



Havant
BOROUGH COUNCIL

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For: Mrs Newell

Ref No.: APP/17/01315

**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 (Development Management Procedure) (England) Order
2015**

**Article 24
CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

That the Head of Planning be authorised to GRANT A CERTIFICATE OF LAWFUL USE for application APP/17/01315

Havant Borough Council, as Local Planning Authority, certifies that on 09 February 2018 the use described in the First Schedule to this certificate in respect of land described in the Second Schedule and as shown edged red on the plan attached to this certificate was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) for the following reason:

It appears to the Local Planning Authority on the balance of probability that the uses described in the First and Second Schedules and plan attached to this Certificate, Use of building as a residential dwelling began, and has been continuous, for more than 4 years before the date of the application.

The Authority has considered evidence and information submitted by the applicant and the planning history of the site.

Planning Services

05 April 2018

FIRST SCHEDULE:

This Certificate relates to the following use:

(i) use as a single residential dwellinghouse

In association with (i) above, the use in the area edged red on the submitted Drawing 1, 1:1250 site location plan is considered to have been demonstrated over the relevant 4 year period.

SECOND SCHEDULE:

For the purposes of the first schedule (i) above, this certificate relates to the land edged red on the submitted Drawing 1- 1:1250 site location plan, Drawing 2 - 1:500 Block Plan and floor plan at Meadow Farm Nursery, Woodgaston lane, Hayling Island, PO11 0RL

Our Ref: APP/17/01315

OTHER IMPORTANT INFORMATION:

- (1) This Certificate is issued solely for the purpose of Sections 191/192 of the Town and Country Planning Act 1990 (as amended). It does not relate to any other application that may be required under any other part of the Town and Country Planning Act, the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) It certifies that the use specified in the First Schedule taking place on land described in the Second Schedule would have been lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) on the specified date and thus would not have been liable to enforcement action under section 172 of the 1990 Act on 07 December 2017.
- (3) The certificate only applies to the extent of the use specified in the First Schedule taking place on land described in the Second Schedule and as shown edged in red on the submitted location plan. Any use which is materially different from that described or which relates to other land may render the owner/occupier liable to enforcement action under section 172 of the 1990 Act.
- (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 matter relevant to determining such lawfulness.
- (5) Your attention is drawn to the attached information regarding your right to appeal to the Department for Transport Local Government and the Regions, if you are aggrieved by the Council's decision.

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

05 April 2018