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TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192, AS AMENDED BY SECTION 10 OF
THE PLANNING & COMPENSATION ACT 1991

TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Mr Barry Wright
Tivoli House
Moresby
CA28 8UR

**APPLICATION No: 4/23/2153/0E1
CERTIFICATE OF LAWFULNESS FOR A PROPOSED WASTE TREATMENT PLANT
TIVOLI HOUSE, MORESBY**

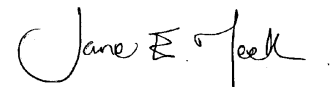
Mr Barry Wright

The Local Planning Authority hereby CERTIFY that on 01st March 2023 the proposed development described in the First Schedule hereto in respect of the land specified in the Second Schedule was lawful within the meaning of Section 192 of the Town and County Planning Act 1990 (as amended), for the following reasons:

Based on the information submitted as part of this application the proposed alterations fall within permitted development rights set out within the Town and Country Planning (General Permitted Development) Order 2015, due to the following:

- (a) The property has not been granted permission to use the dwelling house as a dwelling house by virtue of Part 3 of the GPDO (change of use);
- (b) The total area of ground covered by outbuildings within the curtilage of the dwelling would not exceed 50%;
- (c) The proposal will not be situated on land forward of a wall forming the principal elevation of the original dwelling house;
- (d) The new waste treatment plant will be located underground;
- (e) The height will not exceed 2.5 metres;

- (f) The height will not exceed 2.5 metres;
- (g) The proposal will not be situated within the curtilage of a listed building;
- (h) The proposal does not include a verandah, balcony or raised platform;
- (i) The proposal does not relate to a dwelling or microwave antenna;
- (j) The proposal does not relate to a container used for domestic heating purposes;
- (k) The dwelling house was not built under Part 20 of this Schedule.



Jane Meek
Assistant Director
Thriving Place and Investment

14th July 2023

FIRST SCHEDULE:

Certificate of Lawfulness for a proposed waste treatment plant

SECOND SCHEDULE:

Tivoli House, Moresby

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 was 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.