



Havant
BOROUGH COUNCIL

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For: Miss Lin

Ref No.: APP/17/01169

**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**

Havant Borough Council, as Local Planning Authority, certifies that on 8 November 2017 the use described in the First Schedule to this certificate in respect of land described in the Second Schedule would be lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason

The inclusion of the Chinese Takeaway would be considered to comply with the existing A5 use of the unit.

Planning Services

15 December 2017

FIRST SCHEDULE:

This certificate relates to the following use:

Use of the ground floor of 240 London Road, Waterlooville, PO7 7HB as both a Fish and Chip and Chinese Takeaway, (Use Class A5) as described in the written particulars and other documents submitted with this application.

SECOND SCHEDULE:

Use of the ground floor of 240 London Road, Waterlooville, PO7 7HB, as shown outlined in red on submitted plan: OS license Number 100047474 received 08 November 2017.

OTHER IMPORTANT INFORMATION:

- (1) This Certificate is issued solely for the purpose of Sections 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

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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 192 of the Town and Country Planning Act 1990 (as amended) on the specified date and thus was would not have been liable to enforcement action under section 172 of the 1990 Act on 30 November 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

15 December 2017