



In any correspondence please quote application number:
3227/21/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

Application No.: 3227/21/CLE

Date Received: 19 August 2021

Proposal: Certificate of Lawfulness for existing use of agricultural building as a dwellinghouse

Location: Goodamoor Farm, Sparkwell, PL7 5FB

Agent:

Mrs Amanda Burden
Luscombe Maye
59 Fore Street
Totnes
TQ9 5NJ

Applicant:

Mr Steven Rendle
C/O Agent

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 10 September 2021 for the use and site listed in Schedule 1 and Schedule 2 below:

Schedule 1: Use of agricultural building as a dwellinghouse

Schedule 2: Goodamoor Farm, Sparkwell, PL7 5FB

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

1. As a mixed-use planning unit, in order for the applicant to succeed in their application for a Certificate of Lawfulness they would need to evidence that the agricultural building has been used as a dwellinghouse for 10 years. That threshold has not yet been met and therefore this application must be refused, pursuant to s171B(3) of the Town and Country Planning Act 1990.

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS

IT IS IMPORTANT THAT YOU READ THE NOTES OVERLEAF

Dated this 12 August 2022

(Application Ref: 3227/21/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

Dated this 12 August 2022

(Application Ref: 3227/21/CLE)

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