Adur District Council

Planning, Regeneration and Wellbeing

Mr Ian Reed
Chatsfields
Botolphs Road
Botolphs
Steyning
West Sussex
BN44 3WB

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2015; article 39

Application Number : AWDM/1692/16

In pursuance of their powers under the above mentioned act the Adur District 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 192 of the Town and Country Planning Act 1990 (as amended) and that they REFUSE to issue a Certificate of Proposed Lawful Use or Development under section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:-

01. The proposed application details are inconsistent with facts on the ground and fail to demonstrate that the existing building is currently being used or will in future be used exclusively for purposes incidental to the enjoyment of the main dwellinghouse known as 30 Hillside. The scale of the building, the uses of the building and its facilities and the proposed alterations to facilitate use of a first floor also indicate the existing and proposed use is not incidental to the enjoyment of a dwellinghouse. In any event, the building in question is more than one storey. As such the proposal fails to meet the requirements of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2015 and is not permitted development.

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

Reference/Drawing Number	Version	Date Rec
LOCATION PLAN		04.12.2016
PROPOSED ELEVAVTIONS	12/10-02	04.12.2016

First Schedule
Lawful Development Certificate for proposed rooflight and proposed Cabrio rooflight to south-east side elevation of existing detached garage.

Second Schedule
30 Hillside Southwick Brighton West Sussex

Ref: - AWDM/1692/16

G Peck

Gary Peck
Planning Services Manager Date: 31.01.2017

Ref: - AWDM/1692/16

TOWN AND COUNTRY PLANNING ACT 1990
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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 must be made on a form which is obtainable from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel 0117 372 6372) or can be downloaded from www.planning-inspectorate.gov.uk. 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.