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 2015: ARTICLE 39

CERTIFICATE OF LAWFUL EXISTING USE OR DEVELOPMENT

Application number: U/15/76984

Eastleigh Borough Council hereby certify that on 29 July 2015 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 29 July 2015 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: 5 November 2015

FIRST SCHEDULE

Condition 1 of planning permission 27898/005 dated 8 September 2003 relating to the Dwelling states: *'The occupation of the dwelling shall be limited to a person solely or mainly working or last working in the locality in connection with the keeping of horses, in agriculture or forestry, or a widow or widower of such a person and to any resident dependants'.*

SECOND SCHEDULE

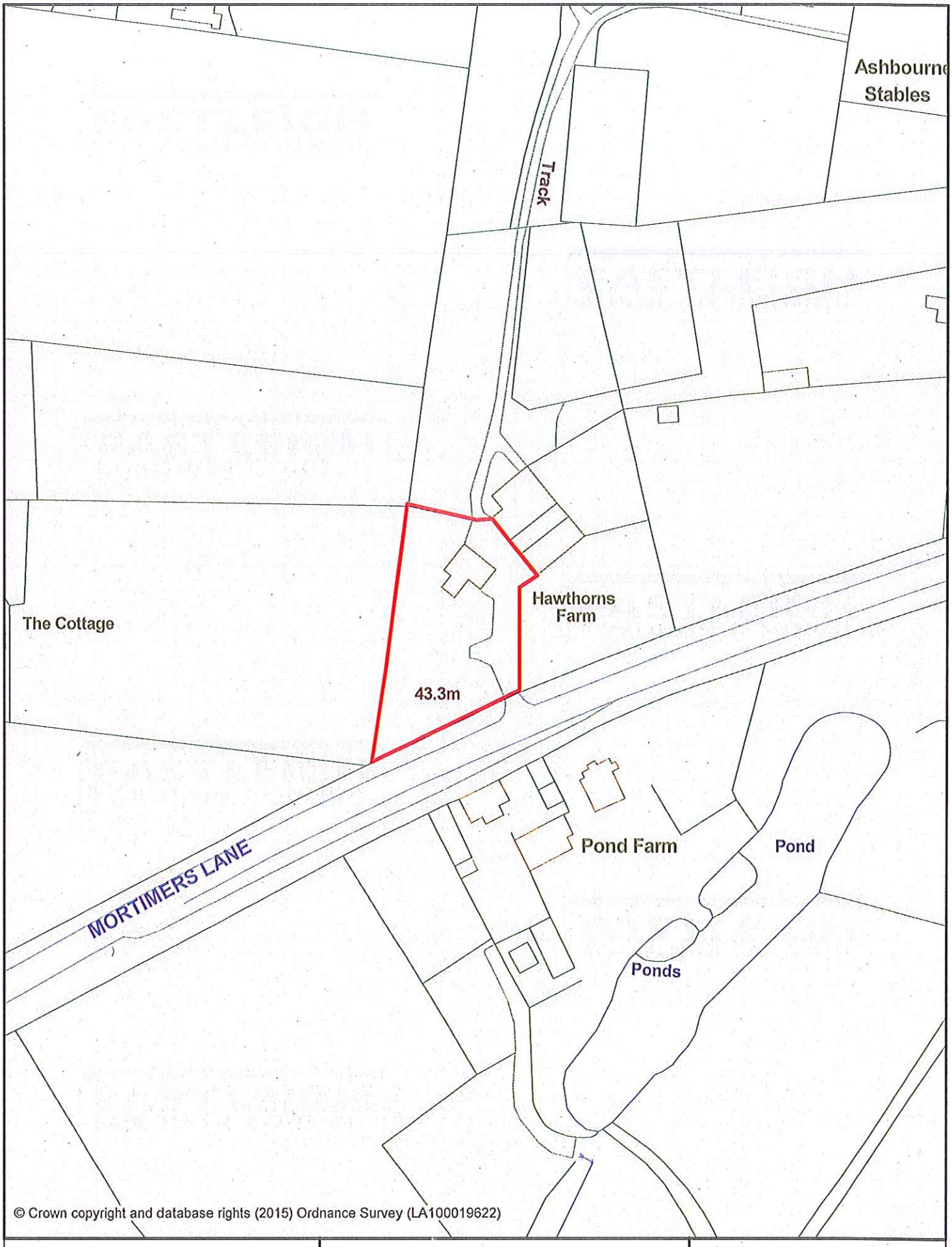
Hawthorns Farm, Mortimer's Lane, Lower Upham, Southampton SO32 1HF

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 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 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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EASTLEIGH BOROUGH COUNCIL

U/15/76984

Title:

Hawthorns Farm,
Mortimers Lane,

Lower Upham, SO32 1HF

Scale:
1:1250

Map Ref:
SU5119SE

Date:
11/09/2015

N