

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**

**NOTICE OF REFUSAL OF APPLICATION FOR A CERTIFICATE OF
LAWFUL EXISTING USE OR DEVELOPMENT**

Application Number: LDC/22/94258

Eastleigh Borough Council hereby refuses an application dated 21st November 2022 made by Ian Donohue for a certificate of lawfulness of use or development in respect of the matter described in the First Schedule below on the land specified in the Second Schedule below and demonstrated on the red line plan attached to this Notice for the following reason(s):

The Council is not satisfied that, based on the information submitted with this application, that the use described in the First Schedule at the land described in the Second Schedule is lawful due to insufficient evidence that the land has been used as 4 self-contained flats for a period in excess of 4 years as at 21st November 2022 being the date of the application.

Signed:



Helen Devereux
Legal Services Manager and Data Protection Officer
On behalf of Eastleigh Borough Council

Date: 6th March 2023

FIRST SCHEDULE

A change of use from a live/work unit to 4 self-contained flats

SECOND SCHEDULE

Unit 1 Seddul Bahr, Allington Lane, West End, Hampshire, SO30 3HP

Notes

1. This certificate is issued solely for the purposes of section 191 of the Town and Country Planning Act (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.

