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

Blue Sky Planning Ltd
Courts Superstore
Eastern Avenue
Shoreham-by-Sea
West Sussex
BN43 6PD

The Adur District Council hereby certify that on 12/04/2007 (reference ADC/0222/07), 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 attached to this certificate, 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. Although the existing mezzanine floor was erected in breach of condition 4 of SU/227/84/TP because it was completed more than 10 years ago it is now outside the scope of enforcement action owing to section 171B of the Act. The proposed reconfigured mezzanine floor does not constitute 'development' as defined by section 55 of the Act because it is an internal alteration and would not increase the floor area of the mezzanine.

Peter Davies

Peter Davies
Head of Planning and Community

Date: 15.05.2007

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First Schedule

Reconfiguration of existing mezzanine (application for certificate of lawfulness for proposed development)

Second Schedule

Courts Superstore Eastern Avenue Shoreham-by-Sea 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 the attached plan. 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.