ADUR DISTRICT COUNCIL

Mr Mark Walker
DMH Stallard LLP
Griffin House
135 High Street
Crawley
West Sussex
RH10 1DQ

REFUSAL OF CERTIFICATE OF EXISTING LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 (AS AMENDED)

Application Number: AWDM/1083/24

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 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. By nature of its construction upon an existing pre-made hull intended for such purpose with the works then undertaken in its current location and in addition to the scale of the structure being a full 2 storey and of non nautical appearance, it is considered that the proposal represents a building operation under Section 55 of the Town and Country Planning Act 1990 (as amended) for which planning permission is required.

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

Reference/Drawing Number	Version	Date Rec
COVERING LETTER	19th August 2024	
OPINION STATEMENT	6th August 2024	21.08.2024
LOCATION PLAN	1:1250	21.08.2024
BLOCK PLAN	1:500	21.08.2024

First Schedule

Application for Certificate of Lawfulness for Existing mooring and use for residential occupation of the replacement houseboat, 'Kingfisher'.

Second Schedule

26 Riverbank Shoreham-by-sea West Sussex BN43 5YH

Cont…/

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Gary Peck
Planning Services Manager Date: 06/02/2025

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TOWN AND COUNTRY PLANNING ACT 1990

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.