

## **PLANNING COMMITTEE - 14 DECEMBER 2005**

### **Report of the Chief Solicitor**

#### **Miscellaneous Item**

#### **Application for a Certificate of Lawful Use – The use of buildings for artists’ studios with associated exhibition, displays, workshops and events, Hurstone Farm, Waterrow, Wiveliscombe (Application No. 03/2005/009LE)**

An application has been received for a Certificate of Lawful Use in respect of the use of buildings at Hurstone Farm, Waterrow, Wiveliscombe. The granting of such a certificate is dependant on the applicant supplying evidence that the use has been carried on continuously for a period of ten years, and unlike an application for planning permission is not based on the merits of the proposal.

Such applications are therefore normally dealt with by officers who make the decision dependant on the evidence but in this case the application is being reported to the Committee as the applicant is a Member of the Council.

#### **The evidence**

The applicant states that the use of outbuildings at Hurstone Farm as artists’ studios started in a small way in 1988 following the opening of the Waterrow Sculpture Path. By 1994 the use of the buildings as artists studios had become established and associated outbuildings were used for related displays and exhibitions. There are fourteen studios in total and a large building used for exhibitions.

In support of the application the applicant has submitted various brochures and leaflets showing the use of the premises for both exhibitions and workshops and newspaper articles relating to the work at the studios going back to 1994. There are also statements from seventeen tenants who have rented studios, again dating back to 1994, and advertisements offering the studios to let from 1992. At various times throughout the period grants have been awarded to some of the artists by the Council.

I am therefore satisfied that the evidence submitted shows that the use of the outbuildings as artists’ studios and for associated exhibitions has been continuous for a period of at least ten years and a Certificate of Lawful Use should be issued. The certificate will restrict uses to the buildings as shown in the application.

#### **Recommendation**

The Committee is therefore **RECOMMENDED** to endorse the decision of the Development Control Manager to grant a Certificate of Lawful Use in respect of the use of outbuildings at Hurstone Farm, Waterrow, Wiveliscombe as

fourteen artists' studios and the use of an associated outbuilding for exhibitions, displays and events.

Chief Solicitor

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