

In any correspondence please quote application number: **3366/22/CLP**



CERTIFICATE OF LAWFULNESS PROPOSED USE

GRANTED

TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED BY SECTION 10 OF THE PLANNING AND COMPENSATION ACT, 1991)
Town and Country Planning (Development Management Procedure)
(England) Order, 2015

Application No.: 3366/22/CLP

Date Received: 27 September 2022

Proposal: Certificate of lawfulness for proposed construction of two outbuildings for incidental use (building 1 - home office/music studio & building 2 - boat storage, home gymnasium and art room)

Location: Onnalea, Bantham, TQ7 3AR

Agent:

Mr Mark Evans
Mark Evans Planning Limited
Cedar House
Membland
Newton Ferrers, Plymouth
PL8 1HP

Applicant:

Tim Slade
Langmans Quay
West Buckland
Kingsbridge
TQ7 3AG

The South Hams District Council hereby certify that on 27 September 2022 the use or operation described in the First Schedule to this certificate in respect of land specified in the Second Schedule to this certificate 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 (amended), for the following reason:

1. The proposed development as shown on plan numbers (ON)PD-1.0, (ON)PD-1.4, (ON)PD-2.0 (with internal layout), (ON)PD-2.1, (ON)PD-3.0, (ON)3.1/B, and (ON)PD-4.0, received by the local planning authority on 11 October 2022 satisfies the requirements set out in Schedule 2 Part 1 Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Schedule 1 - Construction of two outbuildings for incidental use (building 1 - home office/music studio & building 2 - boat storage, home gymnasium and art room)

Schedule 2 - Onnalea, Bantham, TQ7 3AR

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS

Dated this 03 April 2023

(Application Ref: 3366/22/CLP)

Patrick Whymer

**Head of Development Management Practice
for and on behalf of the Council**

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 use or operation 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 or operation described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use or 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 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.

Dated this 03 April 2023

(Application Ref: 3366/22/CLP)

Patrick Whymer

**Head of Development Management Practice
for and on behalf of the Council**