

TOWN AND COUNTRY PLANNING ACT 1990: Section 192
Town and Country Planning (Development Management Procedure)
(England) Order 2015: article 39

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

WINCHESTER CITY COUNCIL hereby certifies that on 16th July 2019 the proposed development described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red 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 Council is satisfied on the submitted evidence that the proposed development is such as would be lawful if begun on the date of the application, namely 16th July 2019, as the use of the land to station a temporary mobile home/family annexe for use by members of the family of the owners of the land would be for a purpose which is incidental to the use and enjoyment of the main dwelling at the land all as described in the Planning Statement and as shown on the drawings accompanying application number 19/01557/LDP referred to in the Second Schedule hereto, and so by virtue of Section 55(2)(d) of the Town and Country Planning Scotland Act 1990 would not constitute development requiring planning permission.

Signed:



Service Lead – Legal Services (Interim)

On behalf of Winchester City Council

Date: 26 September 2019

FIRST SCHEDULE

Use of the land to station a temporary mobile home/family annexe for use by members of the family of the owners of the land incidental to the main dwelling all in accordance with Planning Statement with appendices A to E; Site Location Plan Ref: 2905.19-HA-PLLP-OPT1 scale 1:1250 @ size A3; Block Plan Ref: 2905.19-HA-PLBP-OPT1 scale 1:500 @ size A3; Bays Plan Ref: 2905.19-HA-PLBAYS-OPT1 scale 1:50 @ size A3 Elevations Ref: 2905.19-HA-PLEP-OPT1 scale 1:50 @ size A3; Floor Plan Ref: 2905.19-HA-PLP-OPT1 scale 1:50 @ size A3; and Homelodge Section accompanying application number 19/01557/LDP dated 16th July 2019.

SECOND SCHEDULE

The land and dwelling house known as Greylands, 32 Mill Road, Denmead, Hampshire PO7 6PA

Notes:

1. This Certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended)
2. It certifies that the proposed development specified in the First Schedule on the land described in the Second Schedule would have been lawful on the specified date and, thus, would not have been liable to enforcement action under section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the development described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operations or use which are materially different from that described or which relate to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso 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 matters relevant to determining such lawfulness.
5. A certificate under section 192 of the Act may be revoked if on the application for the certificate-
 - (a) a statement was made or document used which was false in a material particular; or
 - (b) any material information was withheld.