ADUR DISTRICT COUNCIL

Mr Matthew Letten
Spectrum Town Planning Consultants
21 Longship Way
Maldon
CM9 6UG

CERTIFICATE OF EXISTING LAWFUL USE OR DEVELOPMENT
TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 (AS AMENDED)

The Adur District Council hereby certify that on the 20th February 2019 (reference AWDM/0271/19) 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 lawful within the meaning of section 191/192 of the Town and Country Planning Act 1990 for the following reason:-

01. On the basis of the available evidence the Local Planning Authority is satisfied that on the balance of probability the following existing development is lawful having occurred for at least 10 years:-

1) the use of the property within the red edge of the application on the east side of Ingleside Road as car repair garage for the servicing, maintenance, bodywork repairs and paint spraying of motor vehicles, together with tyre and exhaust fitting (Use Class B2), and including the temporary storage of old vehicles awaiting the stripping of parts and final disposal elsewhere. The use operating six days a week 0800 to 1700 Monday to Thursday, 0800 to 1600 Fridays and 0800 to 1200 on Saturdays; and

2) the use of the land within the red edge of the application on the west side of Ingleside Road for the parking and storage of motor vehicles in connection with the garage use (Use Class B8), made up by the storing of vehicles associated with the business, customer vehicles awaiting work or collection, and the parking of a breakdown recovery truck.

1) and 2) being indicated on drawing numbers IG.19.01A and IG.19.02 received on 20.02.2019 have existed for more than 10 years and as such have achieved immunity from enforcement and are lawful in planning terms.

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

Reference/Drawing Number	Version	Date Rec
APPENDIX 1 - 34		20.02.2019
BLOCK & LOCATION PLAN	Drg No	20.02.2019
EXISTING FLOOR PLANS	Drg No IG.19.02	20.02.2019
SUPPORTING STATEMENT		20.02.2019

/Contd …

First Schedule

Lawful Development Certificate for existing use as car repair garage for the servicing, maintenance, bodywork repairs and paint spraying of motor vehicles together with tyre and exhaust fitting (Use Class B2). Use of land to west of Ingleside Road for parking and storage of motor vehicles in connection with the garage use (Use Class B8).

Second Schedule

Ingleside Garage Ingleside Road Lancing West Sussex

Signed:



Gary Peck
Planning Services Manager Date: 25.07.2019

Notes

a) This certificate is issued solely for the purposes of section 191 of the Town and Country Planning Act 1990.

b) It certifies that the matter specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date, and thus, was not liable to enforcement action under Part 7 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, 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 of the operations are begun, in any of the matters relevant to determining such lawfulness.

Ref: - AWDM/0271/19

TOWN AND COUNTRY PLANNING ACT 1990

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 must be made on a form which is obtainable from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel 0117 372 6372) or can be downloaded from www.planning-inspectorate.gov.uk. 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.