



Havant
BOROUGH COUNCIL

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Mr W Hammond
38 Kings Road
Hayling Island
PO11 OPD

Ref No.: APP/15/00691

**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 19 June 2015 the use described in the First Schedule to this certificate in respect of land described in the Second Schedule was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) for the following reason:

Use of Bedroom three as an office and land hatched blue for parking 3 private hire vehicles at 38 Kings Road Hayling Island, and has been continuous, for more than 10 years before the date of this application.

Planning Services

24 February 2016

FIRST SCHEDULE:

This certificate relates to the following use:

Mixed Use of 38 Kings Road as a residential dwelling Use Class C3 and sui generis use of Bedroom three as an office and land hatched blue for parking 3 private hire vehicles at 38 Kings Road Hayling Island, as described in the written particulars and other documents submitted with this application.

SECOND SCHEDULE:

Use of 38 Kings Road Hayling Island PO11 OPD, as shown outlined in red on submitted plan: received 6th August 2015, area hatch blue on plan received 17th September 2015, and bedroom three on plan received 14th December 2015.

OTHER IMPORTANT INFORMATION:

- (1) This Certificate is issued solely for the purpose of Sections 191 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.

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- (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 19 June 2015.
- (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 identified on the attached 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
Executive Planning Service Manager

24 February 2016