedule (address)

Christchurch Farm Sixteen Foot Bank Christchurch Wisbech Cambridgeshire PE14 9NJ

4 Reasons

Fenland District Council hereby certify that on 16 February 2022 the works described in the First Schedule to this certificate in respect of the listed building(s) specified in the Second Schedule to this certificate and detailed in the plan schedule below, **are lawful** within the meaning of section 26H(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 for the following reason(s);

- 1 The works specified in the submitted plans, approved under Section 5 below, will not amount to harm to the special or historic interest of the building, as such they do not require Listed Building Consent.

5 Application form, plans and documents

The following application form, plans and documents form part of this notice.

They are as follows:

Reference	Title
P-22-2224-1	Location Plan
P-22-2224-2	Site plan
P-22-2224-3	Elevations
	Mitsubishi SRK35ZSW premium inverter details

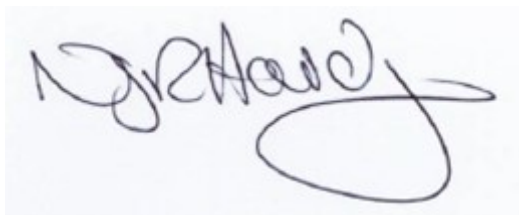
6 Notes

1. This Certificate is issued solely for the purpose of section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. It certifies that the works described in the First Schedule taking place to the listed building(s) specified in the Second Schedule are lawful and, therefore, are not liable to enforcement action under section 38 of the Act.
3. This certificate applies only to the extent of the works described in the First Schedule and to the listed building(s) specified in the Second Schedule and identified on the attached plan. Any works which are materially different from those described or which relate to other listed buildings may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 26H(5)(a) of the Act, which states that the lawfulness of the works for which a certificate is issued are to be conclusively presumed to be lawful provided that they are carried out within 10 years beginning with the date of the issue of the certificate.

7 Authorisation

Authorised by: Nick Harding
Head of Planning

Signature:

A handwritten signature in black ink, appearing to read 'Nick Harding', written over a light blue background.

Date the decision was made: 29 March 2022

Fenland District Council
Development Services
County Road
March
Cambridgeshire
PE15 8NQ

Phone: 01354 654321

E-mail: planning@fenland.gov.uk

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 the provisions of the Town and Country Planning Act 1990 and/or the Planning (Listed Buildings and Conservation Areas) 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 at Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, by contacting the customer support team on 0303 444 5000 or online <https://www.gov.uk/planning-inspectorate>

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 or consent 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission or listed building consent or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been, or would be, permitted.

In these circumstances, the owner may serve a Purchase Notice on the District Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions the Town and Country Planning Act 1990 and/or the Planning (Listed Buildings and Conservation Areas) Act 1990.

Compensations

In certain circumstances compensation may be claimed from the local planning authority if permission or consent is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.