



Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management Procedure) (England)
Order 2015: Article 39
Application for Certificate of Lawfulness for an Existing use or Operation
DECISION NOTICE

Application Ref: AL/117/17/CLE

To Addressee

Mr & Mrs Wilson
 Sun Down
 Littleh Heath Road
 Fontwell
 West Sussex
 BN18 0SR

Site Address

Two Trees
 Little Heath Road

BN18 0SR

Description of Application

Application for a Lawful Development Certificate for an existing use - 1No. dwelling.

In pursuance of their powers under this Act and these Regulations the Council **REFUSE** to certify that the development described above is Lawful for the reasons stated below.

The use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in black on the plan attached to this certificate, was not lawful within the meaning of section 191 of the Town & Country Planning Act 1990 by reason that at the date specified above, the use of the property as a private dwelling had not demonstrated not to have been abandoned, nor had the use of the property as a dwelling been demonstrated to have been continuous for a period of not less than 4 years.

EXTENT OF USE

The existing single storey nissan hut type building located in the north west corner of the application site at the junction of Littleheath Road and Duke's Road, Fontwell.

FIRST SCHEDULE

Use of nissan hut type building as residential dwelling at site referred to as Two Trees, Littleheath Road, Fontwell, West Sussex BN18 0SR

SECOND SCHEDULE

Nissan hut type building known as Two Trees, Little Heath Road, Fontwell BN18 0SR

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

Head of Planning Services
 Arun District Council
 The Arun Civic Centre
 Maltravers Road
 Littlehampton
 West Sussex BN17 5LF

Case Officer: Ross Leal

Decision Issued: **18 January 2018**


RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY**TOWN AND COUNTRY PLANNING ACT 1990**

By Section 195 (as amended) of the Town and Country Planning Act 1990, where an application is made to a Local Planning Authority under Sections 191 or 192 and is refused, or is refused in part, the applicant may by notice under this subsection appeal to the Secretary of State and on any such appeal the Secretary of State:-

- a) if and so far as he is satisfied that the Authority's refusal is not wellfounded, grant to the appellant a Certificate under Section 191/192 accordingly or, as the case may be, modify the certificate granted by the Authority on the Application; and
- b) if and so far as he is satisfied that the Authority's refusal is wellfounded, dismiss the appeal.

If you wish to appeal to the Secretary of State you should write in the first instance to The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

There is no time limit for submission of an appeal following the Authority's decision.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).



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