



Appeal Decisions

Site visit made on 8 October 2019

by Stephen Hawkins MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2019

Appeal A Ref: APP/X0360/W/18/3212043

Beech Brook, The Holt, Hare Hatch RG10 9TG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Michael Seagrim against the decision of Wokingham Borough Council.
- The application Ref 173735, dated 14 December 2017, was refused by notice dated 22 March 2018.
- The development proposed is erection of a bungalow following demolition of existing buildings.

Summary of Decision: The appeal is allowed and planning permission is granted subject to the conditions set out below in the Formal Decision.

Appeal B Ref: APP/X0360/X/18/3212044

Beech Brook, The Holt, Hare Hatch RG10 9TG

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
- The appeal is made by Mr and Mrs Michael Seagrim against the decision of Wokingham Borough Council.
- The application Ref 181930, dated 5 July 2018, was refused by notice dated 4 September 2018.
- The application was made under section 191(1)(b) of the Town and Country Planning Act 1990 as amended.
- The development for which a certificate of lawful use or development is sought is erection of a metal storage container.

Summary of Decision: The appeal is allowed and a certificate of lawful use of development is issued in the terms set out below in the Formal Decision.

Preliminary Matter

1. The description of the existing operations for which an LDC is sought in the Appeal B banner heading is taken from the application form. There was no dispute between the main parties that the container was used for purposes incidental to the enjoyment of the existing dwelling. I found no evidence to suggest otherwise. Therefore, after seeking the views of both main parties, I shall modify the terms of the application to accord with the facts and evidence. This will also be reflected in the Formal Decision.

Appeal A

Main Issues

2. The appeal site is in the Metropolitan Green Belt. Therefore, the main issues in the appeal are:
 - Whether the proposed dwelling would be inappropriate development in the Green Belt, having regard to the Development Plan and the National Planning Policy Framework (the Framework), including the effect on the openness of the Green Belt.
 - The effect on the character and appearance of the area.

Reasons

Whether inappropriate development

3. The Council did not refer to Policy CP12 of the Wokingham Core Strategy (CS) or Policy TB01 of their Managing Development Delivery Local Plan (LP), both of which concern development in the Green Belt, in the reasons for refusal. In any event, both policies pre-date and are not fully consistent with the Framework at paragraph 145. This states that construction of new buildings should be regarded as inappropriate in the Green Belt apart from a limited range of exceptions, one of which is the partial or complete redevelopment of previously developed land (PDL) where there is no greater impact on Green Belt openness than the existing development. The appeal decision the Council referred to¹, does not alter my views regarding the above CS and LP policies, as it did not involve PDL. Consequently, I shall afford greater weight to the Framework in accordance with paragraph 213 of that document.
4. The site is PDL as defined in the Framework. The site is partly occupied by detached outbuildings and hardstanding forming part of the generous residential garden of a large dwelling and it is located outside of a built-up area. Therefore, whether the proposed dwelling would be inappropriate development rests on an assessment of whether it would have a greater impact on Green Belt openness when compared with the existing structures.
5. The existing outbuildings are a garden pavilion, a storage building and a shipping container. For reasons set out in Appeal B, the container is a building and is lawful for planning purposes. It is proposed that these buildings, which have a cumulative footprint of approximately 163 m², are demolished as part of the scheme, together with removal of the hardstanding. The dwelling would have a footprint of approximately 161 m². The tallest outbuilding is around 4.87 m high, whilst the dwelling would have an overall height of 3.57 m. These figures, which were supplied by the appellant, were not disputed by the Council and I found no reason to do so.
6. The Framework paragraph 133 advises that openness is an essential characteristic of the Green Belt. The Planning Policy Guidance (PPG)² advises that Green Belt openness can have both spatial and visual aspects. The Courts have identified the correct approach when assessing whether a change has a greater impact on openness is to consider the impact or harm, if any, brought

¹ Ref: APP/X0360/W/17/3176878.

² Paragraph: 001 Reference ID: 64-001-20190722.

- by the change. Whether or not any change will have an adverse impact, and so cause harm to openness, might depend on factors such as the scale of the development, its locational context, and its spatial and/or visual implications³.
7. The dwelling would have a slightly smaller footprint compared to that of the outbuildings to be demolished. Occupying part of the footprint of the storage building, the dwelling would also consolidate built form on one part of the site compared with the outbuildings, which are more spread out. The overall height of the dwelling would be significantly below that of the taller outbuilding. The site has an existing vehicular access and the parking area associated with the dwelling is unlikely to exceed the area of the hardstanding to be removed.
 8. Therefore, the site would be slightly more open following erection of the dwelling when compared with the existing structures. Slightly less of the site would be enclosed by, or adjacent to substantial built form. Furthermore, after removal of the container there would be a reduction in the spread of built form across the site, apparent in views from the public footpath adjacent to the northern boundary. At around 475m³, the dwelling would have a cubic content slightly greater than the 467m³ total cubic content of the outbuildings. However, this would be offset by the above factors and would consequently have no adverse implications for openness.
 9. As the site already forms part of a residential garden, it is unlikely that any parked vehicles and domestic paraphernalia associated with the dwelling would have spatial or visual implications in terms of openness. Criteria in Development Plan policies and the Framework applicable to a enlarging an existing dwelling in the Green Belt are separate to those applicable to a proposed dwelling.
 10. Accordingly, the dwelling would preserve and not harm openness and it would not be inappropriate development in the Green Belt, being consistent with the Framework paragraph 145. Also, there would be no failure to accord with CS Policy CP12 or LP Policy TB01.

Character and appearance

11. The surrounding area generally consists of loose-knit groups of housing together with commercial development, in a countryside setting framed by groups of maturing trees and larger tracts of woodland. These factors contribute significantly to the attractive, semi-rural character of the site and its surroundings.
12. The site occupies a reasonably secluded location, principally due to the established trees along the northern boundary and in the garden of the existing residence, some of which I understand are the subject of Tree Preservation Orders. At present, the container is seen as a rather stark and industrialised feature close-up from the adjacent public footpath. Although only visible for a short distance, the container nevertheless has a deleterious effect on the established character and appearance of the surrounding area.
13. The dwelling would be a single storey two-bedroom structure. It would be of contemporary design, with a balanced elevational treatment including extensive areas of glazing and a shallow pitched roof. Light coloured bricks would be used for the external walls, with metal sheeting on the roof.

³ *Euro Garages Ltd v SSCLG & Anor* [2018] EWHC 1753 (Admin).

Although this approach is somewhat at variance with the more traditional design and materials of adjacent residential properties, there is no one coherent architectural style in the locality. Furthermore, in terms of its siting, the dwelling would not be at odds with the loose-knit pattern of residential development in the vicinity.

14. The dwelling would be positioned deep within the site, surrounded on three sides by the remaining garden of the existing residence. Therefore, although outside the identified development limits of a settlement in the Development Plan, the dwelling would occupy what for the most part is an established residential setting and there would be little visual intrusion of residential activity into the countryside.
15. Additionally, there would be very limited public views of the dwelling in its surroundings. The dwelling would only be glimpsed occasionally through the boundary planting from the adjacent public footpath, even in winter. Furthermore, due to its reasonably modest scale and low profile, the dwelling would be a less obvious built feature than the existing outbuildings, especially the container. Existing mature planting adjoining the site would also largely screen the dwelling from the existing residence.
16. Therefore, the dwelling would preserve and not harm the character and appearance of the area. It follows that the dwelling accords with criterion in CS Policy CP01, as the quality of the environment would be maintained. The dwelling also accords with CS Policy CP3 criterion, as it would be of an appropriate mass, layout, built form, height, materials and character to the area and of a high quality design. The dwelling accords with CS Policy CP11, as the separate identity of settlements would be protected and the quality of the environment maintained; also, there is not excessive encroachment or expansion of development away from the existing dwelling. Moreover, being on PDL the dwelling would not be an isolated home in the countryside and is not inconsistent with the Framework paragraph 79.
17. Although not referred to in the reasons for refusal, the Council drew my attention to LP Policy TB06 concerning the development of private residential gardens. The dwelling accords with that policy, as it does not harm the local area and contributes positively to local character in terms of the relationship to and integration with buildings in the surrounding area including its layout, coverage, height, materials and elevation details. Additionally, for the above reasons the dwelling accords with LP Policy CC01. There is no inconsistency with the Council's Borough Design Guide Supplementary Planning Document (SPD). Furthermore, the dwelling is consistent with the Framework chapters 12 and 15.

Other matters

18. During the appeal, the Council argued that the location of the dwelling would not promote the use of alternative modes of travel to the private car. Criterion in CS Policy CP6 requires development to be located where there are choices in the mode of transport available and which minimise the distance people need to travel.
19. Wargrave, the nearest settlement with a limited range of facilities and services, is about 1.7 kilometres from the site. The village is accessed along sometimes busy roads, largely lacking separate footways and street lighting. These

- factors would probably discourage many pedestrians and cyclists. However, the village facilities and services would provide future occupiers of the dwelling with the ability to meet some of their everyday needs locally. Even if they accessed the village by car, the future occupiers would be contributing to sustaining local facilities and services and the need to travel to destinations further afield would be reduced. Paragraph 78 of the Framework recognises that new rural housing can have a role in supporting facilities in an adjacent village. Therefore, the dwelling would make a modest contribution to reducing the overall need to travel.
20. There is a bus stop on the A4 Bath Road which is within a reasonably safe and convenient walking distance of the site. I am given to understand that the local bus services are of limited frequency, falling short of the criteria for a good public transport service set out in the supporting text to CS Policy CP6. Nevertheless, it is unrealistic to expect that a rural area will have a similar level of bus services to an urban situation. Moreover, rural bus services are unlikely to be sustained unless opportunities are taken to promote future passenger growth. The level of bus services available provides the future occupiers with some ability to access local facilities and services, including those in the nearby larger town of Maidenhead, by public transport. As a result, the dwelling would also contribute in a modest way to reducing the overall reliance on the private car by sustaining rural public transport.
 21. Therefore, the dwelling would be suitably located in terms of the opportunities to maximise the use of alternatives to the private car. In reaching this finding I am mindful of the Framework paragraph 103, which states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. I have also taken account of the appeal decision referred to above, which concerned a proposed dwelling around a kilometre from the site. In that case, the Inspector reached different conclusions on this matter. However, limited details were provided regarding the proximity of that site to local facilities and services or of the public transport links. There were also other planning issues weighing against permitting that development. Therefore, the circumstances in this appeal are not comparable.
 22. Consequently, the dwelling accords with criterion in CS Policy CP1, as the opportunities for reducing the need to travel by private car have been demonstrated. The dwelling also accords with CS Policy CP2, as it contributes to the provision of sustainable and inclusive communities. The dwelling accords with criterion in CS Policy CP6, for the reasons set out above. There is no failure to accord with CS Policy CP9, as the scale and location of the development reflects the levels of facilities and services available. As CS Policy CP3 and Policy CP11 contain no relevant criteria regarding accessibility, there is no failure to accord with those policies. Furthermore, the dwelling accords with LP Policy CC02, as that policy contains no relevant criteria regarding accessibility and consequently, it also accords with LP Policy CC01. The Council did not refer to any part of the SPD relevant to this matter and my own reading of that document did not establish anything of relevance. Moreover, for the reasons identified above, the dwelling is not inconsistent with the Framework chapters 5 and 9.
 23. I acknowledge the Council's statement that it can demonstrate a five-year supply of housing land. However, this does not weigh against approving a scheme which is acceptable in planning terms.

24. The Council did not explain the significance to their case of LP Policy TB08, which concerns open space, sport and recreational facilities standards in new residential development. In any event, as far as I could ascertain there was no failure to accord with that policy.

Conditions

25. In addition to the standard commencement condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans. This is in the interests of certainty. I have imposed a condition requiring appropriate tree protection measures to be put in place prior to any works associated with construction of the dwelling commencing and to be retained for the duration of the works, in order to safeguard the amenity value of the existing trees. This is a pre-commencement condition, as the matter is so fundamental to the development that it would otherwise have been necessary to refuse permission and dismiss the appeal. I have also imposed a condition requiring any demolition or clearance works to be undertaken outside the bird nesting season, to ensure that the ecology of the site is safeguarded.
26. A condition has been imposed requiring approval of samples of the external materials and undertaking the development in accordance with the approved details, in order to safeguard the character and appearance of the area. Furthermore, I have imposed a condition requiring a hard and soft landscaping scheme to be approved and the implementation of the scheme as approved. This is to secure a visually satisfactory setting for the dwelling. I see no reason why the above details require approval prior to the commencement of development. They are not so fundamental that otherwise it would have been necessary to refuse permission. The Framework paragraph 55 advises that pre-commencement conditions should be avoided unless there is a clear justification. Therefore, I have required compliance with these conditions at an appropriate stage of the development.
27. To ensure that satisfactory drainage is provided in the interests of reducing flood risk and safeguarding the effects of development against climate change, I have imposed a condition requiring a drainage scheme to be approved and the carrying out and maintenance of the drainage in accordance with the approved scheme. A condition requiring provision of vehicle parking and turning areas and their subsequent maintenance has been imposed in the interests of highway safety. Additionally, after seeking the views of both main parties I have imposed a condition requiring removal of the existing structures, in order to safeguard the Green Belt.
28. I have ordered the conditions to reflect advice in the PPG⁴. Where necessary, I have consolidated the Council's suggested conditions and altered their wording, to ensure that the tests in the Framework paragraph 55 are satisfied. However, I have not imposed a condition removing permitted development rights in Schedule 2 Classes A-G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). Although the site occupies a rural location in the Green Belt, it is also in an established residential curtilage. The PPG does not encourage the use of such conditions, particularly where they would impose wide-ranging restrictions as in this

⁴ Paragraph: 024 Reference ID: 21a-024-20140306.

instance⁵. I have not been provided with any evidence to suggest that such a condition is reasonable or necessary.

Conclusion

29. The dwelling accords with the Development Plan and it is consistent with the Framework. Therefore, I conclude that the appeal should be allowed.

Appeal B

Main Issue

30. The main issue in this appeal is whether it has been shown that the shipping container is a building and if so, whether it was substantially completed more than four years before the date of the application.

Reasons

31. The onus is on the appellant to provide clear and precise evidence to show that an LDC should be granted, the relevant test of the evidence being on the balance of probability.
32. The container is located on a hardstanding. There are timber supports between the underside of the container and the hardstanding. During my visit, I observed that the container was filled with stored domestic items including garden equipment and furniture.
33. At s55 (1), the Act defines 'development' as including the carrying out of building, engineering or other operations in, on, over or under land. The definition of 'building operations' in the Act at s55 (1A) is wide and includes other operations normally undertaken by a person carrying on a business as a builder. A 'building' is defined by s336 of the Act as including any structure or erection and any part of a building.
34. The Courts⁶ have identified three primary factors as being determinative of a building: that it is of a size to be constructed on site, as opposed to being brought onto the site; permanence, and; physical attachment to the ground. No one factor is decisive.
35. The container is around 9 m long, 2.4 m wide and 2.6 m high. Although considerably smaller than the marquee in the *Skerritts* case and the agricultural structures in *Woolley*⁷, the container is of a significant size. It is not dissimilar in size to a residential outbuilding, such as a domestic garage. According to the appellant's Statutory Declaration (SD), the container was delivered to the site by a firm of building contractors. It is likely that specialist heavy equipment would have been required to lower the container into position on the pre-existing hardstanding. Some care and precision would have been needed to position the container on the hardstanding, to provide the timber supports and for any levelling up required. Therefore, stationing the container at the site is likely to have involved building operations. It follows that in terms of the size and operations associated with its installation, the container has the characteristics of a building.

⁵ Paragraph: 017 Reference ID: 21a-017-20190723.

⁶ *Cardiff Rating Authority v Guest Keens* [1949] 1 KB 385 & *Skerritts of Nottingham Ltd v SSTER* (No 2) [2000] 2 PLR 102.

⁷ *R (oao Save Woolley Action Group Ltd) v Bath and North East Somerset Council* [2012] EWHC 2161 (Admin).

36. According to relevant case law referred to above, permanence should be construed in terms of its significance in the planning context. According to the appellant's SD, the container has been in the same position since it was stationed at the site on 30 June 2013. The SD of Robert Black, who stated that he had been employed at the site as a gardener since around 1993, supported the appellant's recollections. The witness evidence is precise and unambiguous. The recollections of both witnesses are consistent regarding when the container was stationed at the site and its remaining in the same position throughout the time up to the application date. Therefore, the witness evidence should be afforded considerable weight.
37. According to the appellant, the 2013 aerial photograph supplied by the Council was taken on 6 June that year. Given the witness evidence above, it is unsurprising that the container is not present in that photograph. Further, given the above the absence of the container from the location and site plans accompanying a 2012 planning application for the site⁸ is also unsurprising. It was not possible to ascertain whether the container was present in the aerial photograph purportedly dated 2015, supplied by the Council. This might be due to tree coverage in the vicinity of the container and difficulty with the image resolution. The container was visible in situ in the aerial photographs purportedly dated 2017 and 2018 supplied by the Council. In any event, there was nothing to confirm precisely when the photographs supplied by the Council were taken. Therefore, I shall give greater weight to the witness evidence.
38. During my site visit, I saw little to suggest that the container could be moved easily. There was no obvious means by which the container might be pulled along the ground. Consequently, it is likely that the container could only be moved by specialist heavy lifting equipment. Moreover, stationing the container on a hardstanding does not indicate that it had been designed or intended to be able to move around the site.
39. Accordingly, there is little firm evidence to show that the container had not been at the site for around five years by the application date. There is also little firm evidence to suggest that the container had not been in the same position throughout that period. In particular, there was little firm evidence to support the Council's suggestion that the container could have been moved off site and repositioned during that time.
40. The container is constructed of permanent materials and as noted above, it is of significant size. As a result, the container has made a significant physical change to the site. As there is no limit on how long the container might remain, the physical change is largely permanent. Even if the container were moved within the site, this is unlikely to appreciably affect the physical change made. Therefore, the ability to move the container does not remove the significance of its presence in planning terms.
41. Furthermore, although the container has no connection with the ground other than its weight, at around 2.5 tonnes when empty, that weight is substantial. To my mind, the weight alone is enough to stabilise the container and affix it to the ground, thereby providing the qualities of attachment commensurate with a building.

⁸ Council Ref: F/2012/0716 & 121308.

42. Consequently, I find that, as a matter of fact and degree, the size, permanence and physical attachment to the ground all point to the container being a building as defined in s336 of the Act.
43. Given the witness evidence set out above, on the balance of probability the container was substantially completed more than four years before the application date. Therefore, it is too late to take enforcement action, having regard to s171B (1) of the Act. Neither main party commented on whether the container would have been permitted by the GPDO Schedule 2, Part 1, Class E or a previous version of that document. Such an assessment is unnecessary, as having regard to s191 (2) (a) of the Act, the container is lawful in any event.

Conclusion

44. For the reasons given above I conclude, on the evidence now available, that the Council's refusal to grant a certificate of lawful use or development in respect of the erection of a metal storage container used for purposes incidental to the enjoyment of the existing dwelling was not well-founded and that the appeal should succeed. I will exercise the powers transferred to me under section 195 (2) of the 1990 Act.

Formal Decisions

45. Appeal A is allowed and planning permission is granted for erection of a bungalow following demolition of existing buildings at Beech Brook, The Holt, Hare Hatch RG10 9TG in accordance with the terms of the application, Ref 173735, dated 14 December 2017, subject to the conditions in the Schedule at the end of this Decision.
46. Appeal B is allowed and attached to this decision is a certificate of lawful use or development describing the extent of the existing operation which is considered to be lawful.

Stephen Hawkins

INSPECTOR

APPEAL A-SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2423-PL-101; 2423-PL-102; 2423-PL-103.
- 3) No development (including site clearance or preparatory work) shall take place until a scheme for the protection of trees to be retained (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction-Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the Local Planning Authority. The scheme for the protection of the retained trees shall be carried out as approved.
- 4) Any vegetation or building removal should be undertaken outside of the bird-nesting season (March-August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist must check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
- 5) No development above the level of the damp proof course (DPC) of the dwelling hereby approved shall take place until samples of the external wall and roof materials have been submitted to and approved by the Local Planning Authority. The relevant works shall be carried out in accordance with the approved sample details.
- 6) No development shall commence above the DPC level of the dwelling hereby approved until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: species, planting sizes, spacing and numbers of trees/shrubs to be planted, and any existing trees or shrubs to be retained; means of enclosure and boundary treatments, and; hard surfacing materials; together with an implementation programme.

The landscaping works shall be carried out in accordance with the approved details before the dwelling is first occupied in accordance with the agreed implementation programme.

Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the first occupation of the dwelling in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 7) The dwelling hereby approved shall not be occupied until surface water drainage works have been implemented in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Before any details are submitted to the Local

Planning Authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and,
 - iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 8) The dwelling hereby approved shall not be occupied until space has been laid out within the site in accordance with drawing no. 2423-PL-101 for two vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for the parking and turning of vehicles.
- 9) The dwelling hereby approved shall not be occupied until the existing buildings shown as to be demolished and the hardstanding shown as to be removed on drawing no. 2423-PL-101 have all been demolished and removed, their consistent materials have been removed from the site and the land underlying those structures has been landscaped in accordance with the landscaping scheme approved by the Local Planning Authority pursuant to condition 5 above.

Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 5 July 2018 the operations described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in black on the plan attached to this certificate, were lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990 (as amended), for the following reason:

The available evidence shows that, as a matter of fact and degree, the container in the position shown hatched in black on the attached plan is a building which, on the balance of probability, was substantially completed more than four years before the application date.

Signed

Stephen Hawkins

Inspector

Date: 28 October 2019

Reference: APP/X0360/X/18/3212044

First Schedule

Erection of a metal storage container used for purposes incidental to the enjoyment of the dwellinghouse.

Second Schedule

Land at Beech Brook, The Holt, Hare Hatch RG10 9TG.

NOTES

This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).

It certifies that the use /operations described in the First Schedule taking place on the land specified in the Second Schedule was /were lawful, on the certified date and, thus, was /were not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the use /operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use /operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.



Plan

This is the plan referred to in the Lawful Development Certificate dated: 28 October 2019

by **Stephen Hawkins MA MRTPI**

Land at: Beech Brook, The Holt, Hare Hatch RG10 9TG

Reference: APP/X0360/X/18/3212044

Scale: Not to scale

