



Havant
BOROUGH COUNCIL

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To:
Mr Jupp
Stephen Jupp MRTPI
348 Chichester Road
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For: Mr Graham

Ref No.: APP/15/00733

**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 30 June 2015 the development described in the First Schedule to this certificate in respect of land described in the Second Schedule and location plan submitted would have been lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) for the following reason:

- 1 The proposal does not comply with Schedule 2, Part 1, Classes A (i) or B of the Town and Country Planning (General Permitted Development) (England) Order 2015. The enlarged part of the dwellinghouse would exceed the scope of Class B, being more than an addition to or enlargement of its roof. Furthermore the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage and the height of the eaves of the enlarged part would exceed 3 metres; this would exceed the limitations of clause (i) of Class A. As such the proposal could not be carried out as a Permitted Development under the aforementioned Order.

Andrew Biltcliffe

Andrew Biltcliffe
Executive Planning Service Manager

20 August 2015

FIRST SCHEDULE:

This decision relates to the following development:

Alterations to the existing dwelling, as shown on submitted drawing 'Proposed Floor Plans and Elevations' drawing number OTH/9/14 04B dated 29 June 2015.

SECOND SCHEDULE:

This decision relates to land at 109 Hulbert Road, Havant, PO9 3TD, as shown edged in red on the submitted location plan identified as Sheet 1 - Location Plan.

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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 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.