



Basingstoke
and Deane

Basingstoke and Deane Borough Council
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REF:22/00631/LDPU

Mr David Wetherill
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 25 February 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 3 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: 6 April 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 to operate a childrens home for up to 3 children and two staff members at any one time**

Second Schedule:

Location: Cap D'or Ringshall Gardens Bramley Hampshire RG26 5BW

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.

ETP220241 - Cap Dor, Ringshall Gardens, Bramley, Tadley, RG26 5BW

