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AMBER VALLEY BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
SECTIONS 191 AND 192 (as amended by section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015

CERTIFICATE
OF
LAWFUL USE OR DEVELOPMENT

The **Amber Valley Borough Council** hereby certify that on 9th December 2021 the use 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, is not lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

1. Based on the submitted information the Local Planning Authority is unable to conclude that the proposal for the proposed placement of a mobile home in the curtilage of a residential dwelling house for ancillary use by its occupants would be lawful. It cannot be concluded that the proposed mobile home is not operational development nor that the accommodation is ancillary and that a material change of use will not occur. The application does not satisfactorily demonstrate that the proposed mobile home accords with the legal definitions of caravans in terms of size, mobility and construction. In summary, the submission does not provide the Council with sufficient assurance that the caravan proposed would not be a material change of the land as detailed in section 55(1) of the Act and would therefore be new development requiring planning permission.



Signed
Julian Townsend
Executive Director (Operations)
7th January 2022

First Schedule

Application for a Lawful Development Certificate for the proposed placement of a mobile home in the curtilage of a residential dwelling house for ancillary use by its occupants.

Second Schedule

Kirkleys Church Lane Kirk Langley

Notes

1. This certificate is issued solely for the purpose of section 191/192 of the Town and Country Planning Act 1990 (as amended).

This decision is based on the following submitted plans/documents:

Plan Type	Reference	Version	Date Received
Annex Site Layout Drawing	120	Revision B	8th December 2021
Annex Floor layout an elevation drawing	121	Revision B	8th December 2021
Location Plan	001	Revision A	8th December 2021


Meynell House
Meynell Court
ASHBOURNE ROAD
CHURCH LANE
Kirkleys
Cranborne
The Croft
Cherrytrees
The Hollies
N
10 0 10 20 30 40 50
Metres