



LEWIS & CO

PLANNING STATEMENT

13-15 THE STEYNE, WORTHING

ON BEHALF OF
MR J SWAY AND MR A DESISTO



Client: MR J SWAY AND MR A DESISTO

Site Location: 13-15 THE STEYNE, WORTHING

Job History:

Version	Date	Author	Checked	Notes
V1	16/02/2026		L	
V2		ZD	LC	Client Issue
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1.0 INTRODUCTION AND SUMMARY

- 1.1 This Statement has been prepared on behalf of Messrs Sway and Desisto (the applicant) and relates to an application for a Certificate of Lawfulness at 13-15 The Steyne, Worthing (the site) for the *existing lawful use as staff accommodation*.
- 1.2 This statement will set out the reasons why the existing use of the site is lawful and a Certificate confirming so should be granted.
- 1.3 13-15 The Steyne was originally purchased in 1970 to operate as part of the adjacent The Savoy Hotel, but only operated in this use until 1987. The principal reason for this is the property has been utilised as staff accommodation for the staff of the Chatsworth Hotel since 1987.
- 1.4 The Council is therefore invited to confirm this sui generis use is now the lawful planning use of the property.
- 1.5 As shown on the submitted drawings, occupiers of the property share normal facilities required for day-to-day private domestic existence. The evidence includes a statutory declaration by the owner/operator of the property tenancy history of the property, photos of the interior of the site, a survey plan of the site and an extensive Heritage Report of the site. This suite of evidence covers the full period from 1987 to present day.
- 1.6 This statement will now provide an explanation of the evidence submitted. This will demonstrate on the balance of probability it is clear that the lawful use of the property is sui generis (hotel staff accommodation).



2.0 EVIDENCE

- 2.1 The evidence provided makes clear the property has been used as staff accommodation for a continuous period of over ten years, dating back to 1987.
- 2.2 The statutory declaration from the owner also provides a comprehensive history of the property from its purchase in 1970 to present day.
- 2.3 The submission also includes a comprehensive Heritage Statement for the site, which includes a room-by-room photo schedule of the building. These photos clearly indicate the historic use of the building as staff accommodation.
- 2.4 The existing plans detail the internal layout of the rooms, which housed the staff bedrooms, bathrooms, gym and lounge areas.
- 2.5 The documentary and photography evidence fully aligns with this statement of fact.
- 2.6 As shown above, where possible multiple sources of evidence have been submitted for all relevant years and robustly demonstrate the historic use of the property from 1987 onwards.



3.0 HISTORY

- 3.1 The Council's online planning register does not identify any applications which are relevant to the application site. However, the following applications are relevant to the 'main' hotel building:

Reference	Description	Result
03/00492/FULL	Erection of rear access corridor	Approved 03/07/2003
03/00491/LBC	Application for Listed Building Consent for the erection of rear access corridor and internal alterations	Approved 03/07/2003
98/00490/FULL	Demolition of existing front boundary wall and reinstatement of railings, provision of wheelchair access ramp and removal of the window on northern side of entrance and installation of entrance door	Approved 29/07/1998
98/00491/LBC	Application for listed building consent for demolition of existing front boundary wall and reinstatement of railings. Provision of wheelchair access ramp and removal of ONE window on northern side of entrance and installation of entrance door	Approved 29/07/1998
98/00113/FULL	Demolition of existing front boundary wall and reinstatement of railings. Provision of wheelchair access ramp and removal of ONE window to northern side of entrance.	Withdrawn.
98/00114/LBC	Application for listed building consent for demolition of existing front boundary wall and reinstatement of railings. Provision of wheelchair access ramp and removal of ONE window to northern side of entrance	Withdrawn.

- 3.2 The above applications are not considered to have any impact on the matter at hand.



4.0 LAWFUL USE OF PROPERTY

4.1 Section 55 (2) (f) of the Town and Country Planning Act 1990 states:

“(2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

...

(f) in the case of buildings or other land which are used for a purpose of any class specified in an order made by the Secretary of State under this section, the use of the buildings or other land or, subject to the provisions of the order, of any part of the buildings or the other land, for any other purpose of the same class.”

4.2 Section 191 of the Town and Country Planning Act 1990 states:

2) “For the purposes of this Act uses and operations are lawful at any time if—

- a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and*
- b) they do not constitute a contravention of any of the requirements of any enforcement notice then in force.”*

4.3 Section 171B of the same Town and Country Planning Act 1990 (as amended) sets out statutory time limits for enforcement action stating:

“(2) Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of

(a) in the case of a breach of planning control in England, ten years beginning with the date of the breach, and

(b) in the case of a breach of planning control in Wales, four years beginning with the date of the breach.”



- 4.4 The property is currently vacant. However, this certificate relates to the buildings' dormant use as hotel staff accommodation (sui generis). As required by the planning acts, the evidence provided by the applicant must demonstrate at least 10 years of continuous and uninterrupted use in any case (Section 171B (2)) which is dated to the point of submission of the Certificate.
- 4.5 The Council's Enforcement Register, which shows enforcement action taken by the Council, contains no record of enforcement action at the site, meaning that part (2b) of Section 191 of the Town and Country Planning Act 1990 would not apply.
- 4.6 Use for staff has decreased since Covid and Brexit. Consequently, no staff live on site at the time of the application. There has been no other user of the site, and the rooms remain available as hotel staff accommodation should a future seek to rejuvenate this dormant use.
- 4.7 Evidence supplied shows that the site had changed use to staff accommodation from 1987 and has been exclusively in this use until the date of this submission. Therefore, the lawful use of the property is as staff accommodation (sui generis).
- 4.8 In light of the above and the evidence submitted, the Applicant respectfully requests that the Local Planning Authority issue a Certificate of Lawful Use to confirm the lawful use of the property as hotel staff accommodation (sui generis).



5.0 ASSESSMENT OF EVIDENCE

- 5.1 The evidence that the applicant has provided demonstrates on the balance of probability that the building has lawfully been in use as staff accommodation since 1987.
- 5.2 The evidence submitted demonstrates clearly sets out the history of uses at the property since its purchase in 1970 and this history is corroborated by the significant heritage research undertaken by Archaeology South East.
- 5.3 Given that there is minimal documentary evidence due to the passage of time, and largely there was no formal documentation which relates to this use, the evidence is supported by a Statutory Declaration from the applicant/owner, Mr MJ Clinch. This Statutory Declaration confirms the facts set out within the wider evidence base.
- 5.4 The submitted evidence demonstrates, on the balance of probability, that the property is lawfully *sui generis*.



6.0 CONCLUSIONS

- 6.1 This Statement has been prepared on behalf of Messrs Sway and Desisto (the applicant) and relates to an application for a Certificate of Lawfulness at 13-15 The Steyne, Worthing (the site) for the existing lawful use as staff accommodation.
- 6.2 The Statement sets out the reasons why the use is lawful and a Certificate confirming so should be granted.
- 6.3 In light of the above and the evidence submitted, the Applicant respectfully requests that the Local Planning Authority issue a Certificate of Lawful Use to confirm the lawful use of the property is sui generis (hotel staff accommodation).

Lewis and Co Planning
May 2026

APPENDICES

Appendix A – Statutory Declaration from Mr MJ Clinch (dated 1st May 2026)



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