



Suite S10, The Waterside Centre, North Street  
Lewes, East Sussex BN7 2PE

**tel: 01273 478654**

web: [www.parkerdann.co.uk](http://www.parkerdann.co.uk)

Our Ref: - PD/CW.3080

Planning  
South Downs National Park Authority  
South Downs Centre  
North Street  
Midhurst  
West Sussex GU29 9DH

1<sup>st</sup> November 2021

Dear Sir/Madam

**Stud Farm Barn, Seaford Road, East Sussex, BN9 0EF**  
**Application for a Certificate of Lawful Use or Development for use as an Office (Class E)**

On behalf of my clients, Mr and Mrs Baker, the freehold owners of Stud Farm Barn, Seaford Road, East Sussex BN9 0EF, I am applying for a Certificate of Lawful Use for its use as an office (Class E).

This letter provides additional information that in our opinion supports the grant of the Lawful Development Certificate.

**The Application Site**

The application site is a former milking parlour located within a collection of former farm buildings and dwellings located between Newhaven and Seaford and to the east of the A259 road that links those settlements. The building is served by an established access road that links to the A259 and parking areas. It is a single storey building with a pitched roof and accommodates an office, meeting room, kitchenette and WC. The Site Location Plan submitted with the application identifies the location.

**The Reason for the Application**

The application is being made to the Authority on the basis that the office use has continued without interruption for more than ten years before the date of this application but without the benefit of planning permission. The applicants now wish to regularise the position.

**Legislation and Government Guidance**

Under Section 191 of the Town and Country Planning Act, the lawfulness of a use can be certified by a Certificate of Lawfulness of Existing Use or Development granted under that Section.

In this case, such a Certificate can only be issued if the breach of control has been proved through the submission of written evidence to be continuous throughout a ten year period, exists at the time of the application for the Certificate and does not constitute a contravention of any enforcement notice or breach of condition notice.

The Government's Planning Practice Guidance confirms that the applicant is responsible for providing sufficient information to support such an application. It also confirms that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

### **Evidence in Support of the Application**

The applicant has occupied the building as an office since its refurbishment and conversion in 2000 and has completed a Statutory Declaration that confirms this and the continuation of this use since then and particularly over the past ten years. They have produced evidence within the Statutory Declaration to support this case – including an invoice and correspondence from the building contractor who carried out the refurbishment and conversion work that specifically confirms their instructions to convert the building to serve as an office, correspondence and bank statements relating to their business that has occupied the office, telephone bills for the business, electricity bills that specifically relate to the meter located within the office and invoices for repair and maintenance work associated with the building over the last ten years.

Additional recent bank and electricity statements are also supplied with the application as confirmation that the building continues to be occupied by the business as an office.

In my opinion, this evidence demonstrates that the building has been used as an office since its refurbishment and conversion in 2000 and specifically during the ten year period before the date of this application submission. In addition, and as identified above, I have found no evidence that the extension constitutes a contravention of any enforcement notice or breach of condition notice. On this basis, I consider the evidence submitted is sufficient to support the application and is sufficiently precise and unambiguous to justify the grant of a Certificate on the balance of probability – the test identified in the Government guidance referred to above. As I am not aware of any evidence to contradict or otherwise make the applicant's version of events less than probable, the Certificate should be granted.

### **The Application**

The following documents have been submitted as part of this application;

- The completed application forms;
- Drawing no. 2154/01 rev C : Site Location Plan at 1:1250 scale identifying the application site;
- Drawing no. 2154/02 rev C : Existing floor plan and elevation drawings at 1:100 scale identifying the application site;
- Drawing no. 2154/03 rev B : Existing Block Plan at 1:500 scale identifying the application site;
- Statutory Declaration from Rachel Baker – the applicant;
- EDF Electricity Bill for the office dated 18<sup>th</sup> June 2021; and
- Bank Statement for R & D Management Consultants Limited dated 2<sup>nd</sup> September 2021.

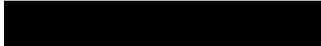
Photographs of the office can be found within the Statutory Declaration.

I look forward to receiving confirmation of the validation and determination of this application. Should the Authority have any questions concerning the submitted evidence or my conclusions in this letter I would be pleased to answer them.

Yours faithfully



**Chris Wojtulewski , BA (Hons), MTP, MRTPI**  
**Director**  
**For and on behalf of Parker Dann**



Encl.