CASE OFFICER'S REPORT

Application Reference:	PL/2023/05274
Application Type:	Lawful development: Proposed use
Site Inspection:	
Consultation ends:	30 June 2023
Case officer:	Buju Can Cetin

Site Address:	Land adjoining 185 Chapel Street, Horningsham, BA12 7LU
Proposal:	Proposed change of use of the land to agricultural
Recommendation:	Approve

Policies
Town and Country Planning Act 1990 The General Permitted Development Order (England) 2015 (as amended)

ISSUES
To consider whether the plans and details submitted provide evidence to prove that the proposal constitutes 'Permitted Development' and does not require planning permission.

REPRESENTATIONS
It should be noted that there is no statutory requirement to consult third parties including parish councils or neighbours on applications for a Certificate of Lawfulness. A local planning authority needs to consider whether, on the facts of the case and relevant planning law, the specific matter is or would be lawful. Planning merits are not relevant at any stage in this particular type of application or appeal process. Views expressed by third parties on the planning merits of the case, or on whether the applicant has any private rights to carry out the operation, use or activity in question, are therefore irrelevant when determining the application.

ASSESSMENT
The change of use of land from a pheasant meet up to agriculture.
S55 (2e) of the Town and Country Planning Act 1990 states
The following operation or uses of land shall not be taken for the purposes of this act to involve development of the land: "the use of any land for the purposes of agriculture or forestry" and for the use of any of those purposes of any building occupied together with land so used

RECOMMENDATION:
It is recommended that the Certificate of Lawfulness for proposed development is approved as the proposals accord with and meet the requirements of Section 55 (2e) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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