

Town and Country Planning Act 1990: sections 191 and 192

**Town and Country Planning (General Development Management Procedure)
(England) Order 2010: article 35**

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

OT Associates
Emrys Williams
Pembroke Lodge
3 Pembroke Road
Ruislip
HA4 8NQ

Applicant: Pitchkettle Investments Limited

PART I - DETAILS OF APPLICATION

Date of Application

9th June 2020

Application No.

20/01304/CERTE

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

The use of a mobile home as an independent dwelling for a period greater than 10 years.

Pitchkettle Farm Goodboys Lane Grazeley Green Reading

PART II - DECISION

West Berkshire Council hereby certify that on 9th June 2020 the operation or use described in the First Schedule of 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 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):**

1. On the balance of probabilities the signed statutory declarations hold a high degree of weight and insufficient evidence has been found to the contrary. Therefore it is confirmed that the use of a mobile home as an independent dwelling for a period greater than 10 years at Pitchkettle Farm, Goodboys Lane, Grazeley Green, Reading, RG7 1ND is consequently lawful and immune from enforcement action.

FIRST SCHEDULE:

The use of a mobile home as an independent dwelling for a period greater than 10 years.

SECOND SCHEDULE:

Pitchkettle Farm Goodboys Lane Grazeley Green Reading

Decision Date :- 3rd September 2020



Gary Lugg

Head of Development and Planning

Notes

1. This certificate is issued solely for the purposes of Section 191 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 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 use/operations/matter described in the First Schedule and to the land specified in the Second Schedule and identified in the attached plan. Any use/operations/matter which is/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. 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 instituted or the operations 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 he may, by notice, appeal to the First Secretary of State for the DCLG in accordance with Section 195 of the Town and Country Planning Act 1990. (Appeals must be made on a form which is obtainable from The Planning Inspectorate. Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 5LD) or online using the Planning Portal at www.planningportal.co.uk.