

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**

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

Application number: LDC/23/95788

Eastleigh Borough Council ("the Council") hereby refuses an application dated 4th August 2023 made by Matt Leather of Rymacare Ltd for a certificate of lawfulness of use or development in respect of the matter described in the First Schedule below in respect of the land specified in the Second Schedule below and edged red on the plan attached to this Notice for the following reason(s):

The annexe is restricted by Condition 4 of Planning Permission F/15/76121 which states - The annexe hereby permitted shall only be used in conjunction with the existing dwelling or by a dependent relative of the occupiers of the existing dwelling and shall not be sold off, occupied or used as an independent unit of accommodation. Reason: The property is not suitable for sub-division into two separate dwellings.

The annexe is not a separate planning unit and therefore does not benefit from permitted development rights.

Based on the information provided the Council is not satisfied that the proposed development is permitted development under Class C3(b) of the Town and Country Planning (Use Classes) order 1987 (as amended)

Signed :  (Council's Authorised Officer)

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

Date: 8 September 2023

FIRST SCHEDULE

Lawful Development Certificate for a proposed use of the annexe as a residential dwelling C3b Use

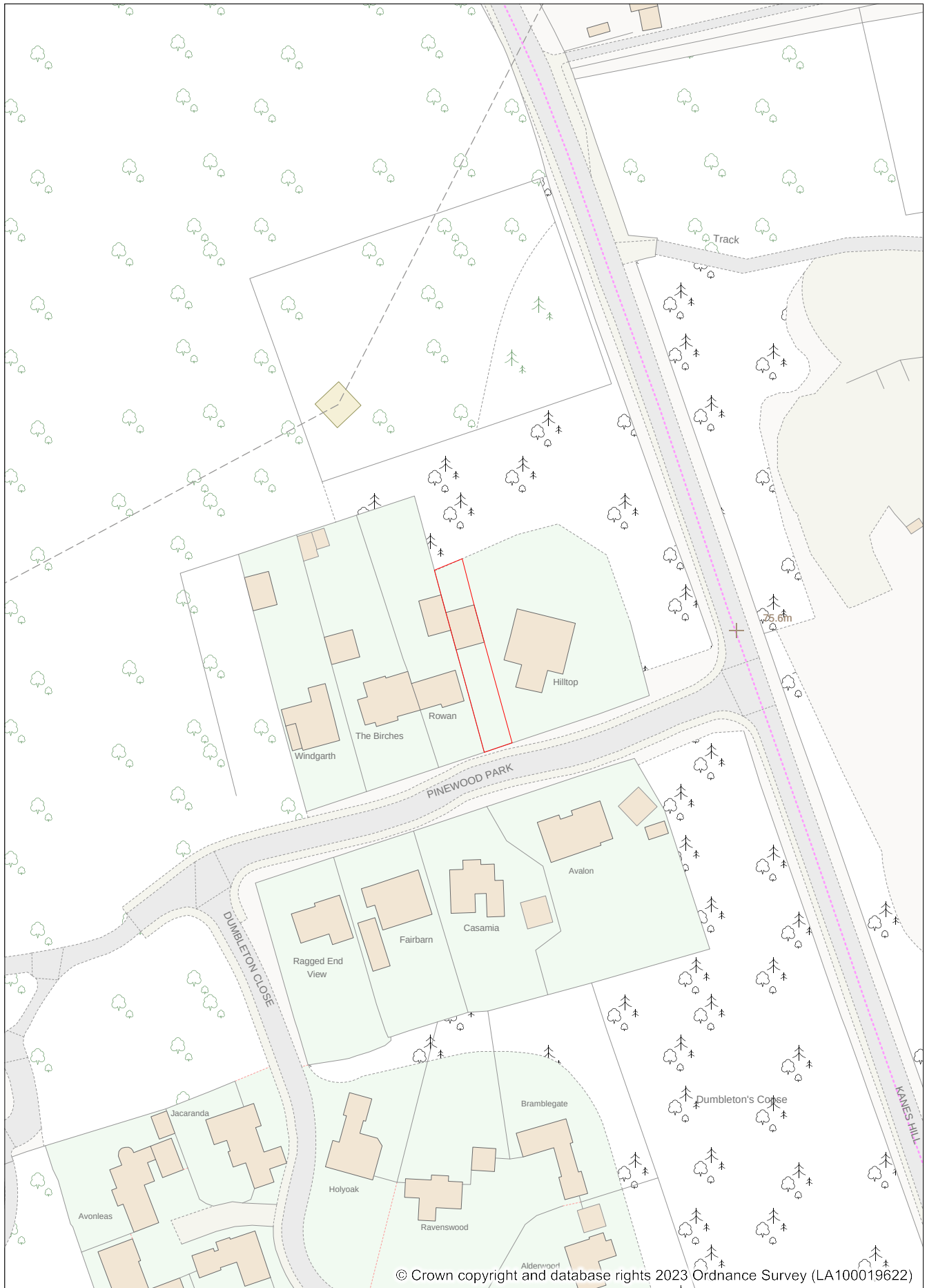
SECOND SCHEDULE

Hilltop, Pinewood Park, Hampshire, SO19 6AL

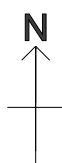
Note:

If you are aggrieved by the above decision you may appeal to the Secretary of State under section 195: Appeals against refusal or failure to give decision on application of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991).

LDC/23/95788



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Address: Hilltop, Pinewood Park,
Southampton. SO19 6AL

Date: 06/09/2023

Scale: 1:1250