Adur District Council

Development Management

Mr Terry Rickards
TVR Designs
39 The Gardens
Southwick
West Sussex
BN42 4AP

CERTIFICATE OF EXISTING LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 and 192
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2015

The Adur District Council hereby certify that on the 12th May 2015 (reference AWDM/0567/15) 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 reason:-

01. The use of the flat roof of the single storey rear extension as a balcony as shown in drawings nos. 04 (Site & Block Plan), 1767/01 (Existing Floor Plans), 1767/07 (Existing Eastern Side Elevation & Existing Northern Rear Elevation) and 1767/04 A (Existing Western Side Elevation) received on 12th May 2015 has achieved immunity from enforcement by virtue of being in continuous use for at least 10 years prior to the submission of the application.

Signed:

GPeck

Gary Peck
Planning Services Manager

Date: 06.08.2015

First Schedule

Application for Lawful Development Certificate for existing use of flat roof of ground floor flat-roofed single-storey extension as balcony with balustrading.

Second Schedule

17 Whiterock Place Southwick Brighton West Sussex

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.