EASTLEIGH BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192
(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 PROPOSED USE OR DEVELOPMENT

Application number: U/13/73546

Eastleigh Borough Council hereby certify that on 29 October 2013 the use described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule to this Certificate 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(s):

The proposed use is lawful because it does not require planning permission as it is incidental to the enjoyment of the main dwellinghouse as per Section 55 (2) (d) of the Town and Country Planning Act 1990 (as amended).

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

Date: 9 January 2014

FIRST SCHEDULE

The stationing of a caravan within the curtilage of the land specified in the Second Schedule for purposes incidental to the enjoyment of the main dwellinghouse as detailed in the application form dated 29 October 2013, the Internal Layout and Design Sketch, Evidence to Verify Application, Block Plan, Location Plan and email dated 12 December 2013 (Use Class C3(a)).

SECOND SCHEDULE

Boorley Green Cottage, 150 Winchester Street, Botley Southampton SO30 2AA

This Certificate is granted on the following basis:

1. The intended location of the caravan is shown in the area edged blue on the plan attached to this Certificate.
2. The caravan will be occupied by the applicant's mother-in-law only.
3. The caravan will have two bedrooms, kitchen, living area, shower room and bathroom.

4. The caravan will be 20 foot by 40 foot.
5. The caravan will comply with Section 29 of the Caravan Sites and Control of Development Act 1960 and Section 13 of the Caravan Sites Act 1968.
6. The caravan will depend on the use of the utilities of the main dwellinghouse i.e. electricity, gas and water.
7. No new entrance will be created as access will be shared.
8. No rent will be paid for the use of the caravan.
9. The applicant's mother in law will depend on cooking and food storage facilities in the main dwellinghouse.
10. The applicant's mother in law will depend on the storage area of the main dwellinghouse for the majority of her belongings.
11. The applicant's mother in law will take most of her main meals in the main dwellinghouse.
12. The applicant and the occupiers of the main dwellinghouse will provide care for the applicant's mother in law.

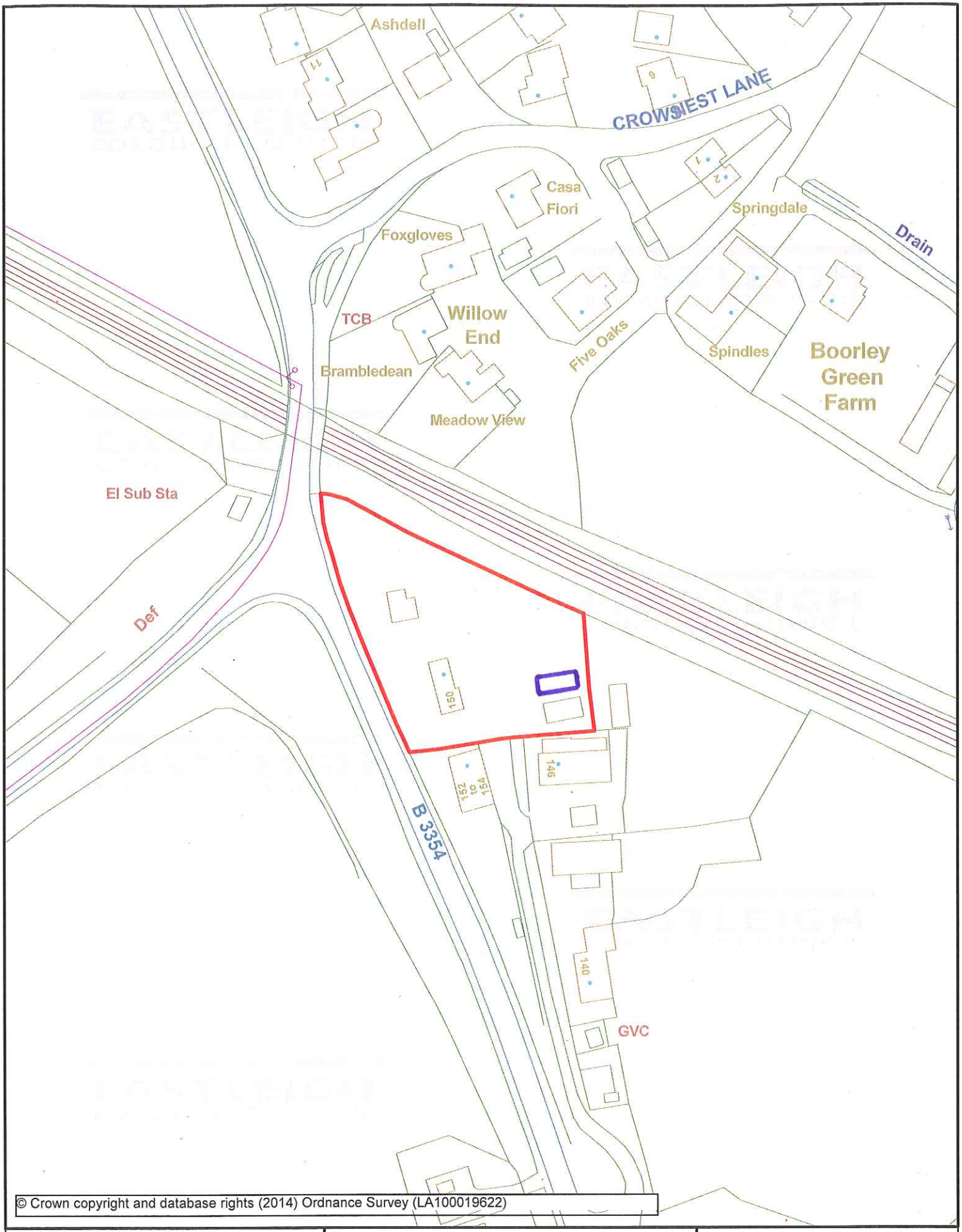
Notes

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 use specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and therefore 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 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.

4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, 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 are began, in any of the matters relevant to determining such lawfulness.



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EASTLEIGH BOROUGH COUNCIL

Boorley Green Cottage

Title:

150 Winchester Street,
Botley. SO30 2AA

Scale:
1:1250

Map Ref:
SU5014SE

Date:
06/01/2014

N