Adur District Council

Development Management

Mr Paul Burgess MRTPI
Lewis & Co Planning
2 Port Hall Road
Brighton
East Sussex
BN1 5PD

CERTIFICATE OF EXISTING LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 and 192

The Adur District Council hereby certify that on the 1st October 2015 (reference AWDM/1425/15) 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 lawful within the meaning of section 191/192 of the Town and Country Planning Act 1990 for the following reasons:-

01. It has been accepted that on the balance of probability that the use of the outbuilding to the rear of no. 48 Adur Avenue Shoreham-By-Sea as a mortgage business is ancillary to the use of the property as a dwelling under Class C3 of the Use Classes order 1987 as Amended 1990 and 2015.

02. This certificate relates only to the precise use described in the First Schedule which represents the state of affairs at the date of the application. However, if any further development/intensification and change in circumstances is carried out subsequent to the issue of this certificate, it may be liable to formal enforcement action by the Local Planning Authority.

03. This certificate only makes lawful the uses referred to above and does not provide immunity from enforcement from any other activity.

Signed:

G Peck

Gary Peck
Planning Services Manager

Date: 08.12.2015

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Fax: 01903 221072 Minicom: 01903 204500
DX: 142965 Worthing 10 Web: www.adur-worthing.gov.uk

First Schedule

Application for Lawful Development Certificate for use of existing outbuilding as mortgage business ancillary to the residential use of the main dwelling.

This certificate relates only to the use of the outbuilding shown as hatched on the submitted block plan and the site as outlined in red on the location plan and the precise use referred to below which is the current situation at the date of the application: -

a) The Mortgage business 'Number One Mortgages Ltd' is confined to the outbuilding at the rear of the back garden. The building had an office space with 4 work stations and a toilet and sink. Access is from the house or down the side access drive and via the rear garden. The room as furnished does not appear to be used as any other use.
b) Hours of operation are 8:30am-6:30pm Monday to Friday. On the occasional Saturday staff work to catch up on paperwork.
c) No public visit the outbuilding or main house all client meetings are at their homes or by telephone.
d) The owner and managing director of the business is Mr Kevin Dunks who lives at the main dwelling with his wife who also works for the company. Two additional members of staff are also employed.
e) There is no advertising relating to the business at the outbuilding or dwelling house.

Second Schedule

48 Adur Avenue Shoreham-By-Sea West Sussex BN43 5NL

Notes

a) This certificate is issued solely for the purposes of section 191 of the Town and Country Planning Act 1990.

b) It certifies that the matter 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 Part 7 of the 1990 Act on that date.

c) This certificate applies only to the extent of the matter described in the First Schedule and the land specified in the Second Schedule and identified on plan submitted with the application. Any matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

d) The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, 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 of the operations are begun, in any of the matters relevant to determining such lawfulness.