



**AGENT:** Mr Barry McRobb –  
A.J Ferryman and Associates  
128 High Street  
Bushey  
WD23 3DE

**APPLICANT:** Gym Atomic Ltd  
Flat 7  
Shipyards  
Brightlingsea  
CO7 0FX

## CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

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

**APPLICATION NO:** 24/01477/LUPROP

**DATE REGISTERED:** 7th October 2024

The Tendring District Council certify that on 7th October 2024 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, would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:

- 1 The proposed development constitutes permitted development by virtue of the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020

**DATED:** 29<sup>th</sup> November 2024

**SIGNED:**

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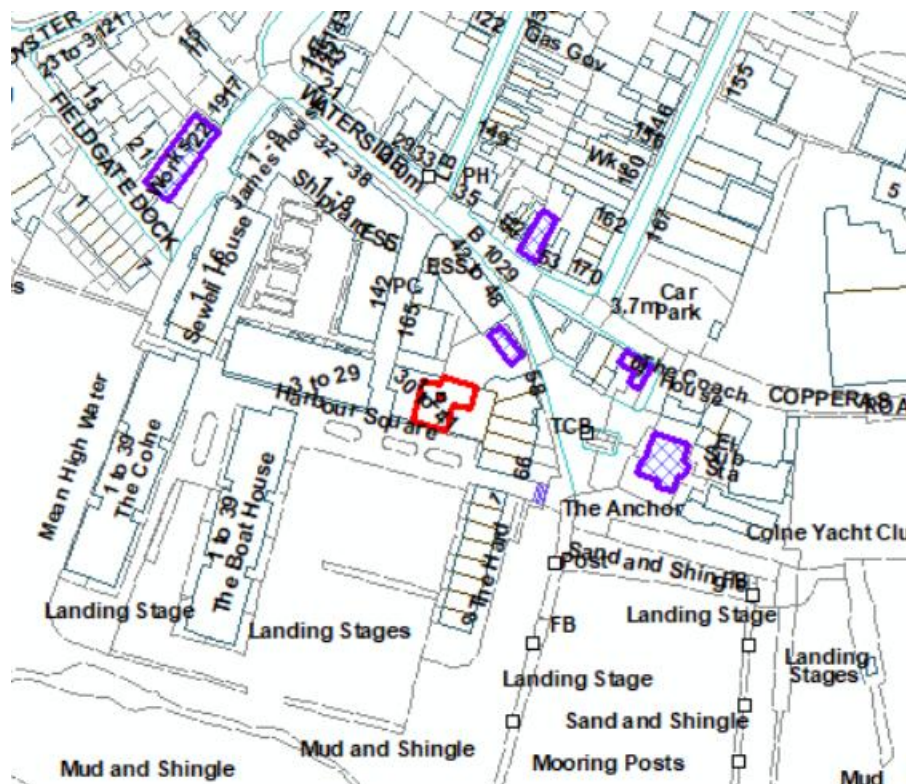
John Pateman-Gee  
Head of Planning and Building Control

**FIRST SCHEDULE**

Application for Lawful Development Certificate for Proposed Use or Development for proposed use to be a gym, use class E(d). The hours of operation will be 7 days a week, 6am until 10pm.

**SECOND SCHEDULE**

2 Harbour Square Waterside Marina Brightlingsea Essex

**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 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 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.