

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED)



CERTIFICATE OF LAWFULNESS PROPOSED - APPROVED

To:	Sue Wood	Application no: 20/02008/CLUP
	Network Rail Infrastructure Ltd	Applicant: Network Rail Infrastructure Ltd
	Square One	1 Eversholt Street
	4 Travis Street	London
	Manchester	NW1 2DN
	M1 2NY	
	United Kingdom	

The Milton Keynes Council hereby certify that on 1st September 2020 the proposed use or development described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto (and where a plan is attached to this Certificate, the area edged in red) is lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s)

(1) The proposed development does not benefit from any Permitted Development rights under Town and Country Planning General (Permitted Development) Order 2015 (as amended). However, given the small nature of the proposed bore holes they are considered to be de minimis, not therefore development and thereby lawful. A Certificate of Lawfulness can be issued on that basis.

First Schedule

Certificate of lawfulness for the 8 boreholes. For temporary basis of 6-12 months to continue ground investigation.

Second Schedule

Land Adjacent To Bletchley Railway Maintenance Depot ,

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Your attention is drawn to the attached notes

A handwritten signature in blue ink, appearing to be 'JP', with a long horizontal line extending to the right.

27th October 2020

Jon Palmer MRTPI – Head of Planning
For and on behalf of the Council

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NOTES

- (1) This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).
- (2) It certifies that the use or development specified in the First Schedule proposed to take place on the land described 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 of that date.
- (3) This certificate applies only to the extent of the use or development described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use or development which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
- (4) The effect of the certificate is also qualified by the provision 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.
- (5) If you are aggrieved by the decision of the Council to refuse your application in whole or in part (including a case in which the Council modify the description of the use, operations or other matter in the application or substitute an alternative description for that description) then you can appeal to the Secretary of State for the Environment under Section 195 of the Town and Country Planning Act 1990 (as amended). If you want to appeal, then you must do so using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or Customer Support Unit Tel: 0117 372 6372. Appeal forms and guidance can also be downloaded from the Planning Inspectorate's website www.planning-inspectorate.gov.uk.

Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – <https://www.planningportal.co.uk/info/200207/appeals>. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and

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relevant supporting documents supplied to the local planning authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.