Havant
BOROUGH COUNCIL

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For: Mrs Shipp

Ref No.: APP/11/00154

**Town and Country Planning Act 1990: Section 191 (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**

It appears to the Local Planning Authority on the balance of probability that the uses described in the First and Second Schedules and plan attached to this Certificate, have taken place for a continuous period of at least ten years up to the date of the current application. The Authority has considered evidence and additional information submitted by the applicant, representations received in response to the planning application and aerial photographs and Counsel's advice obtained by the Authority.

C. D Murray

Service Manager (Planning Development)
04 October 2011

**FIRST SCHEDULE:**

This certificate relates to the following use:

i) the use of land (edged red on the attached plan) to the east of No. 13 The Kench for the mooring and use of not more than one houseboat of dimensions not exceeding: 13.7 metres (45 feet) in length, 4 metres (13 feet) in width and 3.4 metres (11 feet) in height (measured from base of keel to top of roof).

ii) in association with i) above, the use of land (edged dark blue on the attached plan) at The Kench of communal facilities (including existing access roads, car park, boat trailer park and communal slipway) but not including associated use of any other houseboat, mooring or chalet.

Our Ref: APP/11/00154

**SECOND SCHEDULE:**

This Certificate:

for the purposes of the First Schedule i) above, relates to land edged in red on the attached plan to the east of No. 13 The Kench, Ferry Road, Hayling Island,

and

for the purposes of the First Schedule ii) above, relates to land edged in dark blue on the attached plan at The Kench, Ferry Road, Hayling Island.

**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 13 February 2011.

(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) 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.




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Title:

The Kench, Ferry Road, Hayling Island.

Certificate of Lawfulness APP/11/00154.

Site Plan to be read in conjunction with Certifiate.

Drawn By: AJS

Scale: 1:2000

Drawing No: Site Plan 01

**Cleaner, Safer, More Prosperous**

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**Legend**

Land referred to in the First Schedule (i) and Second Schedule to this Certificate

Land referred to in the First Schedule (ii) and Second Schedule to this Certificate