



APPLICANT: Mr Rachael and Neeraj
Kumar - EpicUK Ltd
28 Croft Road
Clacton On Sea
Essex
CO15 3EF

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
SECTION 192**

APPLICATION NO: 23/00949/LUPROP

DATE REGISTERED: 5th July 2023

The Tendring District Council certify that on 5th July 2023 the 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, would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1 Having regard to the provisions of the Town and Country Planning Act 1990: Section 192 and The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, the proposed development would constitute a change of use within Use Class C3 from C3(a) to C3(b) and does not require express planning permission.

DATED: 21st September 2023

SIGNED:

John Pateman-Gee
Head of Planning and Building Control

FIRST SCHEDULE

Residential accommodation for up to three young people in care aged under 18 with 24-hour onsite staff living together as a single household (Use Class C3 (b)).

SECOND SCHEDULE

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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 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 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 described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any 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 on 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.

