Application Number: 25/01078/CLED

Town and Country Planning Act, 1990: Section 191 and 192
(as amended by Section 10 of the Planning Compensation Act, 1991)

Town and Country Planning (Development Management Procedure) (England) Order 2015
(Amended)

53 High Street
Earith
Huntingdon
PE28 3PP

The Huntingdonshire District Council hereby certifies that on the 13th June 2025 the operation described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in red on the plan attached to this certificate, is not lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) for the following reason:

1. Based on the evidence submitted and available to the Local Planning Authority, and applying the test of the balance of probability, the Applicant has not provided sufficiently precise or robust evidence to demonstrate that 53 High Street, Earith, Huntingdon, PE28 3PP has been continuously used as a residential dwelling (Use Class C3) for a period exceeding 10 years. Furthermore, the Applicant has failed to demonstrate that the outbuilding to the rear has been continuously used as ancillary accommodation functionally and physically associated with the main dwelling, 53 High Street, Earith, Huntingdon, PE28 3PP. For that reason, it is not recommended that a certificate is granted for existing lawful use.

C. Kerr

Clara Kerr
Chief Planning Officer
Development Services
Corporate Delivery
(Councils Authorised Officer)
On behalf of Huntingdonshire District Council

Date: 12th September 2025

Date: 12th September 2025

Huntingdonshire DISTRICT COUNCIL

Pathfinder House, St Mary's Street
Huntingdon. PE29 3TN
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First Schedule

Certificate of existing lawful use as residential dwelling and for conversion of space above and at the back of the garage/cartlodge into a loft.

Second Schedule
53 High Street
Earith
Huntingdon
PE28 3PP

Notes

1. This certificate is issued solely for the purpose of section 191 of the Town and Country Planning Act 1990 (as amended).

2. It certifies that the operation specified in the First Schedule taking place on the land specified in the Second Schedule would have been lawful on the specified date and thus would not have been liable to enforcement action under section 172 of the 1990 Act on that date.

3. This decision applies only to the extent of the operation described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan.

4. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

5. This certificate applies only to the as built dwelling described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any other development which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

6. The effect of the certificate is also qualified by the provisions in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

Date: 12th September 2025

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