



APPLICANT: Mr Jamie Ashfield
Lodge Farm
Lodge Lane
Ardleigh
Essex
CO7 7PG

AGENT:

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191
(AS AMENDED BY SECTION 10 OF THE PLANNING AND COMPENSATION ACT 1991)

APPLICATION NO: 24/01731/LUEX

DATE REGISTERED: 28th November 2024

NOTIFICATION OF REFUSAL OF CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Tendring District Council hereby **REFUSE** the application for a Certificate of Lawful Existing Use in respect of the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto for the following reason(s):

The supporting information does not clearly show the land has been used as residential garden land for a period of more than 10 years. Insufficient information has been provided to demonstrate an established existing use whereby it would be immune from Enforcement Action.

Having regard to the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), a planning application would be required for a material change of use of the land for residential use and therefore given the sparsity of the evidence provided to support the claim that the use of the land as amenity garden is lawful, the Certificate of Lawfulness application is refused.

DATED: 23rd January 2025

SIGNED:

John Pateman-Gee
Head of Planning and Building Control

FIRST SCHEDULE

Application for Lawful Development Certificate for Existing Use for proposed garden use.

SECOND SCHEDULE

Lodge Farm Lodge Lane Ardleigh Essex

INFORMATIVES:

Notes

- Your attention is drawn to the fact that if you are aggrieved by this determination you have a right of appeal against it to the Planning Inspectorate under Section 195 of the Town and Country Planning Act 1990. Notice of the appeal should be made using a **Lawful Use or Development Appeal 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://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**