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 (Development Management Procedure Order 2010- Article 35)

Certificate Of Lawful Use Or Development Notice of Decision

To:	Bell Cornwell Chartered Town Planners Bell Cornwell Oakview House Station Road Hook Hampshire RG27 9TP	Application No. HCC Ref Received:	12/01801/HCS WR218 31 July 2012

For: Mr Graham Lailey

Hampshire County Council, as Waste Planning Authority, hereby refuses your application for a Certificate of Lawfulness of Existing Use made under Section 191 of the above Act dated 31 July 2012 in respect of the uses described in the First Schedule hereto in relation to the land specified in the Second Schedule hereto.

The grounds for the above decision are as follows:-

Reason for Refusal

1. In connection with this application the Waste Planning Authority (WPA) considers that there is a conflict between the evidence provided in support of the application and the evidence provided by the WPA and Environment Agency and furthermore, on the balance of probabilities, the WPA considers that there is insufficient supporting evidence to establish that the land subject of this application has been used for waste/scrap metal sorting, recycling and storage –sui generis use, for the requisite period of time.

These reasons are set out more fully in the Report attached to this notice.

A copy of the Report of the Director of Economy, Transport and Environment dated 20th December 2012 is attached and forms part of this Notice.

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

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

Director of Economy, Transport & Environment
20 December 2012

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First Schedule: Use of the Land for waste/scrap metal sorting, recycling and storage – sui generis.

Second Schedule: Land known as Barton House Industrial Estate, Ox Drove Way, Upper Wield, Alresford, Hampshire, SO24 9RN, ("The Land) as shown edged red on the attached Plan ("The Plan").

Notes to Applicant:

1. If the applicant is aggrieved by this decision to refuse an application for a Certificate of Lawfulness of Existing Use or development in whole or in part (including a case in which the Waste Planning Authority modifies the description of the use, operation or the matter in the application or substitutes an alternative description for that description) the Applicant may appeal to the Secretary of State under s195 of the Town and Country Planning Act 1990.

2. Notice of appeal must be given in writing to the Secretary of State. Appeal forms are obtainable from the Planning Inspectorate, Room 3/01 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0117 372 6372. E-mail: enquiries@planning-inspectorate.gsi.gov.uk