

Date: 21st December 2022
Our Ref: AS



Planning Department
East Devon District Council
Blackdown House,
Border Road,
Heathpark Industrial Estate
Honiton, EX14 1EJ

Via online submission

Dear Sir/Madam

APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE UNDER SECTION 191 OF THE TOWN AND COUNTRY PLANNING ACT 1990 –USE OF EXISTING BUILDING AS A SINGLE RESIDENTIAL DWELLING AT JAMES BARN

PORTAL REFERENCE: PP-11790320

We write an application for a Lawful Development Certificate for the property as detailed above under Section 191 of the Town and Country Planning Act 1990.

Please find attached as part of the application:

Site Location Plan
Statutory Declarations of Matthew Cottrell and Michelle Cottrell

The application relates to the use of an existing building as a single dwelling, for a period exceeding 4 years. With regard to the structure used as a dwelling, this is formed by an existing building which was originally approved, constructed and used as a farm office. The submitted evidence makes it clear that this building has been used as a dwelling for over 4 years.

In respect of the evidential burden, the Planning Practice Guidance states as follows:

“In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant’s version of events less than probable, there is no good reason to refuse the application, provided the applicant’s evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.”

The applicants have provided precise and unambiguous evidence in this case and which is also corroborated by third party information, part of which can be independently verified if required.

We therefore, respectfully ask the Council issue the certificate applied for in due course We look forward to hearing from the Council with regard to this matter.

If you have any questions do please not hesitate to contact me.

Yours sincerely



Alister Smith, BA (Hons) PGDip MRICS
Associate Partner– Head of Planning Services
Stags Professional Services
e. a.king-smith@stags.co.uk t. 01392 439 046 m. 0

