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High Peak Borough Council

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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 2010

Article 35

NOTIFICATION OF REFUSAL OF APPLICATION FOR A CERTIFICATE OF LAWFULNESS OF EXISTING USE OR DEVELOPMENT

The High Peak Borough Council hereby refuse an application made on the **27th of July 2009**, planning reference **HPK/2012/0358**, by **Mr Wardle** of 28, Hereford Road Buxton for a Certificate of Lawfulness of the **existing use** described in the First Schedule hereto in respect of the **Property/Land** specified in the Second Schedule.

Reason for the decision:-

The applicant has failed to demonstrate that the building has been used continuously for the last 4 years as a dwelling. It is stated in the application to the contrary that any such use, proven or otherwise, ceased in 2011. As such there is currently no breach of planning control and residential use is not therefore lawful. Furthermore the Local Planning Authority has evidence that the building has recently been marketed as a holiday cottage and a recent planning application for a change of use also stated the use of the building was a holiday cottage.

Signed_____
Planning Applications Manager

Date: 16 August 2012

FIRST SCHEDULE

Use of the premises as a permanent dwelling (rather than a holiday cottage)

SECOND SCHEDULE

Property at 2 Sweet Water Cottages, Longridge Lane, Peak Dale

NOTES

If you are aggrieved by the decision of the Local Planning Authority to refuse this application:

- **You have the right of appeal under Section 195 of the Town and Country Planning Act 1990 (As amended) to the Secretary of State.**

- **If it is intended to give notice of appeal this should be done on the appropriate form obtainable from: The Planning Inspectorate, Temple Quay House, 2 The Square , Temple Quay, Bristol BS1 6PN or enquiries@planning-inspectorate.gsi.gov.uk**