WORTHING BOROUGH COUNCIL

Mr Brian Elstone
Brian Elstone Surveying Services Ltd
1 Herne Court
Station Road
Rustington
BN16 3BQ

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/1146/23

The Worthing Borough Council; hereby certify that on 15/08/2023 (reference AWDM/1146/23), 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 proposal constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990, but is permitted by Class A of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended).

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

Reference/Drawing Number	Version	Date Rec
EXISTNG PHOTOS		15.08.2023
REHAU HERITAGE SPECIFICATION	WINDOW	15.08.2023
TOTAL70 WINDOWS & DOORS	WINDOW	15.08.2023
LOCATION & BLOCK PLANS	1562/001A	15.08.2023
GROUND & FIRST FLOOR PLANS	1562/002	15.08.2023
EXISTING WINDOWS W1 - W5	1562/003	15.08.2023
EXISTING WINDOWS W6 - W10	1562/004	15.08.2023
EXISTING WINDOWS W11 - W14	1562/005	15.08.2023
EXISTING WINDOWS W15 - W19	1562/006	15.08.2023
EXISTING WINDOWS W20 - W23	1562/007	15.08.2023
TYPICAL DETAILS	1562/008	15.08.2023
TYPICAL DETAILS PROPOSED FRONT FACING PVC	1562/009	15.08.2023
PROPOSED WINDOWS W1 - W5	1562/012	15.08.2023
PROPOSED WINDOWS W6 - W10	1562/013	15.08.2023

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Reference/Drawing Number	Version	Date Rec
PROPOSED WINDOWS W11 - W14	1562/014	15.08.2023
PROPOSED WINDOWS W15 - W19	1562/015	15.08.2023
PROPOSED WINDOWS W20 - W23	1562/016	15.08.2023

First Schedule
Application for Lawful Development Certificate for proposed Replacement windows from timber to UPVC

Second Schedule
83 Manor Road Worthing West Sussex BN11 4SL

G Peck

Gary Peck
Planning Services Manager Date: 12.10.2023

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.

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TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2015; article 39

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.