

To:
Mr Rosenthal
12 Angelica Way
Whiteley
Fareham
PO15 7HY

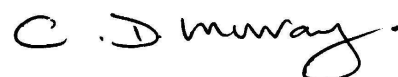
For: Mr & Mrs Bushnell

Ref No.: APP/14/00259

**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 10 March 2014 the development described in the First Schedule to this certificate in respect of land described in the Second Schedule and edged red on submitted Location Plan PG NO:07 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 Whilst the size, location and design of the side extension proposed in this application would meet with current permitted development allowances, the effect of Condition 4 of Planning Permission 30510 dated 3 January 1985, which gave consent for the original dwellinghouse at 1 The Gardens, is such as to withdraw those permitted development rights. In the absence of a valid planning permission for the development shown on the submitted plans, such development would not be lawful.



Service Manager (Planning Development)

13 May 2014

FIRST SCHEDULE:

This decision relates to the following development:

Removal of existing conservatory and construction of a single storey side extension as described in the written particulars, plans and other documents submitted with your application received on 10 March 2014.

SECOND SCHEDULE:

This decision relates to land at 1 The Gardens, Havant, PO9 2XH as shown edged red on submitted Location Plan PG NO:07.

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 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:
 - You were updated about issues prior to the recommendation being made.
- (4) 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. Details are also available on the Planning Portal at www.planningportal.gov.uk