

Arun District Council
Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Our Ref: RSH/HAPL 1174

11 October 2017

Dear Sir/Madam

**Application for a Certificate of Lawfulness in respect of 'The Loft'
on land at Sea Road, East Preston BN16 1PD**

This application seeks a Certificate of Lawfulness in relation to the residential occupation of the 'The Loft' at Sea Road, East Preston, Littlehampton.

The principal element of the evidence to support the application is a Statutory Declaration from Mr P J Steel, the applicant and owner of the property.

The background to the application is that Mr Steel built the building in 2004 after gaining permission under reference EP/11/03 for a boat store and sail loft. It is recognised that Condition 4 of this permission restricts the use of the building to be in connection with the caravan site and for no other purposes. The legal position is that a residential use can be lawful after a continuous period of four years even when there is a condition preventing it.

Following his divorce in 2008 Mr Steel moved into the boat store and used the upper floor of the building as living accommodation, by designing and building a small bathroom, kitchen, living area and two bedrooms. These are depicted in the accompanying floor plans. In 2011 Mr Steel met his current wife and they have lived at 'The Loft' as their main residence ever since after selling a property in Angmering.

Between February to June 2011, Chris Hicks and his wife occupied the building whilst waiting for their house purchase to go through. He has provided evidence supporting this in the form of a signed letter. Further submitted evidence from other local residents confirm the Steel's occupation as a residential dwelling, being Mr Les Wearn, and Mr Ashley How.

Evidence in the form of a utility bill is enclosed which shows that 'The Loft' has a phone line and an internet connection, and which indicates a level of electricity consumption as a fully contained residential dwelling rather than storage. Pictures submitted with the application show further

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evidence of how the building has been converted into a residential unit with a fully fitted bathroom and an electrical supply to the building.

Between 2008 and 2011 'The Loft' had been intermittently used as a self-contained residential dwelling but since 2011 has been continuously occupied by Mr Steel and his wife. Although a residential access is shared with 131 Sea Road, there is no connection with the occupants of that dwelling and 'The Loft' has its own amenity space.

On the basis of the above and the evidence provided in Mr Steel's Statutory Declaration, it is clear that 'The Loft' has been occupied for a period in excess of six years as a continuous independent residential unit and by applying the test of 'balance of probabilities' a certificate should be granted.

If I can assist with further information, please do not hesitate to contact me.

Yours faithfully



Bob Hull DipTP MRTPI
Director

DD: 01243 521836 M: 07813 807697
E: bob.hull@henryadams.co.uk