ARUN
DISTRICT COUNCIL

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For Official use only
Plan No: R/228/06/CLE
Date: 21/8/06

TOWN AND COUNTRY PLANNING ACT 1990: Section 191, as amended by section 10 of the Planning and Compensation Act 1991. Town and Country Planning (General Development Procedure) Order 1995.

APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR OPERATION OR ACTIVITY IN BREACH OF A PLANNING CONDITION

1. APPLICANT DETAILS

Full Name: GERALD HERBERT SMITH

Address: GREASLEY COTTAGE
2A AMBERLEY ROAD
RUSTINGTON LITTLEHAMPTON
WEST SUSSEX

Post Code: BN16 2EE

Telephone No: 01903 786253

2. AGENT DETAILS (if any)

Full Name:

Address:

Post Code:

Telephone No:

3. (1) Nature of applicant's interest in the land, e.g. owner, lessee, occupier. OWNER OCCUPIER

(2) If you do not have an interest:-

(a) give name(s) and address(es) of anyone you know who has an interest in the land;

(b) state the nature of their interest (if known);

(c) state whether they have been informed about this application. ☐ Yes ☐ No

R/228/06/CLE

Application for a certificate for an existing use for the erection of a fence

4. Address or exact location of the land to which this application relates.

Address/Location: FENCE NORTHERN BOUNDARY RUNNING ALONG GLENVILLE RD GREASLEY COTTAGE 2A AMBERLEY RD RUSTINGTON LITTLEHAMPTON WEST SUSSEX

Post Code: BN16 2EE

Describe here and enclose (6) copies of an OS-based plan showing the boundary of the land edged in red.

Six copies of National Grid Plan TQ0502 Section E West Sussex Arun District Rustington Parish showing in red the property 2A Amberley Road, and its northern boundary.

5. This application is for:

- [x] an existing use;
- [ ] an existing operation;
- [ ] an existing use, operation or activity in breach of a condition;

being a use, operation or activity subsisting on the date of the application.

6. If there is more than one subsisting use of, or operation or activity on, the land at the date of this application, describe fully each of them and, where appropriate, show to which part of the land each use, operation or activity relates.

7. When was the use or activity begun, or the operation substantially completed? 30/10/86

8. Under what grounds is the certificate sought? (Answer each item)

(1) The use began more than ten years before the date of this application; or	[x] Yes	[ ] No
(2) The use, operation or activity in breach of condition began more than ten years before the date of this application; or	[ ] Yes	[x] No
(3) The use began within the last ten years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last ten years; or	[ ] Yes	[x] No
(4) The operations were substantially completed more than four years before the date of this application; or	[x] Yes	[ ] No
(5) The use as a single dwellinghouse began more than four years before the date of the application.	[x] Yes	[ ] No

(6) Other - specify (this might include claims that the change of use or operation was not development, or that it benefited from planning permission granted under the Act or by the General Development Order).

9. If the certificate is sought for a use, operation or activity in breach of a condition or limitation, specify the condition or limitation which has not been complied with, and attach a copy of the relevant planning permission.

/

10. Give any additional information you consider necessary to substantiate your claim.

N°2A Amberley Rd is situated on a private unadopted road. The northern boundary running along Glenville Rd has been in existence since 1930. originally it formed part of the garden of 2 Amberley Road Following planning appeal N° 63/84 dated 10.1.85 and approval by Arun Council on 1.4.86 ref R 39/86 the property was built/developed by Cranford Construction and Development LTD. my wife and I purchased the property on 30.10.86 and our title is absolute. The two metre high wooden fencing was in position in 1986; it has been properly and regularly maintained.

11. List here all the documents, drawings or plans which accompany this application.

1. O.S. plan edged in red showing the northern boundary.
2. Witness statement made by Mrs. K. Fenlon on 17.8.06
3. Witness statement made by Mrs. L. Nicholson on 16.8.06
4. Witness statement made by Mr I.C. Purser on 16.8.06
5. Copy of letter from Arun D.C. to Cranford Construction and Development LTD under ref R/50/86B dated 21.10.86

I / We hereby apply for a lawful use or development certificate under Section 192 of the 1990 Act in respect of the existing use, operations or activity described in this application and the documents, drawings and plans which accompany it.

I / We enclose the appropriate fee of £ 135.00

Signed: [signature] Date: 18 / 8 / 06

On behalf of: *(Insert name of applicant if signed by an agent)*

Warning: the amended Section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to decieve. Section 193(7) enables the Council to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.