Application Number: 21/02285/CLUP



REFUSAL

Town and Country Planning Act 1990: Section 192 (as amended by Section 10 of the Planning and Compensation Act 1991)

Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

Cherwell District Council certify that on 6 July 2021 the proposed use or development described in the First Schedule to this Certificate in respect of the Land specified in the Second Schedule to this Certificate and edged red on the plan attached to this Certificate, **would not be lawful** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the reasons stated in the Third Schedule.

Signed:

David Peckford

Assistant Director - Planning and Development

(Council's Authorised Officer)

Checked by: Nathanael Stock

On behalf of: Cherwell District Council

Bodicote House

Bodicote Banbury OX15 4AA

Date: 26th August 2021

Application Number: 21/02285/CLUP

FIRST SCHEDULE

The replacement of the existing flat roof on the existing garage with a pitched roof with tiles to match house, in accordance with drawing numbers Site Location Plan, Block Plan, PP005 (Proposed Ground Floor Plan), PP-009 (Proposed Elevations).

SECOND SCHEDULE

8 Rectory Close, Wendlebury, OX25 2PG

THIRD SCHEDULE

The eaves of the altered outbuilding would exceed 2.5 metres in height and therefore the proposal would not constitute permitted development under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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 in the Second Schedule ("the Land") would not be lawful on the specified date and, thus, would be liable to enforcement action under Section 172 of the Town and Country Planning Act 1990 (as amended) on that date.
- 3. This Certificate applies only to the extent of the operations specified in the First Schedule and to the Land as identified on the attached plan.
- 4. If you consider the Council's decision is unreasonable you may appeal to the Secretary of State under Section 195 of the Town and Country Planning Act 1990.