



Basingstoke  
and Deane

Basingstoke and Deane Borough Council  
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REF:22/01048/LDPU

Mr Gareth Jones  
ET Planning  
200 Dukes Ride  
Crowthorne  
RG45 6DS

## **CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

### **Town & Country Planning Act 1990 Planning & Compensation Act 1991**

The Basingstoke and Deane Borough Council hereby certify that on 6 April 2022 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate, would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reasons:

- 1 The certificate can be issued as the use of the dwelling for a children's home for up to 4 children and two staff members, as outlined within the submitted documents, would not be materially different from the use of the property as a dwellinghouse. The proposal does not constitute a material change of use from the existing Class C3 use (dwellinghouse).

Signed:  
(Council's authorised officer)

Ruth Ormella MRTPI  
Head of Planning Sustainability and Infrastructure  
on behalf of Basingstoke and Deane Borough Council

Date: 1 June 2022

Chief Executive Russell O'Keefe

Executive Director of Borough Services Rebecca Emmett BSc (Hons), AIEMA

**First Schedule:**

Proposal: **Certificate of lawfulness for a proposed use C3 class to operate a small childrens home**

**Second Schedule:**

Location: 254 Old Worting Road Basingstoke Hampshire RG22 6PD

**Notes**

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use specified in the First Schedule taking place on the land described in the Second schedule would have been lawful, on the specified date and, thus, would not have been liable to enforcement action under Section 172 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 which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

The officer's report can be viewed on the council's website [www.basingstoke.gov.uk](http://www.basingstoke.gov.uk).



## 254 Old Worting Road, Basingstoke, RG22 6PD

