




CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

**Town and Country Planning Act 1990: Section 191 and 192
(as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure)
(England) Order 2015: Article 39**

drawnplans.co.uk
FAO Mr K Given
135 Back High Street
Gosforth
Newcastle-upon-Tyne
NE3 4ET

South Tyneside Council hereby certify that on 05/05/2015 the operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate 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 reason:

- The proposed single storey rear kitchen and dining room extension, obscure glazed landing window to side gable and new doors to utility (as shown on the submitted plans listed elsewhere on this certificate) would constitute permitted development by virtue of the provisions of Class A of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
- The proposed rear dormer window (as shown on the submitted plans listed elsewhere on this certificate) would constitute permitted development by virtue of the provisions of Class B of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The proposed front velux windows [and hidden vents to the front roof slope] (as shown on the submitted plans listed elsewhere on this certificate) would constitute permitted development by virtue of the provisions of Class C of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Signed:  (Council's authorised officer)

On behalf of South Tyneside Council

Date: 24/06/2015

Application No: ST/0372/15/CLP

FIRST SCHEDULE

Application for a Lawful Development Certificate sought for the following proposal:
Single storey rear kitchen and dining room extension and loft conversion, with rear dormer window and front velux windows. Obscure glazed landing window to side gable.
New doors to utility.

SECOND SCHEDULE

137 Lumley Avenue, South Shields, NE34 7DJ

For the avoidance of doubt this decision relates to the following plans and/or specifications:

Drg No. Sheet 1 of 3 received 23/04/2015

Drg No. Sheet 2 of 3 received 23/04/2015

Drg No. Sheet 3 of 3 received 19/06/2015 (by email at 12:11pm)

Important: Please read the attached notes.

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 operations 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 operations described in the First Schedule and specified in the Second Schedule and identified on the attached plan. Any operations which are materially different from those described or which relate 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.

5 Only the applicant possesses the right to appeal

If you are aggrieved by the decision of the local planning authority to grant the certificate in a different form from the application, then you may appeal to the Secretary of State for Communities and Local Government in accordance of section 195 of the Town and Country Planning Act 1990. Please note that your appeal will be turned away if an effective Enforcement Notice is in force. The Secretary of State is not required to entertain an appeal if it appears to him that the certificate could not have been granted other than in this different form from the application, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

Appeals can be made online using the Planning Inspectorates planning appeal service through the Planning Portal at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>. You must use a Certificate of Lawful Use or Development Appeal form when making your appeal. Please be aware that details of planning appeals are available on the internet and may include a copy of the original application form and relevant supporting documents supplied to ourselves, either by you, or your agent, together with the completed appeal form, and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More information about data protection and privacy matters is available on the Planning Portal website.

Alternatively if you do not wish to submit your appeal electronically, a form is obtainable from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Email: enquiries@planning-inspectorate.gsi.gov.uk or telephone 0303 4440000. Please note that you must state the appeal form that you require.

6 Informative:

You are reminded that the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse for developments carried out under either Class A or Class B of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).



South Tyneside Council
Planning Group
Town Hall & Civic Offices
South Shields
Tyne and Wear
NE33 2RL

This copy has been produced for Planning and Building Control purposes only. No further copies can be made. For illustrative purposes only.

Certificate Plan: ST/0372/15/CLP

Application for a certificate of lawful use or development

Location (as per the decision notice Second Schedule):
137 Lumley Avenue, South Shields, NE34 7DJ

Scale 1:1000

