Havant BOROUGH COUNCIL

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To:
Ms M Owens
220 Dunsbury Way
Havant
PO9 5BQ

Ref No.: APP/17/00740

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 15/08/2017 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 would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason:

1 The proposed mobile home does not accord with the definition of a caravan as defined in Section 29(1) of the Caravan Sites and Control of Development Act 1960 as it would be delivered to the site in kit form and assembled as a single unit and would thus comprise of more than two sections. It has been indicated that the means of assembly would be built in the conventional sense as opposed to by means of bolts, clamps and other devices. Section 13 (1) of the Caravan Sites Act 1968 is therefore not satisfied and the proposal would thus amount to operational development requiring planning permission. The proposal would further not fall within Class E of Part 1 of the Schedule of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) by virtue of its height exceeding 2.5m within 2 metres of the boundary of the curtilage of the dwellinghouse.

FIRST SCHEDULE:

This decision relates to the following Application for Certificate of Lawfulness relating to siting of log cabin in rear garden s described in the written particulars, plans and other documents submitted with your application.

SECOND SCHEDULE:

This decision relates to land at 220 Dunsbury Way, Havant PO9 5BQ as shown edged red on the submitted location plan.

Andrew Biltcliffe

Andrew Biltcliffe
Executive Planning Service Manager

10 October 2017

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 if carried out 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.