

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Applicant:

Agent:

Mr Mark Strawbridge
Studio Charrette
The Clubhouse
50 Grosvenor Hill
London
W1K 3QT

Date of Application: 18 December
2020

Application No:
204238

Grid Ref: 350124:257887

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby certify that on 18 December 2020 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 attached to this Certificate, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. The existing and proposed use of the property known as Units C3 to C5 of the Leominster Enterprise Park, Enterprise Way, Leominster, HR6 0LX fall within Use Class E and therefore would be lawful having regard to the Town and Country Planning (Use Classes) Order (1987) and The Town and Country Planning Act (1990)



**ANDREW BANKS
DEVELOPMENT MANAGER**

DECISION DATE: 13 January 2021

On behalf of THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

FIRST SCHEDULE:

Certificate of lawfulness for proposed use as retail and cafe/restaurant E(a) and E(b).

SECOND SCHEDULE:

Leominster Enterprise Park, Units C3 To C5, Enterprise Way, Leominster, Herefordshire,

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

NOTES:

- (a) This Certificate is issued solely for the purpose of Sections 192 of the Town and Country Planning Act 1990 (as amended).
- (b) It certifies that the use/operation/matter specified in the First Schedule taking place on the land described in the Second Schedule would be 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.
- (c) This Certificate applies only to the extent of the use/operation/matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operation/matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
- (d) The effect of this 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.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within 6 months of the date of this notice, using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

The applicant is advised that additional Council Tax payments may be sought in the event that the Valuation Office, who routinely monitor decision notices, consider any part of the development hereby permitted to be self-contained. This assessment is particularly likely to be the case in respect of flats, basement conversions, granny annexes, studio rooms and log cabins and/or where the additional accommodation contains its own kitchen, bathroom and bedroom. Further information can be found on the Council's website at <https://www.herefordshire.gov.uk/search?q=annexes>

