



CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

TOWN & COUNTRY PLANNING ACT 1990: SECTIONS 191 AND 192
(as amended by Section 10 of the Planning & Compensation Act 1991)

TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015 (as amended)

APPLICATION NO: ZE23/00462/CLOPUD

(b) FIRST SCHEDULE: Certificate of Lawfulness for a proposed use or development in respect of replacement white u-PVC framed windows in flats 38 to 49

c) SECOND SCHEDULE: 38 To 49 Oxcroft Kirkbymoorside North Yorkshire YO62 6ER

APPLICANT: Ms Gina Sawley (Yorkshire Housing)

DATE: 21st June 2023

North Yorkshire Council hereby certify that on 4th May 2023 the operations described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate, were lawful within the meaning of Section 192 of the Town & Country Planning Act 1990 (as amended), for the following reasons/s:

- 01 On the basis that the proposed work does not constitute development under Section 55 of the Town and Country Planning Act 1990. Planning permission is not required and if undertaken the proposed works would be lawful.

Trevor Watson
Assistant Director – Planning

Date: 21st June 2023

Ms Gina Sawley (Yorkshire Housing)
C/O Mr Mark Henderson (Brewster Bye Architects Ltd.)
5 N Hill Road
Headingley
Leeds
LS6 2EN

NOTES

1. This certificate is issued solely for the purpose of Section 192 of the Town & Country Planning Act 1990 (as amended).
2. It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule were lawful, on the specified date and were 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 operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operations which are materially different from those described or which relate 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 operation is only conclusively presumed where there has been no material change, before the operations begun, in any of the matters relevant to determining such lawfulness.