



WORTHING BOROUGH COUNCIL

A J Salter & Son
50 Windsor Road
Worthing
West Sussex
BN11 2LY

REFUSAL OF CERTIFICATE OF EXISTING LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2015; article 39

Application Number: AWDM/0487/26

In pursuance of their powers under the above mentioned act the Worthing Borough Council; hereby notify you that the matter described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan submitted with this application, was not lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) and that they REFUSE to issue a Certificate of Existing Lawful Use or Development under section 1912 of the Town and Country Planning Act 1990 (as amended), for the following reason:-

01. On the basis of the available evidence the Local Planning Authority is not satisfied that on the balance of probability the building operations as described in the application were substantially completed more than four years before the date of this application. The evidence provided is not sufficiently precise and unambiguous to satisfy the burden of proof required under Section 191 of the Town and Country Planning Act 1990 and as such has not achieved immunity from enforcement action.

This decision is based on the following submitted plans/documents for avoidance of doubt.

Reference/Drawing Number	Version	Date Rec
INTERNAL WORKS INVOICES X 2		22.04.2026
ORIGINAL ESTATE AGENTS DETAILS		22.04.2026
ALTERATIONS TO LAYOUT	0226 : 1b	22.04.2026
FLOOR PLANS		22.04.2026

First Schedule

Worthing Borough Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

Application for Certificate of Lawfulness for building works completed to alter the internal layout of the first floor flat.

Second Schedule

Flat 136 Montague Street Worthing West Sussex

A handwritten signature in black ink, appearing to read 'G Peck'. The signature is written in a cursive, slightly stylized font.

Gary Peck
Planning Services Manager Date:

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND)
ORDER 2015; article 39**

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES FROM THE ABOVE ORDER. THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT

1. If the applicant is aggrieved by the decision of your Local Planning Authority to refuse a Certificate of Lawful Use or Development, whether in whole or in part (including a case in which the Authority modify the description of the use, operations or other matter in the application or substitute an alternative description for that description), the applicant may appeal to the Secretary of State in accordance with Sections 78 of the Town and Country Planning Act 1990 within six months of the date of this notice.
2. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice,
or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier
3. Further correspondence about this application should quote the application number.
4. Where this notice conveys the granting of a certificate, please note that the decision does not purport to convey planning permission nor any consent or approval which may be required under the Public Health Acts, the Building Regulations, or any other legislation.
5. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State has power to allow a longer period for the giving of notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal.