



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

Application Ref: A/212/17/CLP

To Addressee

Inspired Design Studio
 39 Willowhayne Avenue
 East Preston
 West Sussex
 BN16 1PL

Site Address

Land Between Badgers and Ashurst
 Ham Manor Way

Description of Application

Lawful development certificate for the proposed erection of 2 No. dwelling in accordance with planning permission A/2/57

The Arun District Council hereby certify that on 30-11-2017 the development 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 lawful within the meaning of section 191 of the Town & Country Planning Act 1990 for the following reasons :

Ham Manor Estate is built under planning permissions A/62/49 and A/2/57 except for plots 8 and 9 which were clearly identified and included within the approved plans and permissions.

A/62/49 Granted consent for layout (part) of Ham Manor Estate on 22/12/49.

A/2/57 Granted outline permission for development of houses and bungalows on 05/02/57.

A/87/88 Granted consent for details in pursuance of A/62/49 for erection of 38 no. dwellings together with garages and associated works (6 no. bungalows, 11 no. chalet style houses and 21 no. houses).

There is no evidence to suggest severability of these permissions which based on the information submitted and a visit to the site were substantially built or commenced within the necessary time period in accordance with the time limits within Schedule 24 of Town and Country Planning Act 1971 and Section 191 of Town and Country Planning Act 1990.

EXTENT OF USE

The development concerned relates to the provision of 2 dwellings within part of the golf course between Ashurst and Badgers on the North side of Ham Manor Way, Angmering on the basis that outline planning permission A/2/57 relating to 2no. dwellings is extant. Further detailed applications will be required to be submitted for the design and layout of each plot.

FIRST SCHEDULE

The principle of one unit of accommodation on each of the 2 identified plots.

SECOND SCHEDULE

Part of Ham Manor golf course on the North side of Ham Manor Way between Ashurst and Badgers , Ham Manor Way, Angmering

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: Mrs A Gardner

Decision Issued: **29 March 2018**



NOTES RELATING TO CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

TOWN & COUNTRY PLANNING ACT 1990

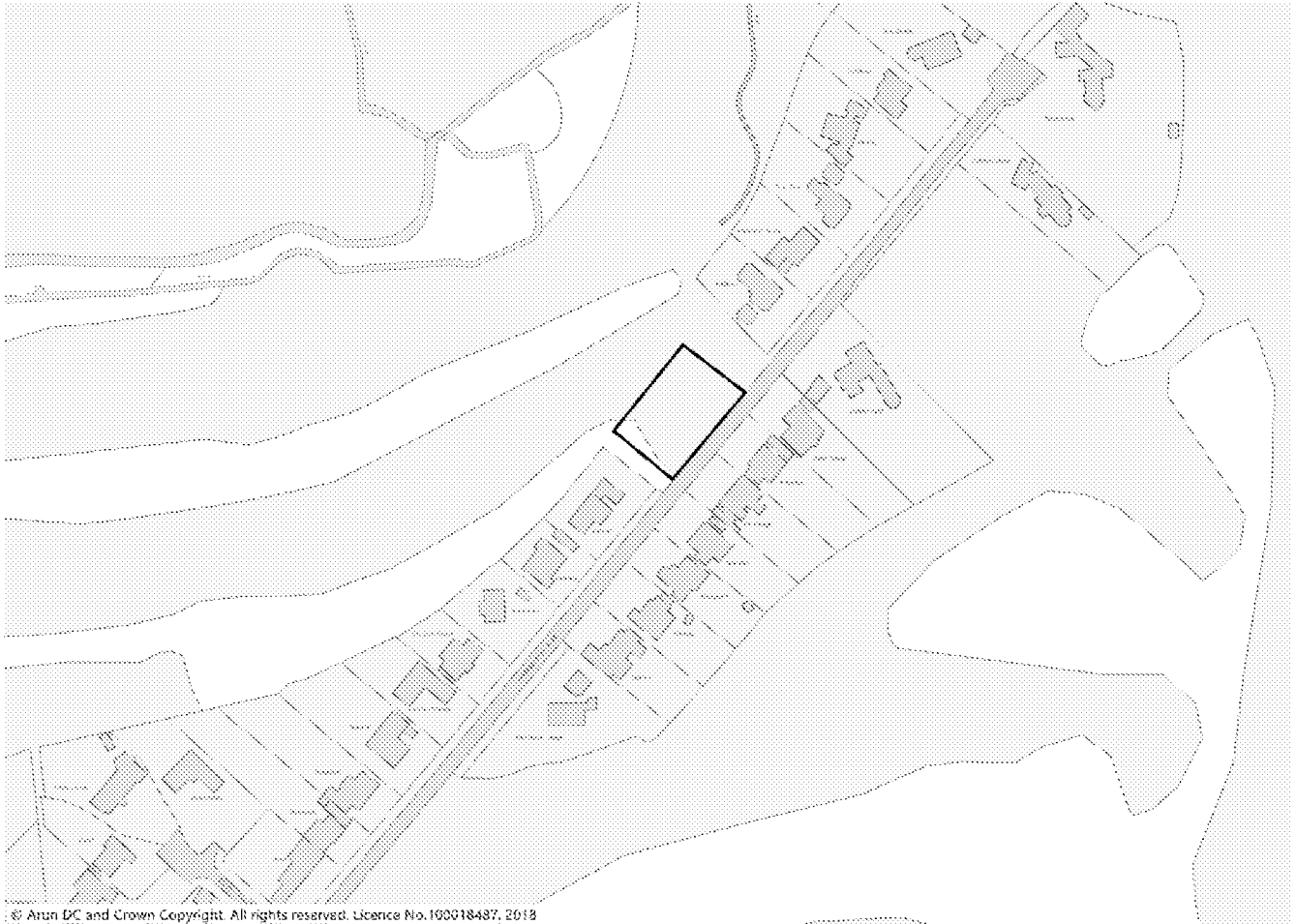
This certificate is issued solely for the purpose of section 192 of the Town & Country Planning Act 1990 (as amended).

It certifies that the use, operation or matter specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and therefore, would not have been liable to enforcement action under section 172 of the 1990 Act on that date.

This Certificate applies only to the extent of the use, operation or matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

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 began, in any of the matters relevant to determining such lawfulness.

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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