



# Planning Statement

**TOWN & COUNTRY PLANNING ACT 1990**

**TOWN & COUNTRY PLANNING (DEVELOPMENT  
MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

**PROPOSAL:  
REMOVAL OF CONDITION NO. 7  
(HOLIDAY LET RESTRICTION)  
FROM PLANNING PERMISSION  
REF. DC/12/0689**

**SITE:  
THE COACH HOUSE  
BROADWATER LANE  
COPSALE, HORSHAM  
WEST SUSSEX RH13 6QW**

**APPLICANT:  
MR & MRS C NICHOLL**

## Background

The Coach House is a detached dwelling located on the west side of Broadwater Lane, in a position approximately 1km to the north of the hamlet of Copsale and 1.2km to the east of the settlement of Southwater.

It is a single storey property that was granted consent under planning permission ref. DC/12/0689. The permission was for a change of use from coach house to holiday let accommodation.

Condition No.7 on the consent stated:

*'The accommodation hereby permitted shall be used for holiday accommodation only and for no other purposes (including any other purpose in Class C3 of the Town & Country Planning [Use Classes] Order 1987 as amended by the Town & Country Planning [Use Classes] [Amendment] [England] Order 2005 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order.'*

Under application ref. DC/25/1512 a Certificate of Lawful Use or Development (Existing) was granted confirming that it was lawful to continue occupation of The Coach House as a self-contained dwelling house in breach of Condition No. 7 on DC/12/0689. A copy of this Certificate is forwarded with this application.

## Evaluation

Whilst the granting of the Certificate under application ref. DC/25/1512 confirms that it is lawful to continue the occupation of The Coach House as an unrestricted, self-contained dwelling, it does not, in itself, remove the Condition from the original planning consent (DC/12/0689). This can only be done through the submission of a planning application.

This application therefore seeks to formally remove the holiday let restriction from the planning consent. In normal circumstances, the removal of a holiday let restricted by way of a planning application would have to demonstrate no demand for continued occupation of the dwelling in compliance with the occupancy condition. However, in the current situation, where it is confirmed by the granting of a CLUED, that it is lawful to occupy the property on an unrestricted basis, there is considered no need for this normal procedure to be followed.

In essence, there is considered no logical or persuasive reason to retain the holiday let restriction on the original consent now that it has been demonstrated that it is lawful to occupy the property in breach of this condition.

Given the planning history on the property, it is considered that removal of the holiday let restriction is the logical outcome that follows on from the grant of CLUED.