Hampshire County Council

Town And Country Planning Act 1990: Section 191 And 192 (As Amended By Section 10 Of The Planning And Compensation Act 1991) Town And Country Planning (General Development Procedure Order 1995- Article 24

Certificate Of Lawful Use Or Development Notice of Decision

To:	GVA Ltd 81 Fountain Street Manchester ME 2EE	Application No.	K.L130
		HCC Ref	GP021
		Received:	17 June 2011
For:	DS Smith Paper Ltd trading as DS Smith Recycling		

Hampshire County Council hereby certifies that on 17 June 2011 the Use described in the First and Second Schedule to this Certificate in respect of the Land specified in the Third Schedule to this Certificate, and outlined in red on the attached Plan 'Location Plan' (June 2011) ("the Plan"), was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended) for the following reason:

On 17 June 2011 the Use described had continued on the Land for more than ten years and so, in accordance with Section 171B(3) of the Town and Country Planning 1990 Act (as amended), no enforcement action could then have been taken.

First Schedule

This Certificate recognises the Use of the Land as a site for the importation, storage and processing of plastic, glass, and steel and aluminium in terms of the following:

i) That the maximum combined tonnage of plastic, glass, and steel and aluminium imported into the site is 5,000 tonnes per annum;

ii) Excluding transport operations, the site operates between the hours of 07.00 to 18.00 Monday to Friday inclusive and 07.00 to 12.00 on Saturdays with Saturday afternoon working once per month. Applicable to plastic, glass, steel and aluminium only;

iii) That transport on the site operates between the hours of 04.30 to 18.00 on Monday and Friday and between the hours of 04.30 to 12.00 on Saturdays with Saturday afternoon working approximately once per month and involves the use of two HGV's on a Monday and one on both Fridays and Saturdays. Applicable to plastic, glass, steel and aluminium only;

All enquiries should be referred to the Economy, Transport & Environment Department, The Castle , Winchester, SO23 8UD

Tel: (01962) 846746 Fax: (01962) 847055

RICHARD READ

For Director of Economy, Transport & Environment
27 June 2012

iv) That goods, plant, waste or materials deposited or stored in the open on the site are stored no higher than 4.5m in height;

v) That the processing of waste on site refers to the importation, sorting, grading, bailing, compacting and exportation of waste delivered to the site;

vi) That steel and aluminium imported onto the site is in the form of steel and aluminium cans.

Note that per annum refers to a 12 month period commencing on 01 January in any given year.

The Site Plan, date stamped as received on 3 August 2011, shows the areas in which the claimed Use is undertaken.

Second Schedule

This Certificate recognises that it is now no longer unlawful not to comply with condition 8 of planning permission K.5341/6 in terms of the following:

i) That goods, plant, waste or materials deposited or stored in the open on the Land are stored no higher than 4.5m in height;

Note that per annum refers to a 12 month period commencing on 01 January in any given year.

The Site Plan, date stamped as received on 3 August 2011, shows the areas in which the claimed Use is undertaken.

Third Schedule

Land at D S Smith Recycling Ltd, Cranbourne Road, Gosport, PO12 1RL more particularly shown edged red on the Plan, attached hereto.

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Notes:

1. This Certificate is issued solely for the purpose of Section 191 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 was 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 Use described in the First Schedule and to the Land specified in the Second Schedule and identified on the attached Plans. 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.