

Lawful Development Certificate

APPEAL REFERENCE APP/N4720/X/22/3300323
TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015: ARTICLE 39 & SCHEDULE 8

IT IS CERTIFIED that on 2 March 2022 the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and shown edged and hatched in black on the plan attached to this certificate would have been lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990, for the following reason:

No enforcement action could then have been taken in respect of the proposed use as it would not have involved development because of the provisions of section 55(2)(f) of the Town and Country Planning Act 1990 and Article 3(1A) of and Schedule 1 to the Town and Country Planning (Use Classes) Order 1987, Class C4 Houses in multiple occupation: Use of a dwellinghouse by not more than six residents as a "house in multiple occupation".

D.A.Hainsworth

INSPECTOR

Dated: 5 October 2022

First Schedule

The proposed use of the house "as a 6-person house in multiple occupation (HMO) in use class C4".

Second Schedule

34 Cross Flatts Parade, Cross Flatts, Leeds LS11 7JL

Notes

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990.
2. It certifies that the use described in the First Schedule taking place on the land specified in the Second Schedule would have been lawful on the specified date and, therefore, would not have been liable to enforcement action under Part VII of the 1990 Act on that date.
3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use that is materially different from that described or which relates to any other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is qualified by section 192(4) of the Act, which states that the lawfulness of the use is only conclusively presumed where there has been no material change, before the use is instituted, in any of the matters relevant to determining such lawfulness.