



WARWICK DISTRICT COUNCIL

Notice of Decision of District Planning Authority

TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 192 (AS AMENDED)
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

LAWFUL DEVELOPMENT CERTIFICATE OF PROPOSED USE OR DEVELOPMENT

Mrs R Lord
Rebecca Lord Planning
44 Barton Drive
Hamble le Rice
Southampton
SO31 4RE

Application Reference: W/20/0400
Helena.Obremski@warwickdc.gov.uk

The Warwick District Council hereby certify that on 04/05/20 the development described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this Certificate was **LAWFUL** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reasons:

The operations described in the First Schedule, by virtue of the proposed development which forms part of this application means that the demolition would be considered as "excluded demolition" and would fall within all the limitations of the permitted development rights of Schedule 2, Part 11, Class B (any building operation consisting of the demolition of a building) of The Town & Country Planning (General Permitted Development) Order 2015 (as amended). These 'permitted development rights' have not been removed by planning condition or an Article 4 Direction.

The operations described in the First Schedule, by virtue of the siting and size of the proposed hard standing would fall within all the limitations of the permitted development rights of Schedule 2, Part 1, Class F (the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or the replacement in whole or in part of such a surface) of The Town & Country Planning (General Permitted Development) Order 2015 (as amended). These 'permitted development rights' have not been removed by planning condition or an Article 4 Direction.

In the opinion of the Local Planning Authority sufficiently precise and unambiguous evidence has been submitted to demonstrate that the structure proposed to be stationed on the site would fall within the statutory definition of a twin unit caravan and would be within its specified dimensions.

Furthermore, there is evidence of sufficient precision that the proposed manner of use related to the occupant (elderly relative) living interdependently with the occupants of the house at 60 Wellesbourne Road falls within the meaning of ancillary accommodation and as such a separate planning unit would not be created. In addition, the site on which the caravan is to be sited is considered to be fall within the curtilage of 60 Wellesbourne Road.

FIRST SCHEDULE: Application for a Lawful Development Certificate for the provision of a mobile home within the lawful residential planning unit for use as additional accommodation by a family member.

SECOND SCHEDULE: 60 Wellesbourne Road, Barford, Warwick, CV35 8DS

Dated: 29/06/2020

Principal Planning Officer
(Authorising Officer of the Council)

A handwritten signature in black ink, consisting of the letters 'NE' followed by a long horizontal stroke that tapers to a point on the right.

Date Dispatched: 29/06/2020

NOTES

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 development specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and, thus, 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 development described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any development which is materially different from that described or which relates 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 development 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.