



**Town and Country Planning Act 1990
Section 191**

**REFUSAL OF CERTIFICATE OF
LAWFULNESS OF EXISTING USE OR
DEVELOPMENT**

Name and Address of Applicant

Mr Peter Jeynes
Steining House
Blackmore End
Hanley Swan
Worcester
WR8 0EE

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application: 7th August 2008

Application No: 08/01183/CLE

Grid Ref: Easting: 381525 Northing: 244202

PROPOSAL: Certificate of lawful use for an existing use for the implementation of planning permission UR/60/67

LOCATION: Steining House Blackmore End Hanley Swan

Part II - Particulars of Decision

The Malvern Hills District Council hereby certifies that the use, operations or other matter the subject of the above application **has been refused** within the meaning of subsections (2) (3) and (4) of Section 191 of the Town and Country Planning Act 1990. The grounds for this decision are as follows:

- 1 The original planning approval, UR/60/67 shows detailed elevations and floor plans for the two-storey extension, but only the siting of a garage. Under the Town and Country Planning General Development Order, 1963, the garage would have amounted to permitted development as the height does not exceed 12 feet and the building does not project forward of the original dwellinghouse. As the garage would not have required planning permission in itself, it should not be regarded as part of the development approved and therefore the construction of the garage is not a material commencement of development. No evidence has been provided to demonstrate that works relating to the extension had commenced and therefore the certificate 'on the balance of probability' should be refused.

A handwritten signature in black ink that reads 'Duncan Rudge'.

Date: 30th September 2008

Development Control Manager (Planning Services)

The Council House Avenue Road Malvern Wores WR14 3AF (See Notes Attached)

آپ انگریزی میں مدد چاہتے ہیں۔ نسلیاتی رسائی [Ethnic Access] سے رابطہ کریں فلیفون: 01905 25121 [Urdu]
ইহাংকি ভাষার বিষয়ে সাহায্য চান – এথনিক অ্যাকসেস [Ethnic Access] এর সঙ্গে যোগাযোগ করুন, টেলিফোন: 01905 25121 [Bengali]
'Necessita de ajuda com o seu Inglês? – contacte Ethnic Access Tel.: 01905 25121' [Portuguese]
'Potrzebujesz pomocy z Angielskim – skontaktuj się z Ethnic Access Tel: 01905 25121' [Polish]
“如需我們幫助你理解英文—聯繫 Ethnic Access（少數民族服務獲取組），電話：01905 25121” [Chinese]

This document is also available in large print upon request

**Mr Peter Jeynes
Steining House
Blackmore End
Hanley Swan
Worcester
WR8 0EE**

RIGHT OF APPEAL AGAINST DECISION OF THE LOCAL PLANNING AUTHORITY

If the applicant is aggrieved by the decision of the local planning authority s/he may appeal to the First Secretary of State for the Environment (appeals must be made on a form which is obtainable from the Department of the Environment, address shown below). There is currently no time limit for lodging an appeal in the case of an application for a certificate of lawfulness.

If you wish to appeal against this decision then you should write to:

**Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN**

You should ask for a set of appeal forms and when you have completed these you should send one copy of the appeal form to:

**The Planning Officer
Malvern Hills District Council
The Council House
Avenue Road
MALVERN
Worcs WR14 3AF**

The second copy of the appeal form should be returned to the Planning Inspectorate in Bristol