WORTHING BOROUGH COUNCIL

Mr Tony Stanley
11 Marlborough Road
Goring-by-Sea
Worthing
West Sussex
BN12 4EY

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/1512/23

In pursuance of their powers under the above mentioned act the Worthing Borough 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 proposal constitutes 'development' as defined in Section 55 of the Town and Country Planning Act 1990, but is not permitted under the provisions of Part 1, Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015 because of the restrictive condition No. 5 placed on WB/0673/69 which states "Notwithstanding anything to the contrary contained in the Town and County Planning General Development Order 1963, no shed, greenhouse, outbuilding, or structure of any description, nor any gate, wall, fence, or any other means of enclosure except the screen walls or fences hereby approved, shall be erected or placed in front of the building line or within the area between the building and the highway except with the prior permission of the Local Planning Authority."

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

Reference/Drawing Number	Version	Date Rec
BLOCK PLAN	BOXGROVE 26	06.11.2023
CIL FORM		06.11.2023
PROPOSED GROUND FLOOR PLAN	BOXGROVE 25A	06.11.2023
PROPOSED ELEVATIONS	BOXGROVE 27	06.11.2023
LOCATION PLAN		06.11.2023

First Schedule
Application for Certificate of Lawfulness for proposed Porch

Worthing Borough Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

Ref: - AWDM/1512/23

Second Schedule
42 Boxgrove Worthing West Sussex BN12 6AR



Gary Peck
Planning Services Manager Date: 21.12.2023

Ref: - AWDM/1512/23

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 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 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.