

Development Management – Delegated Officer Report

Application Number: AWDM/1445/25

**Recommendation: Grant
Certificate**

**Site: Powel Buildings, 4 Commerce Way, Lancing Business Park,
Sompting**

**Proposal: Application for a Lawful Development Certificate for a Proposed
use as Cafe/restaurant (Class E).**

Proposal, Site and Surroundings:

The site is located within the Lancing Business Park, on the western side of Commerce Way. It comprises a single-storey flat-roofed commercial building which, until recently, was occupied as offices by Clarity Document Solutions (South East), a company that provides printer and photocopier sales, service and support around the South East of England.

Part of the building recently collapsed and permission was granted by way of a separate planning application to repair and rebuild the damaged sections (AWDM/1412/25).

This application is seeking a Lawful Development Certificate for its use as a café/restaurant. The supporting letter submitted with the application explains that the building has been used as offices (formerly Class B1, now Class E) and planning permission is therefore not required to use it as a cafe/restaurant.

Planning Assessment

Since the changes to the Use Classes Order in 2020, Class E includes a broad range of uses previously defined in the revoked Classes A1/2/3, B1, D1(a-b) and 'indoor sport' from D2(e) as set out below:

- E(a) Display or retail sale of goods, other than hot food
- E(b) Sale of food and drink for consumption (mostly) on the premises
- E(c) Provision of:
 - E(c)(i) Financial services,
 - E(c)(ii) Professional services (other than health or medical services), or
 - E(c)(iii) Other appropriate services in a commercial, business or service locality
- E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)

E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)

E(f) Creche, day nursery or day centre (not including a residential use)

E(g) Uses which can be carried out in a residential area without detriment to its amenity:

E(g)(i) Offices to carry out any operational or administrative functions,

E(g)(ii) Research and development of products or processes

E(g)(iii) Industrial processes

The following is the relevant planning history in respect of Unit 4a, Commerce Way.
L/179/77/TP/12104 – In August 1977, planning permission was granted for a new office block.

L/287/77/TP/12170 – In October 1977, planning permission was granted for a new office block.

The second application essentially comprised minor alterations to L/179/77/TP/12104 and is the permission which was implemented. There are no conditions restricting the use to office use only.

The lawful use of the building is therefore as offices (formerly Class B, now Class E) and permission would not be required to use the building as a cafe/restaurant serving food and drink for consumption on the premises. The Certificate can be granted.

Recommendation

APPROVE, for the reason:

The lawful use of the building falls within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the proposed use of the building as a café/restaurant serving food and drink for consumption on the premises is therefore lawful and does not require planning permission for a change of use

Case Officer: Peter Barnett

Date: 18 December 2025

Authorised by: Jo Morin

Date: 19.12.2025