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Gerard Maye Legal Limited,
3 Arcade Road,
LITTLEHAMPTON,
West Sussex.
BN17 5AP

24th June 2009

Your Ref: PL/JLB

Our Ref: Y/77/08/CLE

JP/sa

Please ask for:
Planning Services
Mr. J. Parsons
Direct Line: 01903 737773

GW

Dear Sirs,

**Certificate of Lawfulness Consent for an existing use of
one small room in flat for office/storage, business use
16 Bilsham Court, Yapton**

Thank you for your letter dated 20th April 2009 received 21st April 2009. I apologise for not responding earlier to your letter.

Your letter raises a number of points which I will endeavour to answer by firstly correcting your assumption that planning permission has been granted for a change of use. Planning permission has not been granted. A Certificate of Lawfulness has been granted for an existing use on site.

These types of applications are legal determinations based on the balance of probability that a use has existed for a period of ten years. Planning merits of the desirability of the use in amenity terms cannot be considered. In this case it was considered that such a use had subsisted for a period of 10 years. A view supported by the Council's Solicitor.

The Certificate of Lawfulness was not taken to Committee as the Council's Constitution allows for the delegation of such applications. The matter of how social housing is being used for business purposes is not a relevant matter in the determination of a Certificate of Lawfulness and should be taken up with the relevant registered social landlord.

I hope this letter answers the questions raised in your letter.

Yours faithfully,

Jonathon Parsons
Team Leader - West Area