EASTLEIGH BOROUGH COUNCIL

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 LAWFULNESS OF EXISTING USE OR DEVELOPMENT

Application number: U/10/67636

Eastleigh Borough Council herby certify that on 16 July 2010 the breach of condition described in the First Schedule to this Certificate relating to the dwelling specified in the Second Schedule to this Certificate and edged red on the plan attached to this Certificate ("the Dwelling") was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended) for the following reason:

The Council is satisfied based on the information submitted that the breach of condition described in the First Schedule relating to the Dwelling is lawful because it began more than ten years before 16 July 2010 being the date of the application and is therefore immune from enforcement action.

Signed:.....(Council's Authorised Officer)
Allan Richard Ward
Head of Legal and Democratic Services
On behalf of Eastleigh Borough Council

Date: 11 October 2010

FIRST SCHEDULE

Condition 3 of planning permission 19430/7 dated 21 June 1984 relating to the Dwelling states: *The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971 or in forestry (including any dependents of such a person residing with him) or a widow or widower of such a person.* The Dwelling is occupied in breach of Condition 3 of planning permission 19430/7 dated 21 June 1984 relating to the dwelling.

SECOND SCHEDULE

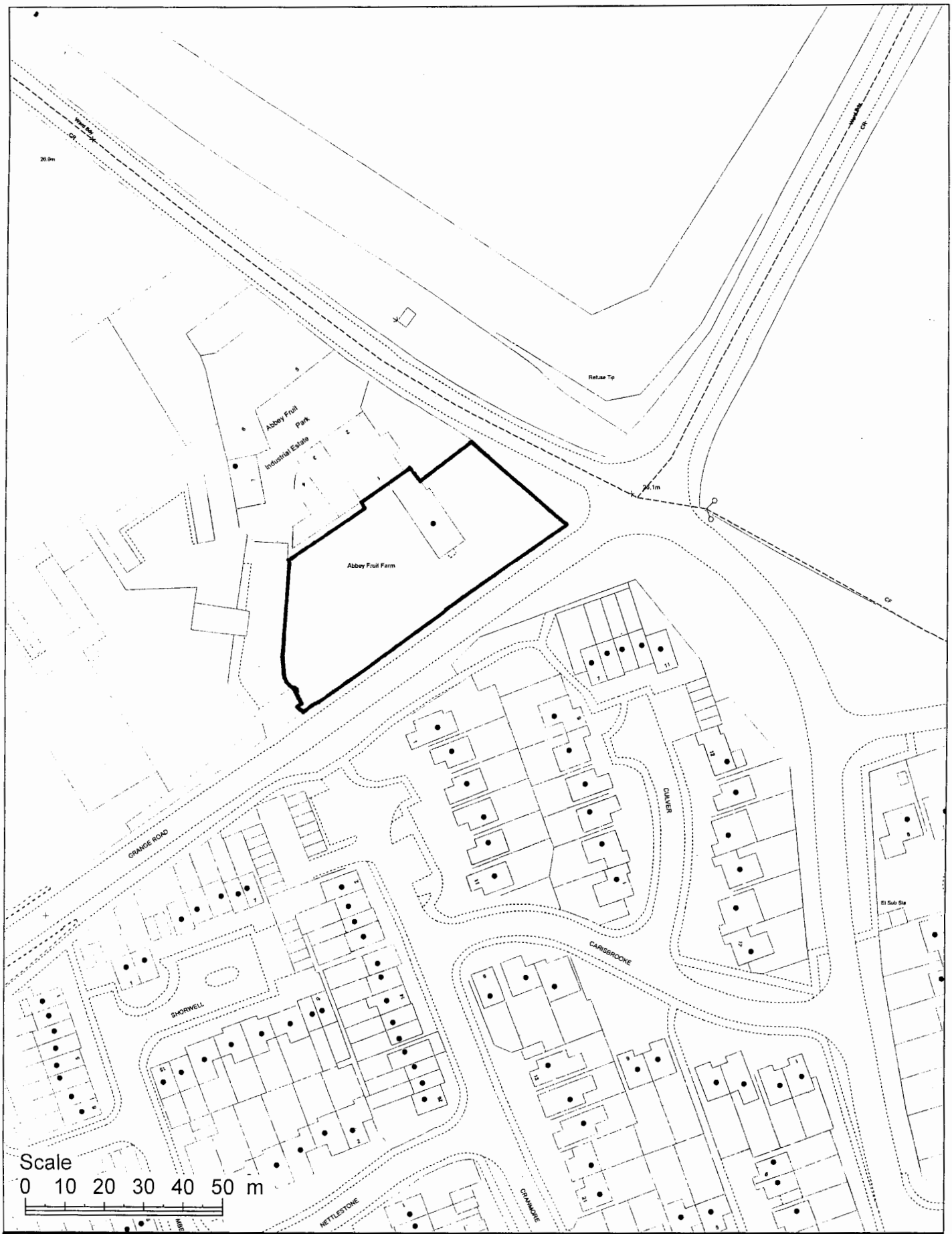
Abbey House, Grange Road, Netley Abbey, Southampton, SO31 5FF

Notes

1. This certificate is issued solely for the purpose of section 191 of the Town and Country Planning Act 1990 (as amended).

2. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful on the specified date and thus was not liable to enforcement action under section 172 of the 1990 Act on that date.

3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified 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 or occupier liable to enforcement action.



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Development Control

Scale 1:1250

Map Ref SU4609SW

Date 05/08/2010

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