



**Town and Country Planning Act 1990: Sections 191 and 192 (as amended by
Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) (Wales) Order
2012**

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT – SECTION 192

22/0729/CLP

CERTIFICATE GRANTED

Geraint John Planning Ltd
Mr Luke Grattarola
Office 16 (House 1, 2nd Floor)
The Maltings
East Tyndall Street
Cardiff
CF24 5EA
United Kingdom

Applicant: McCartneys LLP

POWYS COUNTY COUNCIL, in pursuance of its planning powers, hereby certifies that on the 12th May 2022, the proposed development referred to in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate: WOULD BE LAWFUL if instituted within the meaning of Section 192 of the above Act as amended by the Planning & Compensation Act 1991.

The date on which this certificate is GRANTED is 7th July 2022.

Gwilym Davies

Head of Property, Planning and Public Protection
Pennaeth Eiddo, Cynllunio a Gwarchod y Cyhoedd

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/Correspondence welcomed in Welsh and English

FIRST SCHEDULE

APPLICATION: 22/0729/CLP

Section 192 application for Certificate of Lawfulness for a Proposed Use to seek to establish a lawful commencement of B/05/0281 (Erection of a 4 bed dwellinghouse) and can continue with development

REASON FOR DECISION:

The proposed works fall within the scope of permitted development within Section 56 of the Town & Country Planning Act 1990

INFORMATIVES:

1. **The proposed development is permitted by Section 56 subject to the conditions set out within the above Order.**
2. You are reminded that this permission must be carried out strictly in accordance with the above specified plans and the conditions referred to upon this certificate of decision. If any amendments are proposed, you should NOT proceed without first obtaining the written approval of the Local Planning Authority.
3. **Any development carried out without compliance with the plans and particulars approved and the conditions of this permission, may be liable to enforcement action. You are also advised that separate approval under the Building Regulations and/or a licence under the Environmental Health Regulations may be required. Further advice on this may be obtained from the relevant department of the County Council.**

You are reminded that this certificate is issued on the basis of the physical circumstances prevailing at the property when the application was made. Should other work take place at the property before the works described in this certificate have been undertaken, then this certificate would no longer be applicable and planning permission may be required for the development currently proposed

SECOND SCHEDULE

Site: Plot 1, Wyevale , Erwood, Builth Wells, LD2 3EQ

STATUTORY PROVISIONS & NOTES APPEALS TO THE WELSH GOVERNMENT

- 1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).**
2. It certifies that the use / operations / matter specified in the First Schedule taking place on the land described in the Second Schedule was / were / would have been lawful, on the specified date and, thus, was not / were not / would not have been 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 / operations / matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use / operations / matter which are materially different from that / those described or which relate(s) to other land may render the owner or occupier liable to enforcement action.**
4. Where issued for the purposes of section 192 of the 1990 Act (as amended) the effect of the certificate is also qualified by the proviso in section 192(4) 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 operation begun, in any of the matters relevant to determining such lawfulness.
- 5. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse to grant a certificate of lawful use or development submitted under sections 191 or 192 of the Town and Country Planning Act 1990 he may appeal to the Welsh Government in accordance with section 195 of the Town and Country Planning Act 1990.**