Simon Gladwin
Executive Director (Operations)
Development Management

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Mr and Mrs Mark and Penny Thomas
Babbington Farm Dethick
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DE4 5GG
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Business Unit : **DEVELOPMENT CONTROL**
Our Ref : LSP-AVA/2023/0363
Your Ref : 120
Date : 12 September 2023
Ask For : Laura Anthony
Direct Dial : 01773 841506
Email :laura.anthony@ambervalley.gov.uk

Dear Sir/Madam

Proposal **Application for a Lawful Development Certificate to confirm that a material operation was carried out sufficiently to commence development for the proposed use for conversion of barns to two dwellings in accordance with AVA/287/85, and therefore the consent is extant.**

Location **Babbington Farm Dethick Dethick**
Applicant **Mr and Mrs Mark and Penny Thomas**

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 12th September 2023 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, was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

The submitted evidence shows that a material operation occurred within the 5-year time limit for implementation and therefore permission AVA/287/85 remains extant.

Signed:



Simon Gladwin
Executive Director (Operations)
Date 12.09.2023

First Schedule

Application for a Lawful Development Certificate to confirm that a material operation was carried out sufficiently to commence development for the proposed use for conversion of barns to two dwellings in accordance with AVA/287/85, and therefore the consent is extant.

Second Schedule

Babbington Farm Dethick

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.
5. The Listed building application AVA/LB/28/86 remains unauthorized and is subject to enforcement action should the Local Planning Authority consider it to be expedient to pursue it.

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

Plan Type	Reference	Version	Date Received
Site layout Plan			20.06.2023


LETHICK LANE
Church Farm
Babington Farm
Manor Farm
Babington Church