



In any correspondence please quote application number:  
**2727/22/CLE**

TOWN AND COUNTRY PLANNING ACT, 1990  
TOWN AND COUNTRY PLANNING (DEVELOPMENT  
MANAGEMENT PROCEDURE) (ENGLAND) ORDER, 2015:

## **REFUSAL OF CERTIFICATE OF LAWFULNESS FOR EXISTING USE OR DEVELOPMENT**

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**Application No.:** 2727/22/CLE

**Date Received:** 4 August 2022

**Proposal:** Certificate of lawfulness to establish whether there has been a lawful commencement of the development for 32 dwellings as approved by outline consent 28/1560/15/O (appeal ref APP/K1128/W/16/3156062 and reserved matters approval 0826/20/ARM)

**Location:** Garden Mill, Derby Road, Kingsbridge

**Applicant/Agent:**

Miss Jenna George  
Roach Planning and Environment Limited  
12A The Triangle  
Teignmouth  
TQ14 8AT

**Applicant:**

Blakesley Estates (Kingsbridge) Ltd  
18 Pavilion Court  
Grand Parade  
Brighton  
BN2 9RU

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In pursuance of their powers under the above mention Act and Order, the South Hams District Council as Local Planning Authority **HEREBY REFUSE TO CERTIFY** your application for a certificate of lawfulness for an **EXISTING** use or development under Section 191 of the Act, valid on 15 August 2022 for

The grounds for the Council's decision are as follows:

1. The application is refused because the works identified by the applicant as implementing the planning permission were carried out in breach of condition 6, which is a conditions precedent matter that goes to the heart of the permission.

**THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS**

**IT IS IMPORTANT THAT YOU READ THE NOTES OVERLEAF**

Dated this 28 November 2022

(Application Ref: 2727/22/CLE)

*Patrick Whymer*

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

## Notes

1. If you are aggrieved by the decision of the Council to refuse an application for a certificate under Sections 191 and 192 of the Town and Country Planning Act, 1990 (as amended) or to refuse it in part, you may appeal to the Secretary of State under Section 195 of the Act (as amended).
2. Notice of appeal must be given in writing to the Secretary of State for the Environment, Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Copies of all relevant documents, including the application, the notice of decision and all plans, drawings and correspondence must be supplied to the Secretary of State.
3. You are advised to consult the brief official guide to applications and appeals, published by the Planning Inspectorate from whom appeal forms may be obtained on request or from their website [www.planninginspectorate.gov.uk](http://www.planninginspectorate.gov.uk)

Dated this 28 November 2022

(Application Ref: 2727/22/CLE)

*Patrick Whymer*

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