



TOWN AND COUNTRY PLANNING ACT 1990: Section 192
Town and Country Planning (Development Management Procedure)
(England) Order 2015: Article 39

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

WINCHESTER CITY COUNCIL (hereinafter called "the Council") hereby certifies that on 7 August 2017 the proposed development described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this Certificate, would have been lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) for the following reason: given the operation of the caravan park there is no material difference if 124 units are used for permanent residential use rather than 42 (which has already been certified to be lawful by a Lawful Development Certificate issued on 2 August 2017 under reference APP/L1765/X/17/3171592 by a Planning Inspector appointed on behalf of the Secretary of State for Communities and Local Government).

L Hall

Signed:

Legal Services Manager
On behalf of Winchester City Council

Date: 8 December 2017

FIRST SCHEDULE

The use of the Land for the siting of a maximum of 124 caravans for occupation for twelve months of the year by people aged over 50 for the purposes of human habitation including use as a person's sole or main residence.

SECOND SCHEDULE

Wickham Court (formerly known as South Hants Country Park), Blackhouse Lane, North Boarhunt, Fareham, Hampshire PO17 6JS

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 proposed development specified in the First Schedule on the land described in the Second Schedule would have been lawful on the specified date and, thus, 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 development described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operations or use which are materially different from that described or which relate to any other land may result in a breach of planning control which is liable to enforcement action by the local planning authority.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, 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 begun, in any of the matters relevant to the decision about lawfulness.
5. A certificate under section 192 of the Act may be revoked if on the application for the certificate-
 - (a) a statement was made or document used which was false in a material particular; or
 - (b) any material information was withheld.

17/02039/LDP

