

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED): SECTION 191

TOWN AND COUNTRY PLANNING (MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010: Article 35

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Taylor Vinters
Merlin Place
Milton Road
Cambridge
CB4 0DP

Attn: Miss Amy Richardson

APPLICANT: Mrs Tara Perry

DESCRIPTION: Application for a certificate of lawfulness for the retention of the annex as a separate dwelling

LOCATION: The Annex – Blackthorn Cottage Chawridge Lane Winkfield Windsor Berkshire

APPLICATION NO: 12/00844/LDC

DATE REGISTERED: 18th October 2012

DECISION DATE: 6th December 2012

Bracknell Forest Council hereby certify that on 18th October 2012 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(s) 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 reason(s):

1. On the basis of the evidence available and on the balance of probability it has been demonstrated that the change of use of The Annex at Blackthorn Cottage, Chawridge Lane, Winkfield, Berkshire from an ancillary building to Blackthorn Cottage to an independent private dwelling commenced in excess of 4 years prior to the date of the application and has continued without break since commencement and is not in breach of any enforcement action and is therefore considered lawful for the purposes of S.191 of Town and Country Planning Act 1990.



Vincent Haines
Head of Development Management

On behalf of Bracknell Forest Council

First Schedule

1. The residential occupation of the land and building shown edged red on the site location plan attached hereto as a single dwellinghouse.

Second Schedule

Land and building known as The Annex, Blackthorn Cottage, Chawridge Lane, Winkfield, Windsor, Berkshire SL4 4QR

Notes

1. This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).
2. 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, was not liable to enforcement action under section 172 of the 1990 Act on that date.
3. 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 relate(s) to other land may render the owner or occupier liable to enforcement action.
4. The effect of the 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.

Please note that contrary to the notes overleaf concerning appeals to the Secretary of State, there is no specified time limit for the lodging of appeals concerning the refusal or non determination of applications for a certificate of lawful use or development under Section 195 of the Planning Act.

LAWFUL DEVELOPMENT CERTIFICATE

Blackthorn Cottage, Chawridge Line, Winkfield : 12/00844/LDC

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