ADUR
DISTRICT COUNCIL

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Development Control

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: S192 (AS AMENDED BY S10 OF THE PLANNING AND COMPENSATION ACT 1991)

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Jon Andrews Ltd
Chilcote
Threals Lane
West Chiltington
West Sussex
RH20 2RF

The Adur District Council hereby certify that on 07/06/2010 (reference ADC/0198/10), 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 proposed building works fall within the definition of 'development' as defined by section 55 of the Act.

    The side dormers and rear hip to part gable extension constitute the enlargement of a dwellinghouse consisting of an addition or alteration to its roof (Class B).

    They comply with the provisions of the relevant Class B of Part 1 of Schedule 2 of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended in 2008).

James Appleton
Executive Head of Planning, Regeneration and Wellbeing Date: 07.07.2010

First Schedule

Application for certificate of lawfulness for proposed rooms in the roof, comprising extension of roof from hip to part gable at rear and two side dormers

Second Schedule

89 Overhill Southwick Brighton West Sussex

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.