

To:  
Stephen Jupp MRTPI  
348 Chichester Road  
Bognor Regis  
West Sussex  
PO215BX

For: Wildacre Investments Ltd

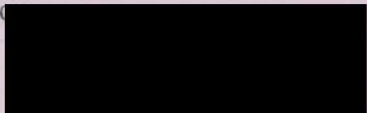
Ref No.: 03/52498/003

**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 28 September 2003 the use described in the First Schedule to this certificate in respect of land described in the Second Schedule and hatched and edged black on the plan attached to this certificate was lawful within the meaning of section 191/192 of the Town and Country Planning Act 1990 (as amended) for the following reason:

The use, operation or activity in breach of Condition 3 of Planning Permission 89/52498/001 began more than 10 years before the date of the application

  
Head of Planning and Development

09 July 2004

**FIRST SCHEDULE:**

This certificate relates to the following use/development:

Use of building for purposes not incidental to the enjoyment of the dwellinghouse, Laburnums, in breach of Condition 3 of Planning Permission 89/52498/001 as described in the written particulars, plans and other documents submitted with your application, as amended by plans and documents received on 30 March 2004 and 29 June 2004.

**SECOND SCHEDULE:**

This certificate relates to land to the rear of Laburnums, St Peters Road, Hayling Island, PO11 0RT, as shown edged and hatched black on drawing number PC36/7

Our Ref: 03/52498/003

**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 28 September 2003.
- (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.