

The Head of Development Control
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
Hampshire
PO9 2AX

5 January 2024

Dear Sir/Madam,

Planning Statement.

Application for a Certificate of Lawful Use or Development.

56 Soberton Road, Havant PO9 2EG.

Erection of an outbuilding and its occupation as an independent dwellinghouse.

1. We have been instructed by Alan Jasper of 56 Soberton Road in Havant to invite your Council to issue a Certificate of Lawful Use or Development which recognises that, as the outbuilding in the side garden of his home was substantially completed in February 2012 and it has since been continuously occupied as an independent dwellinghouse (with no pre-existing Enforcement Notice in place against it) it is lawful.

2. Robert Tutton invited Alan Jasper to clarify his role in the erection of the subject outbuilding (outlined in red on drawing no.SD-2402-01-A) and compile a list of its occupants since its substantial completion in February 2012. The four witnesses drafted their own Declarations and presented them for completion before Solicitors of their choice. All five completed Declarations are reproduced as attachments to this application but a summary of their consistent, robust and reliable evidence is presented here.

3. Alan Jasper has declared that he commenced construction of the outbuilding in June 2011 and completed it eight months later, in **February 2012**. Mr Jasper has recorded the names of the four tenants that have occupied the outbuilding since **March 2012**:- [REDACTED] (March 2012 to August 2015); [REDACTED] (September 2015 to March 2020); [REDACTED] (March 2020 to November 2023); and [REDACTED] from November 2023 to date - and each of them has completed a Statutory Declaration to endorse Mr Jasper's recollections. For completeness, Mr Jasper has also recorded the arrangements that were required to renovate and/or market the outbuilding between tenancies, to ensure continuity of occupation.

4. It is submitted that the Statutory Declarations completed by Alan Jasper and his four tenants confirm that the outbuilding was completed in February 2012 and that it has since been continuously occupied as a dwellinghouse (independent of the original 56 Soberton Road) for over ten years. As no pre-existing Enforcement Notice is in place, it is submitted that the independent residential occupation of the outbuilding is lawful and a Certificate of Lawful Use or Development should be issued in recognition of that status.

Yours faithfully,



Niall Tutton
Director