



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263
DX 50005 Havant

www.havant.gov.uk

Mr Bessant
JB Architecture
10 Covington road
Westbourne
Emsworth
PO10 8SY

For: Mr Young

Ref No.: APP/14/00610

**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**

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Havant Borough Council, as Local Planning Authority, certifies that on 08 June 2014 the development described in the First Schedule to this certificate in respect of land described in the Second Schedule and edged red on the submitted Location Plan (Drawing No. 01) would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason:

The proposed two dormer windows to the eastern roof slope of the property within the curtilage of 7 Victoria Road, Emsworth is permitted development by virtue of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the No. 2 (England) Order 2008.

Service Manager (Planning Development)

06 August 2014

FIRST SCHEDULE:

This certificate relates to the following development:

The addition of two dormer windows to the eastern roof slope of the property as described in the written particulars, plans and other documents submitted with your application, those drawings being Location Plan (Drawing No. 01), Existing Plans and Elevations (Drawing No. 02) and Proposed Plans and Elevations (Drawing No. 03) received on 9 June 2014.

SECOND SCHEDULE:

This certificate relates to land at 7 Victoria Road, Emsworth, Hants, PO10 7NH, as shown edged red on submitted Location Plan, drawing number 01.

Our Ref: APP/14/00610

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 6573.
- (2) It certifies that the use/development specified in the First Schedule taking place on land described in the Second Schedule was/were/would have been lawful within the meaning of section 191/192 of the Town and Country Planning Act 1990 (as amended) on the specified date and thus was not/were not/would not have been liable to enforcement action under section 172 of the 1990 Act on 08 June 2014.
- (3) The certificate only applies to the extent of the use/development specified in the First Schedule taking place on land described in the Second Schedule and identified on the attached plan. Any use/development 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.
- (6) This decision is provided on the basis that;
 - a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
 - b) other than in the case of of a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof, shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof; and
 - c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall be -
 - (i) obscure glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.