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6 OCT 2015



Kim Blunt
Southern Planning Practice Ltd
Youngs Yard
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Twyford
Winchester
SO21 1NN

Legal and Democratic Services
Our Ref: JD/6/15/262/10170
Contact: Julia Davies
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2 October 2015

Dear Ms Blunt

Section 192 Town and Country Planning Act: Application for Certificate of Lawfulness for Proposed Use or Development.

Proposed use or development: siting of a mobile home for ancillary residential use

Site address: 74 Whyteways, Eastleigh SO50 4NR

Applicant: Ms T McAdam

Application number: U/15/76954

I refer to previous correspondence in relation to this matter.

Following consideration of the application, I now enclose a Certificate of Lawfulness which has been granted by Eastleigh Borough Council together with a copy for your client.

The grant of the Certificate deems the proposed stationing of a caravan within the curtilage of 74 Whyteways, Eastleigh, for purposes incidental to the enjoyment of the main dwellinghouse, to be lawful.

Please would you kindly acknowledge safe receipt of this letter and its enclosure.

Yours sincerely

A handwritten signature in dark ink, appearing to be "JD", enclosed within a large, loopy oval shape.

Julia Davies

Solicitor

for the Head of Legal and Democratic Services

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16 OCT 2015



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 2015: ARTICLE 39

CERTIFICATE OF LAWFUL PROPOSED USE OR DEVELOPMENT

Application number: U/15/76954

Eastleigh Borough Council hereby certify that on 27 July 2015 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: 2 October 2015

FIRST SCHEDULE

The stationing of a mobile home within the curtilage of the land specified in the Second Schedule for purposes incidental to the enjoyment of the main dwellinghouse (Use Class C3(a)).

SECOND SCHEDULE

74 Whyteways, Eastleigh SO50 4NR

This Certificate is granted on the following basis:

1. The mobile home will be occupied by the applicant's parents only
2. The mobile home will not be permanently affixed to the ground
3. The use of the land will be ancillary to the dwelling at 74 Whyteways
4. The occupiers will retain their close family links with their daughter and her family occupying the main house and who they will rely on for support for their day to day living needs
5. The mobile home will not be provided with a private curtilage

6. The mobile home will not have a separate postal address
7. The mobile home will share the existing dwelling's utility services and will be jointly billed
8. There will be no change to the planning unit
9. The mobile home will be removed from the site when no longer needed for occupation by the applicant's parents
10. The mobile home will comply with Section 29 of the Caravan Sites and Control of Development Act 1960 and Section 13 of the Caravan Sites Act 1968.
11. No new entrance will be created as access will be shared.

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 begun, in any of the matters relevant to determining such lawfulness.



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EASTLEIGH
BOROUGH COUNCIL

U/15/76954

Title:

74 Whyte ways,
Eastleigh

SO50 4NR

Scale:

1:1250

Map Ref:

SU4519NW

Date:

11/09/2015

