

PLANNING COMMITTEE – 19 APRIL 2006

Report of the Chief Solicitor

Miscellaneous Item

Certificate of Lawful Use; Land at rear of Young Oaks Wrantage (Application No 24/2005/033LE)

At its meeting on the 28 September 2005 Members considered the above application for a Certificate of Lawful Use in relation to open storage on a piece of land to the side and rear of Yew Tree Cottage at Wrantage. Whilst such applications are usually determined at officer level based solely on the strength of the evidence submitted, this application was referred to the Committee because the partner of the applicant was a member of staff.

Members recommended that the Certificate be granted and this was done. However, subsequently there were two separate complaints that the evidence submitted was incorrect or lacking in credibility and that the Certificate should not have been issued. The applicant was advised of the nature of the complaints in a meeting with officers, together with the fact that if the complaints were substantiated the Committee might need to consider revoking the certificate.

The applicant subsequently submitted a rebuttal of the facts alleged by the complainants, together with additional evidence in support of his claim. Copies of this were sent to the complainants who have indicated that although they remain concerned they do not wish to pursue their complaint through the Planning Committee.

I remain of the view that there is sufficient evidence to support the issue of the Certificate, and that the additional information supplied by the complainants is insufficient to warrant revocation of the Certificate.

RECOMMENDATION

It is therefore **RECOMMENDED** that the position be noted and that no further action be taken in respect of application no 24/2005/133LE in respect of the Certificate of Lawful Use relating to land at the rear of Young Oaks Wrantage.

Chief Solicitor

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