South Tyneside Council

# 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 35**

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2000 Architectural Design
1 Brewer Cottages
Lambton Park
Chester Le Street
DH3 4PU

South Tyneside Council hereby certify that on 05/07/2018 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 in 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:

The proposed replacement of the existing polycarbonate roof to the rear garden room and its replacement with a new tiled roof would constitute permitted development by virtue of Class B of Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) subject to the condition that:
- the materials used in the exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

The insertion of 2no. rooflights to the new roof would constitute permitted development by virtue of Class C of Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) subject to the condition that
- the rooflights would not protrude more than 0.15 metres beyond the plane of the slope of the roof when measured from the perpendicular with the external surface of the roof.

Signed: (Council's authorised officer)

On behalf of South Tyneside Council

Date: 30/08/2018

**Application No:** ST/0647/18/CLP

**FIRST SCHEDULE**

Application for Lawful Development Certificate for the proposed removal of the existing polycarbonate roof to the rear garden room and the installation of a new roof on the existing structure which was erected 20 years ago.

**SECOND SCHEDULE**

145 Harton Lane, South Shields, NE34 0PW

**NOTES TO APPLICANT:**

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

Existing Plan & Elevation, received 03/07/2018
Proposed Plan & Elevation, received 03/07/2018

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 refuse the application (in whole or in part) 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 need not consider an appeal if it seems to the Secretary of State that the certificate could not have been granted by the Local Planning Authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

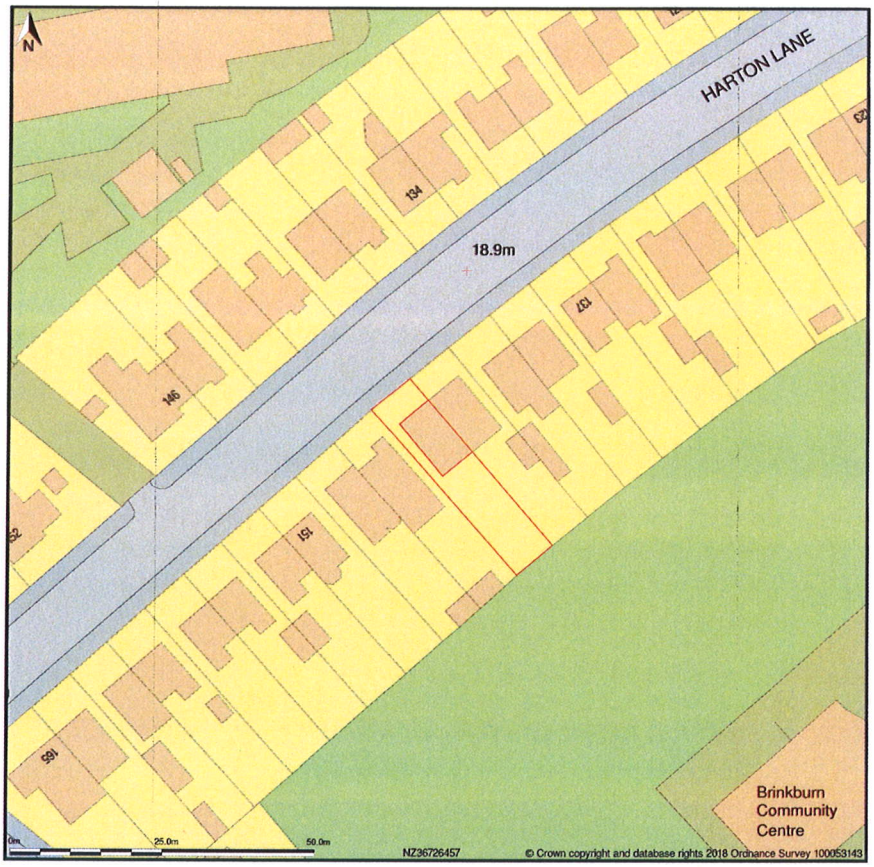
If you want to appeal against your local planning authority's decision there is no time limit for making an appeal in relation to section 191 and section 192 appeals, although any appeal made under section 26K (Listed Building and Conservation Areas Act) must be received within 6 months of the date of the LPA decision notice or within 6 months of the expiry of 6 week period following receipt of a valid s26H application.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk

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ACCREDITED PARTNER PLANNING PORTAL Map data

# 145, Harton Lane, South Shields, South Tyneside, NE34 0PW




Site Plan shows area bounded by: 436658.38, 564508.29 436799.8, 564649.71 (at a scale of 1:1250), OSGridRef: NZ36726457. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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