Julian Townsend
Executive Director (Operations)
Development Management

Town Hall
Ripley
Derbyshire DE5 3BT
Tel: 01773 570222
Fax: 01773 841523
Email: enquiry@ambervalley.gov.uk
Web: www.ambervalley.gov.uk

Mr B Baker
Rakestones Cottage
Gorses
Kirk Ireton
Ashbourne
Derbyshire
DE6 3JU

Business Unit : **DEVELOPMENT CONTROL**
Our Ref : LSP-AVA/2021/1075
Your Ref : 5089
Date : 3~~0~~1 May 2022
Ask For : Laura Anthony
Email : laura.anthony@ambervalley.gov.uk

Dear Sir/Madam

Proposal **Certificate of lawful development for proposed use of outbuilding as a residential annexe**
Location **Rakestones Cottage Gorses Kirk Ireton**
Applicant **Mr B Baker**

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) 2015: ARTICLE 39
General Permitted Development Order 2015

CERTIFICATE
OF
PROPOSED LAWFUL USE OR DEVELOPMENT

The **Amber Valley Borough Council** hereby certify that on 30th May 2022 the 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, was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason.

For the purposes of the Act, the use of the existing outbuilding as a residential annexe for use by a family member of Rakestones Cottage is lawful as it is considered that it would not involve development or require planning permission.

Signed:

S Gladwin

Simon Gladwin
Executive Director (Operations)

First Schedule

Certificate of lawful development for proposed use of outbuilding as a residential annexe

Second Schedule

Rakestones Cottage Gorses Kirk Ireton

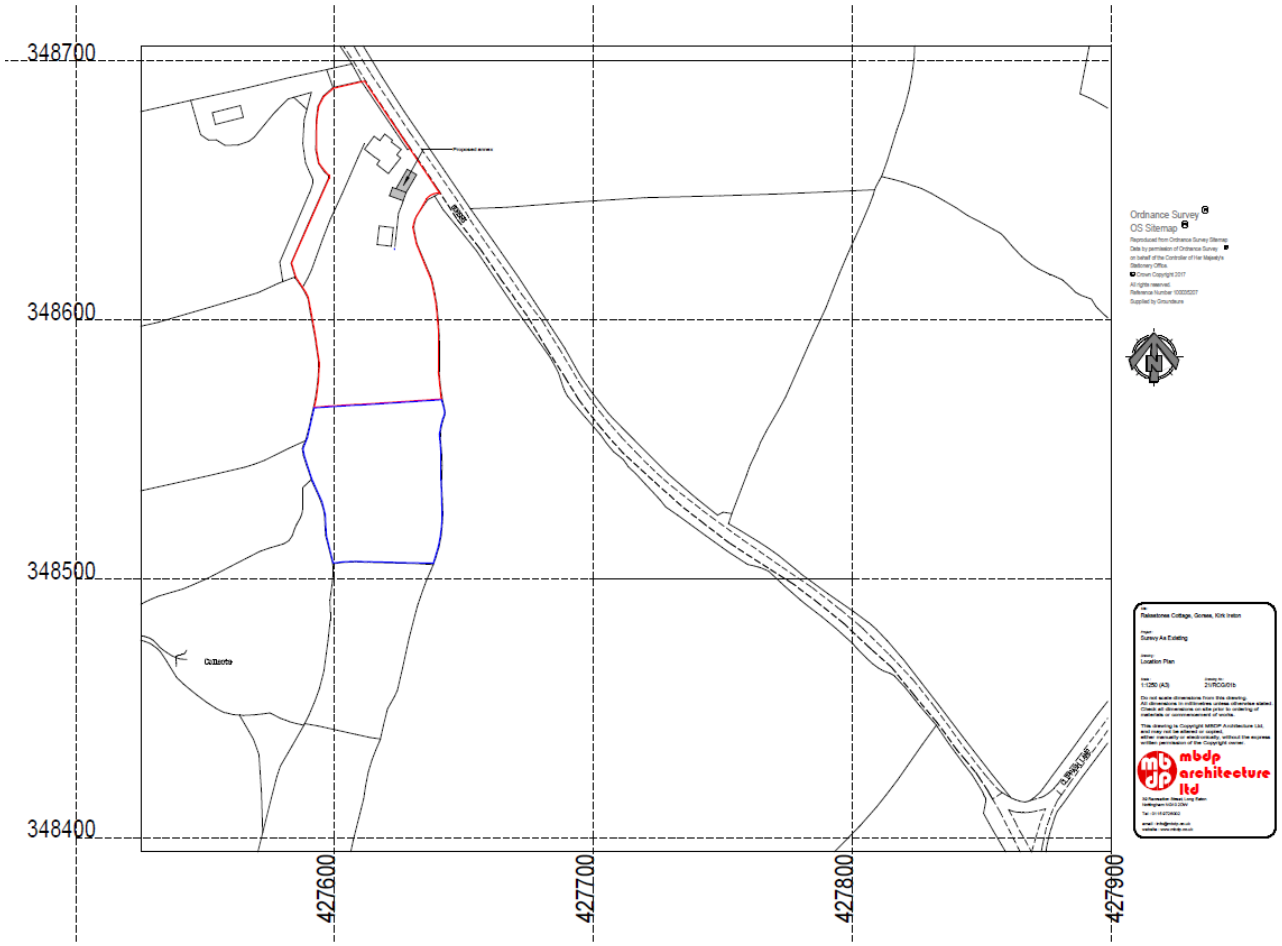
Notes

1. This certificate is issued solely for the purpose of section 191/192 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.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operations is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

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

Plan Type	Reference	Version	Date Received
Elevations and floor plans	Elevations and layout as proposed		04/10/2021
Site layout Plan		21/RCG/01b	04/10/2021
Block Plan		21/RCG/02b	04/10/2021
Case Law Annexes			04/10/2021

The applicant is advised that a further certificate of lawful development should be submitted to formally regularise the extended dwelling curtilage as shown by the submitted plan drawing reference 21/RCG/)1b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Reference Number: 100035207
Supplied by Groundsure
Rainstones Cottage, Gorses, Kirk Ireton
Survey As Existing
Location Plan
1:1250 (A3)
21/RCG/01b
Do not scale dimensions from this drawing.
All dimensions in millimetres unless otherwise stated.
Check all dimensions on site prior to ordering of
materials or commencement of works.
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