Adur District Council

Planning, Regeneration and Wellbeing

James Breckell
James Breckell Architects
Adur Business Centre
Little High Street
Shoreham-by-Sea
West Sussex
BN43 5EG

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT REFUSAL

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/0337/17

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 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 roof dormer shown on drawing no: JB 386/building regulations 02 date valid 15 MAR 2017 does not meet the requirements of development permitted by Class B of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. In particular, the combined volume of the proposed roof dormer and existing roof enlargement does not comply with requirements of Class B.1 (d) (ii) and the ambiguity in the drawing annotations to ascertaining the side and front elevations does not comply with requirements of Class B.2 (c) (i) (ii).

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

Reference/Drawing Number	Version	Date Rec
EXISTING	Drw No JB 386 01	15.03.2017
PROPOSED	Drw No JB 386 02	15.03.2017

First Schedule
Application for a Lawful Development Certificate for a proposed dormer to west elevation and insertion of 1 no. rooflight in east elevation

Second Schedule
37 Woodards View Shoreham-By-Sea West Sussex BN43 5LH

Ref: - AWDM/0337/17



Gary Peck
Planning Services Manager Date: 03.08.2017

Ref: - AWDM/0337/17

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.