



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: FP/101/18/CLP

To Addressee

Chapman Lily Planning Ltd
 Unit 5 Designer House
 Sandford Lane
 Wareham
 BH20 4DY

Site Address

107 Felpham Way
 Felpham
 PO22 8QB

Description of Application

Lawful development certificate for a proposed change of use of first floor to self contained flat.

The Arun District Council hereby certify that on 19th April 2018 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, would be lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reason:

The proposed structure would comply with the limitations of Schedule 2, Part 3, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Change of use of first floor of 107 Felpham Way, Felpham to a self contained flat.

Officers note the following condition that needs to be complied with as part of Schedule 2, Part 3, Class G of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended).

(c) a flat must not be used otherwise than as a dwelling (whether or not as a sole or main residence) -

- (i) by a single person or by people living together as a family, or
- (ii) by not more than 6 residents living together as a single household (including a household where care is provided for residents)

- Officers Note that the proposed flat would be feature only one bedroom, bathroom along with a small kitchen/living room. As such it is considered that the proposal would comply with the Conditions in (c) above.

FIRST SCHEDULE

The proposal is for the use of the first floor of 107 Felpham Way, Felpham an A1 (shop) as a self contained flat, as shown on the submitted drawings:

17-XXX-101

17-XXX-200

SECOND SCHEDULE

107 Felpham Way, Felpham, West Sussex, PO22 8QB (former Co-op Food shop)

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: Richard Castro-Parker

Decision Issued: **31 August 2018**



NOTES RELATING TO CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

TOWN & COUNTRY PLANNING ACT 1990

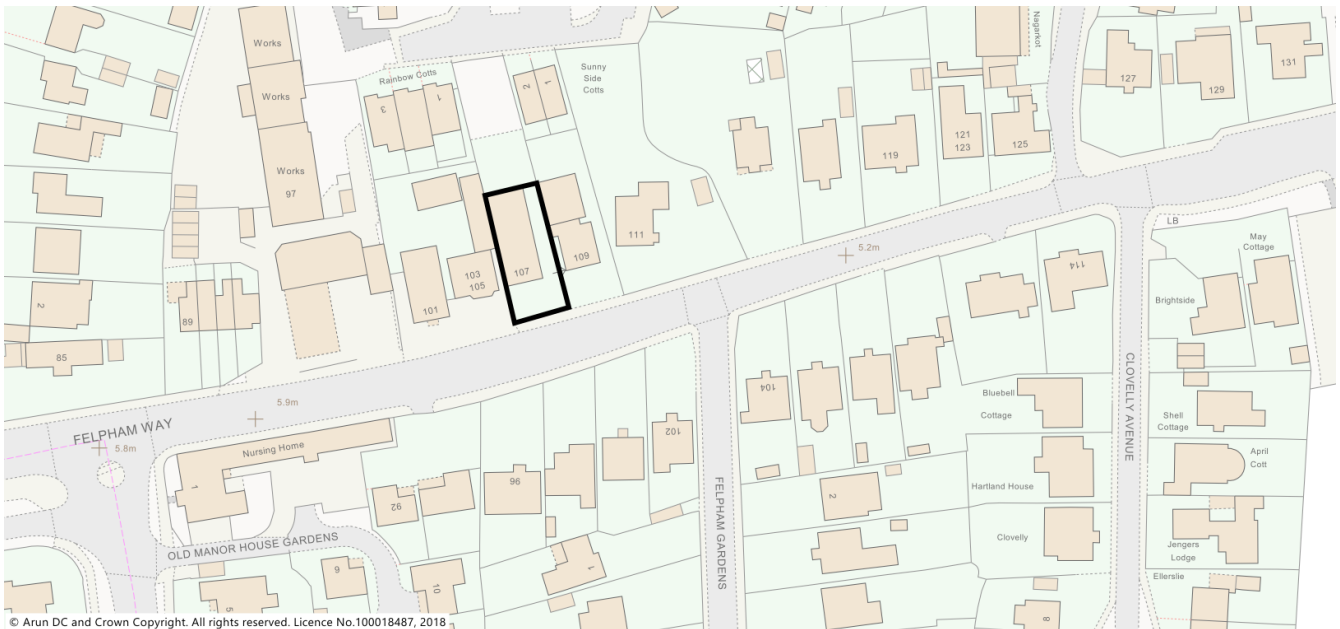
This certificate is issued solely for the purpose of section 192 of the Town & Country Planning Act 1990 (as amended).

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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