



TENDRING DISTRICT COUNCIL

Planning Services

Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex CO16 9AJ

APPLICANT: Mrs Lisa Scott
36 Wellesley Road
Clacton On Sea
Essex
CO15 3PW

AGENT:

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) SECTION 191

APPLICATION NO: 20/00905/LUEX

DATE REGISTERED: 3rd August 2020

Town and Country Planning (Development Management Procedure) Order 2010: Article 35

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The Tendring District Council certify that on 3rd August 2020 the use described in the First Schedule in respect of the land specified in the Second Schedule and edged RED on the plan attached to this certificate, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

- 1 The evidence submitted with the application is sufficiently clear and unambiguous to demonstrate that, on the balance of probabilities, 36 Wellesley Road, Clacton On Sea, CO15 3PW has been used as a single residential dwelling Use Class C3 for a period of 4 years; and that this use has not been supervened by another material change of use and nor has it been abandoned.
- 2 In accordance with The Town and Country Planning Act 1990, Section 55 the change of use of 36 Wellesley Road, Clacton On Sea, CO15 3PW in May 2009 from two flats back to one single dwellinghouse did not amount to a material change of use and for this reason the works do not amount to operational development for which an express grant of planning permission would have been required.

DATED: 27th August 2020

SIGNED:

Graham Nourse
Acting Assistant Director
Planning Service

FIRST SCHEDULE

Application for certificate of existing lawful use as one dwelling house after being converted from two flats.

SECOND SCHEDULE

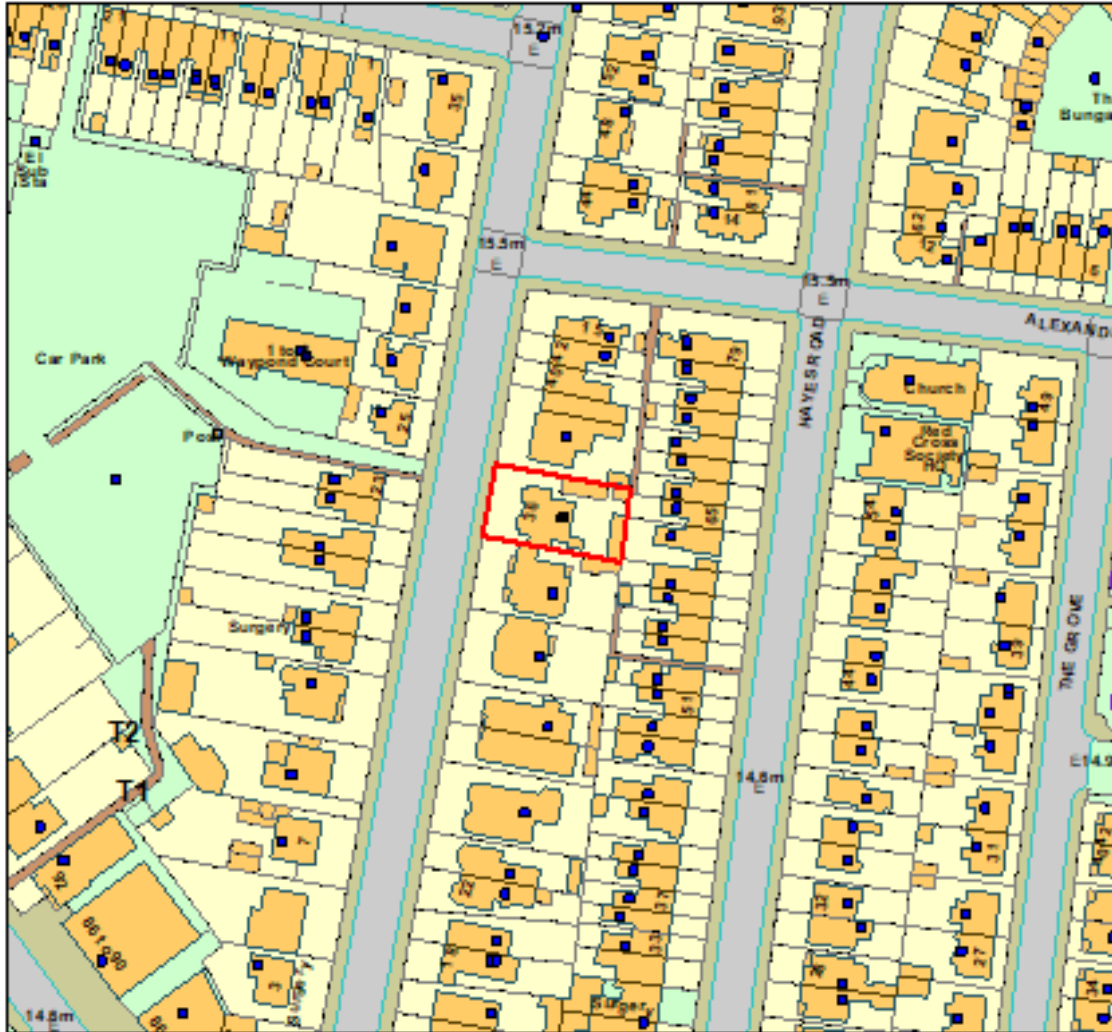
36 Wellesley Road Clacton On Sea Essex CO15 3PW

Notes

1. This certificate is issued solely for the purpose of Section 191 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 was lawful on the specified date and thus was not 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] [operations] [matter]* which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

20/00905/LUEX

36 Wellesley Road Clacton On Sea Essex



Scale: 1:1,250

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Organisation	Tendring District Council
Department	Planning Department
Comments	
Date	27/08/2020
MSA Number	100018684