



**Havant**  
**BOROUGH COUNCIL**

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Mr S Borland  
Borland and Borland  
9A High Street  
Emsworth  
PO10 7AQ

For: Mrs S Osmond-Smith

Ref No.: APP/13/00085

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**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**

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Havant Borough Council, as Local Planning Authority, certifies that on 11 January 2013 the use described in the First Schedule to this certificate in respect of land described in the Second Schedule and edged red on the plan attached to this certificate was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) for the following reason:

It appears to the Local Planning Authority that, on the balance of probability, the use described in the First Schedule and plan attached to this Certificate has taken place for a continuous period of at least four years up to the date of the current application. The Authority has considered evidence submitted by the applicant, Council Tax records and evidence obtained by the Authority during a site inspection.

Service Manager (Planning Development)

15 March 2013

**FIRST SCHEDULE**

A single dwelling house.

**SECOND SCHEDULE**

This Certificate relates to the land outlined in red, as shown on the attached plan, at 50 Long Copse Lane, Emsworth, PO10 7UR.

**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 6573.
- (2) It certifies that the use specified in the First Schedule taking place on land described in the Second Schedule was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) on the specified date and thus was not liable to enforcement action under section 172 of the 1990 Act on 11 January 2013.
- (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.