



Havant
BOROUGH COUNCIL

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To:
Mr Bennett
Kalotec Limited
Cams Hall
Cams Hill
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For: Mr & Mrs Neilson

Ref No.: APP/19/00159

**Town and Country Planning Act 1990: Section 191 and 192 (as amended by
Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (General Development Procedure) Order 1995
Article 24
REFUSAL TO GRANT CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

Havant Borough Council, as Local Planning Authority, **REFUSES** to certify that on 06 February 2019 the development described in the First Schedule to this certificate in respect of land described in the Second Schedule and edged in red on the submitted Location Plan is lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reasons:

The Permitted Development Rights were removed under applications 90/52395/000 and 91/52395/001, therefore a planning application would be required for the proposed extension.

FIRST SCHEDULE:

This decision relates to the following development: Application for Certificate of Lawfulness relating to the erection of a single storey rear extension as described in the written particulars, plans and other documents submitted as part of this application which are detailed below;

Existing Plans – Drawing No. KALO-0209-01 – Received 06 February 2019

Proposed Floor Plans, Block Plan and Location Plan – Drawing No. KALO-0209-02 - Received 06 February 2019

Proposed Elevations and Section – Drawing No. KALO0209-03 – Received 06 February 2019

SECOND SCHEDULE:

This decision relates to land at 15 Barney Evans Crescent, Waterloooville, PO8 8SR as shown edged red on the Proposed Floor Plans, Block Plan and Location Plan – Drawing No. KALO-0209.

OTHER IMPORTANT INFORMATION:

- (1) Your attention is drawn to the attached information regarding your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision. See www.planningportal.gov.uk/pcs
- (2) In view of this refusal by the Council to grant the certificate applied for, the use/development specified above on land specified above may be liable to formal enforcement action under Section 172 of the 1990 Act unless it has the benefit of a separate and valid 'planning permission' for it under the same Act.
- (3) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
 - Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- Your application was unacceptable as submitted and no further assistance was required.

Simon Jenkins

Simon Jenkins
Head of Planning (East Hampshire and Havant)

03 April 2019