Adur District Council

Development Management

Mr Luke Carter
Lewis and Co Planning SE Ltd
2 Port Hall Road
Brighton
East Sussex
BN1 5PD

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

The Adur District Council hereby certify that on 02/07/2015 (reference AWDM/0981/15), 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, would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:-

01. The proposed use of Nynex House for a mix of B1 (business) and B8 (storage) uses, as defined by The Town and Country Planning (Use Classes) Order 1987 (as amended), with ancillary showroom in connection with a motorcycle assembly and distribution business, as shown on the Site Plan, Site Location Plan and Proposed Floor Plans received as valid 2 July 2015, the supporting letter from Lewis & Co Planning dated 25 June 2015, emails from Luke Carter to Dawn Ayres received 1 July 2015 and emails from Luke Carter to Peter Barnett received 29 July 2015 and 31 July 2015 (with accompanying photographs), is lawful as there would be no material change of use from the current lawful use of the building.

GPeck

Gary Peck
Planning Services Manager
Date: 15.09.2015

First Schedule

Application for a Lawful Development Certificate for proposed use of Nynex House for a mix of B1 (business) and B8 (storage) uses with ancillary showroom

Second Schedule

Nynex House (formerly known as Ntl Limited) Gardner Road Southwick West Sussex

Informatives

01. The applicant is advised that the operating hours of the premises is limited by permission reference SW/55/92 to 8am-6pm Mondays to Saturdays inclusive with no working on Sundays or Public Holidays.

02. The applicant is advised that the lawful use of the premises is for a mix of B1 (business) and B8 (storage) uses, as defined by The Town and Country Planning (Use Classes) Order 1987 (as amended) and no noise, vibration, smell, fumes, smoke, soot, ash, dust or grit should arise from the proposed activities on the site.

Notes

a) This certificate is issued solely for the purposes of section 192 of the Town and Country Planning Act 1990 (as amended).

b) It certifies that the matter specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful, on the specified date, and thus, would not have been liable to enforcement action under section 172 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, as amended, 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 or the operations begun, in any of the matters relevant to determining such lawfulness.