



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

REFUSAL

**Town and Country Planning Act 1990: Section 191
(as amended by Section 10 of the Planning and Compensation Act 1991)**

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

**LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING USE OR OPERATION OR ACTIVITY
INCLUDING THOSE IN BREACH OF A PLANNING CONDITION**

Cherwell District Council certify that on 3 August 2021 the use, or operation, or activity including those in breach of a planning condition 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, **has not been established as lawful** within the meaning of Section 191 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)

Authorised by: **Nathanael Stock**

On behalf of: Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 4AA

Date: **28th September 2021**

Schedule 1

Use of land comprising of depot, workshops, outdoor storage and associated offices.

Schedule 2

S Grundon Services Ltd, Merton Street, Banbury, OX16 4RN.

Schedule 3

On the balance of probabilities, the Council is not satisfied that the use (as described) has been continually carried out on the land for a period of 10 years or more.

Notes to Applicant

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 operations specified in the First Schedule taking place on the land in the Second Schedule ("the Land") would not have been lawful on the specified date and, thus, would have been liable to enforcement action under Section 172 of the 1990 Act 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.