ARUN
DISTRICT COUNCIL

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: P/28/17/CLP

To Addressee

hda projects ltd
St Johns House
St Johns Street
Chichester
PO10 7BT

Site Address

Hewarts Barn
99 Hewarts Lane

PO21 3DJ

Description of Application

Lawful Development Certificate for a proposed 7.0m x 4.0m swimming pool, with perimeter paving flush with ground level

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The Arun District Council hereby certify that on 13th April 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, would have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reason;

· The proposed swimming pool accords with the limitations of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
· The proposed hard surface accords with the limitations of Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

EXTENT OF USE
Construction of a swimming pool measuring 4m x 7m to the rear of the existing dwellinghouse and hard surface to the rear of the dwellinghouse.

FIRST SCHEDULE
Creation of a swimming pool to the rear of the dwellinghouse in accordance with the

limitations of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and a hard surface to the rear of the dwellinghouse in accordance with Schedule 2, Part 1, Class F as detailed on the submitted drawings:

· Block & Location Plans - dwg. 1656 P 01 Rev A
· Proposed Pool plan - dwg. 1656 P 04 Rev A

SECOND SCHEDULE
Hewarts Barn, 99 Hewarts Lane, Pagham, PO21 3DJ

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: Mr D Easton

Decision Issued: **12 May 2017**

NOTES RELATING TO CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

TOWN & COUNTRY PLANNING ACT 1990

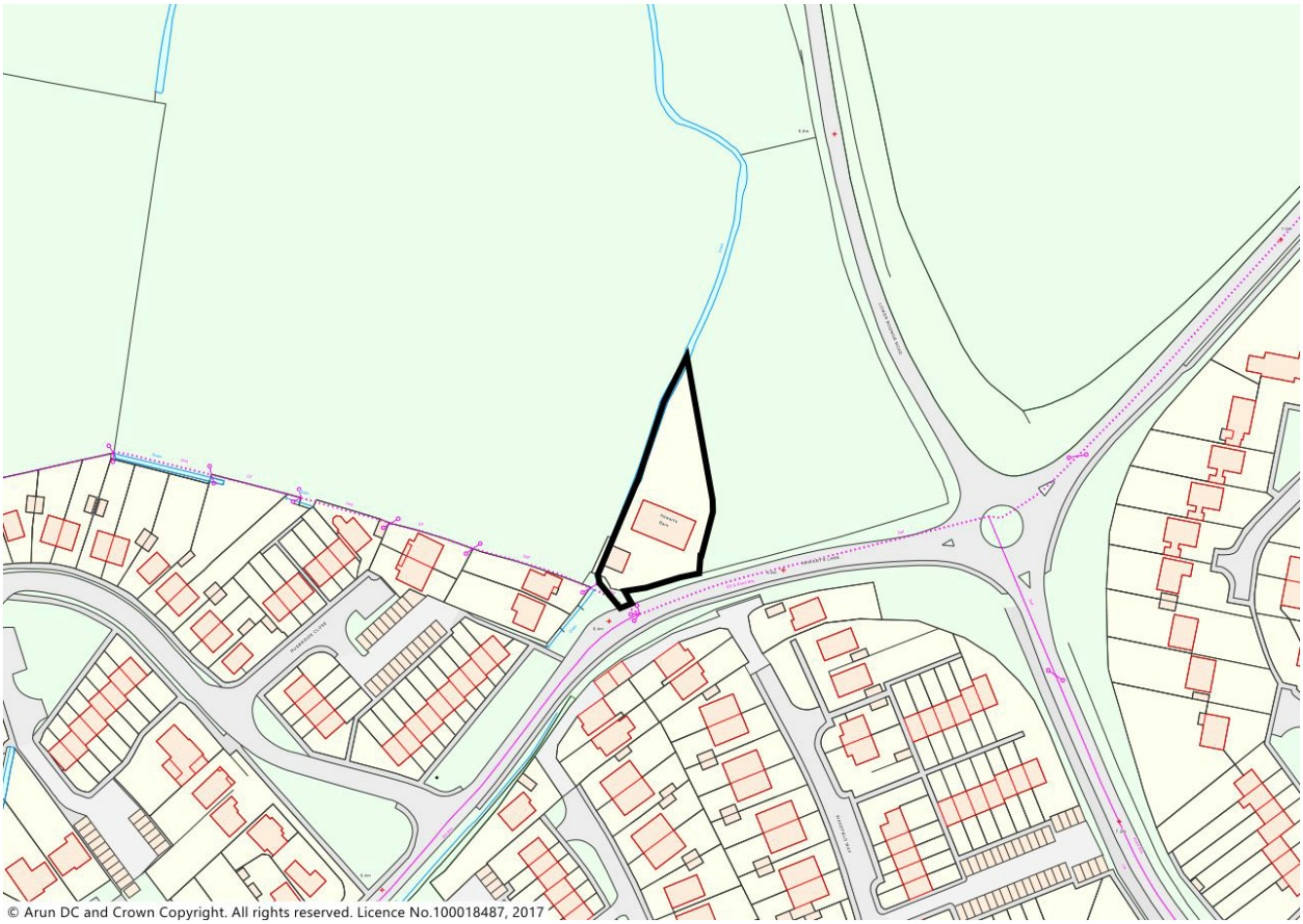
This certificate is issued solely for the purpose of section 192 of the Town & Country Planning Act 1990 (as amended).

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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