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: R/199/18/CLP

To Addressee

Mr P Eastaugh
33 Ruston Park
Rustington
West Sussex
BN16 2AD

Site Address

33 Ruston Park
Rustington
BN16 2AD

Description of Application

Lawful development certificate for proposed alterations to widen driveway & garage opening

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The Arun District Council hereby certify that on 01/08/2018 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 reasons:

- The proposed garage alteration is not considered to be development in line with Section 55 of the Town & Country Planning Act.
- The proposed hard standing is deemed to accord with Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- The proposed vehicular crossover benefits from permitted development rights under Schedule 2, Part 2, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

EXTENT OF USE
Alterations to existing driveway, alterations to existing garage and enlargement of dropped kerb.

FIRST SCHEDULE

Alterations to existing driveway, alterations to existing garage and enlargement of dropped kerb. These alterations are shown on the approved drawing:

- Site Plan - Jervis Avenue
- Email from applicant - 01 October 2018 - 15:17 (confirming the drainage of the hardstanding)
- Email from applicant - 02 October 2018 - 15:49 (confirming similar finish of proposed door)

SECOND SCHEDULE
33 Ruston Park, Rustington, West Sussex, BN16 2AD

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: Zac Denton

Decision Issued: **25 October 2018**

NOTES RELATING TO CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

TOWN & COUNTRY PLANNING ACT 1990

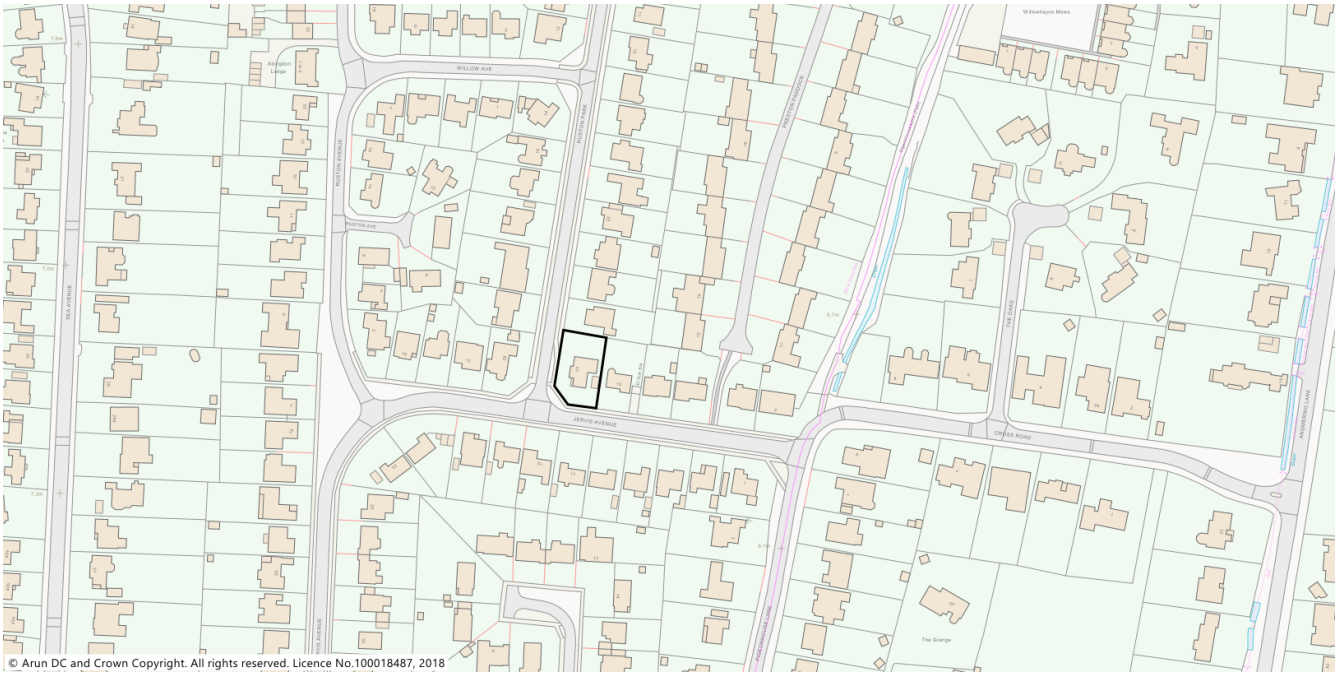
This certificate is issued solely for the purpose of section 192 of the Town & Country Planning Act 1990 (as amended).

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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