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High Peak Borough Council

working for our community

NOTIFICATION OF REFUSAL OF AN APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING USE OR OPERATION

TOWN & COUNTRY PLANNING ACT 1990: SECTION 191

(AS AMENDED BY SECTION 10 OF THE

PLANNING AND COMPENSATION ACT 1991)

Town & Country Planning (General Development Procedure) Order 1995: Article 24

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The High Peak Borough Council hereby refuse an application made on 23/04/2013, planning reference HPK/2013/0227 by Mrs Jacqueline East of 142 Riversvale, Buxton, Derbyshire, SK17 6UZ for a certificate of Lawfulness of Exsitng Use in respect of the land specified in the First Schedule and edged red on the plan attached hereto (the Land) relating to the use described in the Second Schedule.

Reasons for the decision:

1. The evidence submitted by the applicant is incomplete concerning the use of the land over the requested 10 year period for the purposes as domestic garden.

2. Information and dates submitted by neighbours provides contradictory evidence as to the length of the time for which it is stated that the land identified in the Second Schedule.

3. As such on the balance of probability, it is considered that insufficient evidence has been presented to conclusively determine that the land referred to has been used as a domestic garden for a continuous 10 year period.

Signed_____

Head of Development Services

High Peak Borough Council
Municipal Buildings
Glossop
High Peak
SK13 8AF

Date:

FIRST SCHEDULE

Land at 142 Riversvale, Burbage, Buxton, Derbyshire, SK17 6UZ

SECOND SCHEDULE

Use of land as a domestic garden

NOTES

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

2. You have a right of appeal under section 195 of the Town and Country Planning Act 1990 (as amended) to the Sectary of State.

3. If it is intended to give notice of appeal this should be done on the appropriate forms obtainable from The Planning Inspectorate, Customer Support Team, Room 3/13, Temple Quay House, 2 The Square, Bristol, BS1 6PN, Telephone: 0303 444 5000, Fax: 0117 3728782, Email:enquiries@planning-inspectorate.gsi.gov.uk