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 (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010: ARTICLE 35

CERTIFICATE OF LAWFUL EXISTING USE OR DEVELOPMENT

Application number: U/14/74370

Eastleigh Borough Council hereby certify that on 26 March 2014 the breach of condition described in the First Schedule to this Certificate in respect of 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(s):

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 26 March 2014 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: 10 June 2014

FIRST SCHEDULE

Condition 3 of planning permission WIR20880 dated 8 July 1971 for the erection of agricultural dwelling following demolition of The Bungalow, Blind Lane, West End states: *The occupier of the dwelling shall be a person employed or last employed in agriculture, as defined by Section 221(1) of the Town & Country Planning Act 1962, or in forestry, or the dependent of such a person.* The Dwelling has been occupied in breach of condition 3 of planning permission WIR20880 dated 8 July 1971 in excess of ten years.

SECOND SCHEDULE

Green Acres, Blind Lane. West End, Southampton SO30 2HJ

Notes

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

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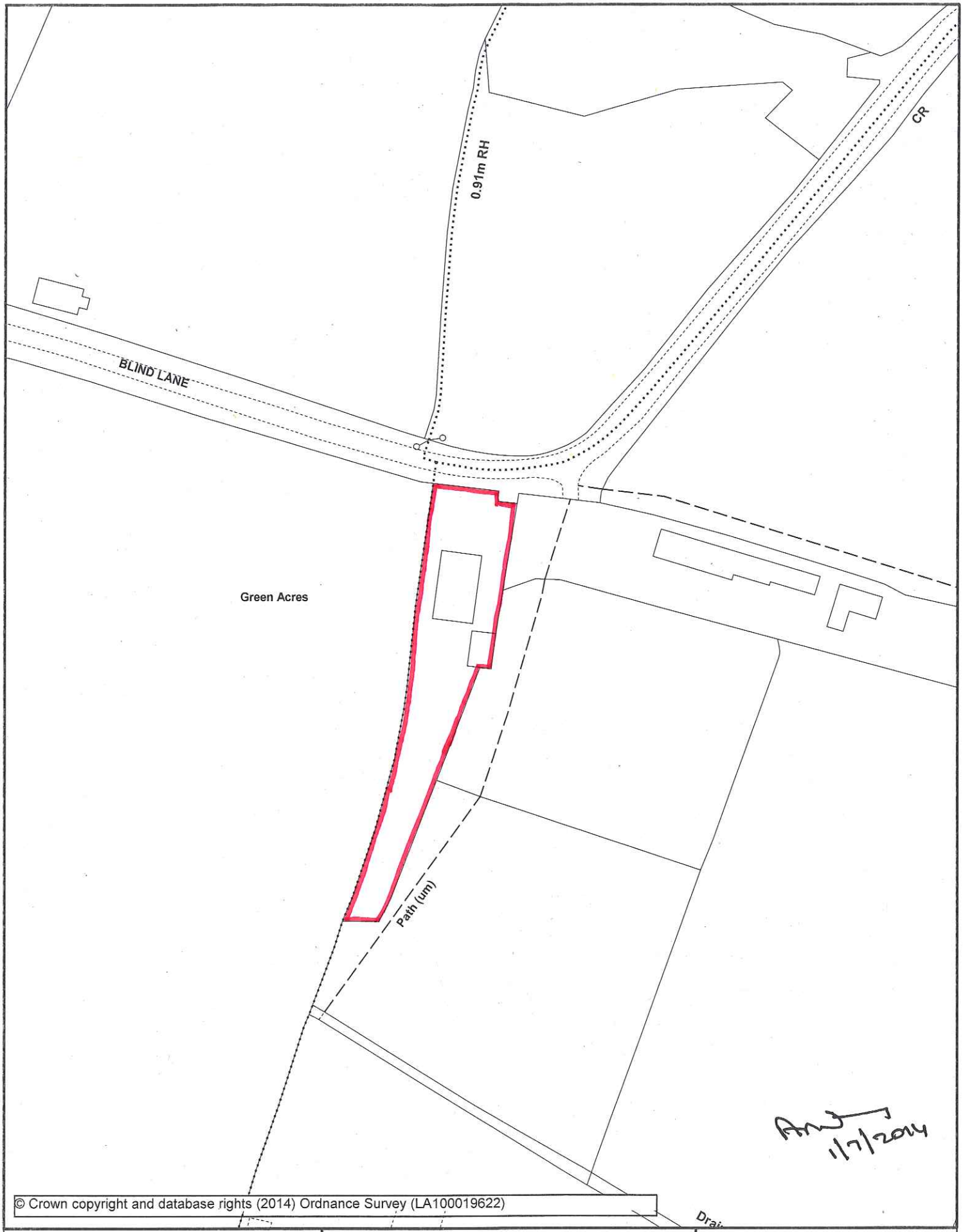
* original plan dated 28 May 2014 substituted by the revised plan dated 24 June 2014.

1/7/2014

2. It certifies that the breach specified in the First Schedule taking place on the land described in the Second Schedule was lawful on the specified date and therefore 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 breach of condition described in the First Schedule and to the Dwelling specified in the Second Schedule and identified on the attached plan. Any matters which are materially different from that described or which relate to other land may render the owner or occupier liable to enforcement action.



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EASTLEIGH BOROUGH COUNCIL

Legal Services

Title:

Green Acres

Blind Lane, West End

Scale:
1:1000

Map Ref:
SU4916SW

Date:
24/06/2014

N