

In any correspondence please quote application number: **2273/23/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.: 2273/23/CLP

Date Received: 3 July 2023

Proposal: Certificate of lawfulness for proposed rear extension, window alterations, dormer windows, rooflights, front porch, rear balcony & outbuilding

Location: The Dog Watches, Bantham, TQ7 3AN

Agent:

Mr Will Hoare
Will Hoare Architects
Blacklers 17
Park Road
Dartington Hall, Totnes
TQ96EQ

Applicant:

Lisa and Matt Miller
The Dog Watches
Bantham To Aunemouth Cross
Bantham, Devon
TQ7 3AN

The South Hams District Council hereby certify that on 7 July 2023 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 reasons:

1. The proposed development as shown on the submitted drawings;
GA-001 PL1 location plan,
GA-030 PL1 proposed lower GF plan,
As received by the Local Planning Authority on 12th July 2023,
GA-003 PL2 proposed site plan,
GA-031 PL2 proposed GF plan,
GA-032 PL2 proposed FF plan,
GA-033 PL2 proposed roof plan,
GA-501 PL2 proposed outbuilding,
GA-040 PL3 proposed S&E elevations, and,
GA-041 PL3 proposed N&W elevations,
As received by the Local Planning Authority on 20th September 2023,
Satisfies the requirements set out in Schedule 2 Part 1 Classes A, C, D and E of the Town and Country Planning (General Permitted Development) Order 2015.

Dated this 05 October 2023

(Application Ref: 2273/23/CLP)

Patrick Whymer
Head of Development Management Practice
for and on behalf of the Council

Subject to the following conditions:

- i) Any window located on a roof slope forming a side elevation of the dwellinghouse shall be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
 - ii) The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
2. Planning permissions 55/0249/81/2 and 55/1369/99/F remain extant and therefore the dormer windows and rear balcony have planning permission and are lawful development.

Schedule 1 - Proposed rear extension, window alterations, dormer windows, rooflights, front porch, rear balcony & outbuilding

Schedule 2 - The Dog Watches, Bantham, TQ7 3AN

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS

Dated this 05 October 2023

(Application Ref: 2273/23/CLP)

Patrick Whymer
Head of Development Management Practice
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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 05 October 2023

(Application Ref: 2273/23/CLP)

Patrick Whymer
Head of Development Management Practice
for and on behalf of the Council