Havant
BOROUGH COUNCIL

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To:
Mr Ellis
Solairtech Renewables
Unit 1 Forge Works
Mill Lane
Alton
Hants
GU34 2QG

For: Mr Vaughan

Ref No.: APP/10/00337

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 29 June 2010 the development described in the First Schedule to this certificate in respect of land described in the Second Schedule and edged black on the plan attached to this certificate 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 installation of solar photovoltaic panels onto the roofslope is permitted development by virtue of Part 40 Class A:2 of the Town and Country (General Permitted Development) (Amendment) (England) Order 2008.

Head of Development & Technical Services

22 September 2010

FIRST SCHEDULE:

This certificate relates to the following development:
Installation of solar photovoltaic panels onto the eastern roofslope as described in the written particulars, plans and other documents submitted with your application, as amended by plans and documents received on 29 June 2010.

SECOND SCHEDULE:

This certificate relates to land at 19B King Street, Emsworth, Hants, PO10 7AX, as shown edged black.

Our Ref: APP/10/00337

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 29 June 2010.

(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.