



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0441

Andrews Farm, Henleys Barn, Station Road, Warnham, West Sussex, RH12 3SP

DESCRIPTION:

Application to confirm the continuous use of a former workshop/storage barn as a single dwelling house (Lawful Development Certificate - Existing).

RELEVANT PLANNING HISTORY:

DC/13/2104	Retrospective application for ground source heat loop and proposed small workshop/storage barn	Application Permitted on 23.12.2013
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PLANNING ASSESSMENT

The application seeks a Certificate of Lawful Development (Existing) to confirm the continuous use of a former workshop/storage barn as a single dwellinghouse since at least 2014.

The evidence submitted:

- *Location Plan 2000-251-LP*
- *Block Plan 2000-251-BP*
- *North Barn Conveyance Plan*
- *Certificate of Regularisation*
Sussex Building Control 4th June 2025 – regularised the works to convert from barn conversion to ancillary habitable accommodation
- *Courtney Green Letter 16 November 2018*
- *Courtney Green Letter 12 December 2018*
- *Courtney Green Correspondence 12th October 2020*
- *Crystals CCI Ltd Inventory January 2019*
- *EPC Certificate December 2018*
- *BT emails and invoice April 2014*
- *Appeal Decision ref: APP/U1403/X/22/3313394*
- *Planning Statement*
Confirmed that in November 2014 the inside of the workshop/storage barn was altered to provide a self-contained residential unit. The applicant nor tenant pay council tax for the separate residential dwelling as the subject building is not recognised as a separate dwelling by the Local Authority.

- *Betty Williams Attendance Allowance Application Form*
Confirmed address as Henleys Barn and confirmed type of accommodation as 'self-contained annexe at my daughter's home' – 2016.
- *Lodger Agreement Dane Douglas*
Confirmed lodging July 2018
- *Tenancy Agreement with Jonathan Freeman*
28th January 2019
- *Tenancy Agreement with Roseanna Vokes*
28th September 2019
- *Tenancy Agreement with Martin Baxter*
23rd October 2020
- *Statutory Declaration signed by Vanessa Munden dated 17th February 2026*
Owner of Henleys Barn, Andrews Farm, purchased in 2012. Gained planning permission for the construction of the workshop storage barn in 2013, completed construction in 2014. Applicant's mother needed care, converted the workshop/storage barn into residential use in November 2014, she lived there between 2014 and 2018. The converted barn was let to Dale Douglas Vincent through a lodger agreement, signed July 2018. The converted barn was then put on the open market for rental through Courtney Green, confirmed by correspondence from 2018. The first tenant (Jonathan Freeman) occupied the barn starting in January 2019, the next tenant (Roseanna Vokes) rented from September 2019, and the current tenant (Martin Baxter) has rented the converted barn since October 2020 and remains in occupation to the current day. Mains water and electricity is provided from the main house, Henleys Barn. Drainage is to the same mains sewer which serves the dwellings at Andrews Farm. Since November 2014, the ground floor of the barn has been occupied by various people for their own residential use. The first floor of the converted barn has been used as storage of household items and occasional occupation by the applicant's son.
- *Statutory Declaration signed by Hugh Thomas Evans dated 17th February 2026*
Close friend of Ms Munden. Aware of planning permission granted for the construction of the building. Aware that they converted the inside of the building to provide self-contained accommodation for the Applicant's mother. The workshop/storage barn has since been rented out to tenants.

Council's evidence:

- *Questionnaire response – The Dairy Andrews Farm*
Confirmed the building is currently rented out to a tenant. No impact on the neighbouring property. Confirmed the building was originally occupied by the mother of the owner of Henley's Barn (the Applicant) and subsequently by a number of tenants since.
- *Southern Water Response*
Insufficient information.
- *HDC Electoral Roll*
Confirmation that Ms Munden was registered since at least 2015 and Mr Baxter was registered from October 2024.
- *HDC Revenues*
Confirmation that the property is registered to Philip and Lisa Overton from 2.4.2012.
- *Planning Application DC/13/2104*
Planning permission was granted for the proposal of a small workshop/storage barn in 2013.

- *Google Aerial Imagery*
Workshop/barn been in situ since 2014.

The application contends that the evidence submitted shows that the subject building has been in use as a single dwellinghouse, for a period in excess of four years, since at least 2014.

Section 191(4) of the Town and Country Planning Act 1990 state that:

"If, on an application under this section, the local planning authority are provided with information satisfying them of the lawfulness at the time of the application of the use, operations or other matter described in the application...they shall issue a certificate to that effect; and in any other case they shall refuse the application."

The Court held in *F W Gabbittas v SSE and Newham LBC* [1985] JPL 630 that the applicant's own evidence does not need to be corroborated by "independent" evidence in order to be accepted. If the LPA have no evidence of their own, or 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".

Planning permission was granted for a 'retrospective application for ground source heat loop and proposed small workshop/storage barn' in December 2013 (ref: DC/13/2104). This application was subject of the following condition (Condition 3), which restricted the use of the building to remain incidental to the main dwellinghouse:

'The building hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the existing property as a dwelling and shall not be occupied as an independent planning unit of residential accommodation.'

Reason: The use of this building as an independent planning unit of residential accommodation would be contrary to Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).'

The Planning Statement confirms that the construction of the building following the grant of permission, was completed in Spring 2014. Following construction, in November 2014, the building was subject to a number of internal alterations which included the installation of bathroom and kitchen facilities to create a self-contained residential dwelling for the Applicant's mother. Through the creation of a self-contained independent unit, the building is in breach of Condition 3 of planning permission DC/13/2104.

A statutory declaration from Ms Vanessa Munden, the owner of Henleys Barn, states that planning permission for the workshop/storage barn was granted in December 2013. In November 2014, the barn was converted to residential usage for Ms Williams, the Applicant's Mother, with the building equipped with its own kitchen and bathroom facilities. The barn was then occupied by Dale Douglas Vincent through a lodger agreement, in 2018. Following this, the converted barn was put on the open market for rental through Courtney Green, with there being 3 tenants since 2019, with the third currently occupying the unit. Therefore, the evidence contends that since at least 2018, the converted barn has been occupied as a self-contained residential unit by tenants. No evidence has been provided to dispute the information stated in the statutory declaration.

The Applicant has submitted a Planning Statement which details that the barn is completely self-sufficient, with its own kitchen and bathroom. Residential accommodation is provided at ground floor level, with the first floor used for storage, and the occasional occupation by the applicant's son. The internal photographs are limited but they do show a functioning kitchen and bathroom. The information provided across the tenancy agreements, photographs, invoices and statutory declarations all indicate that the barn was converted to residential use in November 2014, and the property has formally been on the rental market since 2019, with three tenants occupying the property since.

While there is no record of council tax being paid for the building this is not determinative and would not counteract the evidence submitted with the application.

It is considered that the evidence submitted is sufficiently precise and unambiguous to demonstrate on the balance of probabilities, that the workshop/storage barn has been in use as a single dwellinghouse since November 2014 and has formally been occupied by external tenants since January 2019. Therefore, as this is a period in excess of 4 years previous to the date of the application, a certificate of lawfulness should be granted.

Recommendation: Application Permitted

1. It has been demonstrated, on the balance of probability, that the former workshop / storage barn has been in use as a residential dwelling for a continuous period in excess of the required time period.

Plans list for: DC/26/0441

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Block plan		NONE	11.03.2026
Location plan		NONE	11.03.2026
Supporting Docs	APPEAL DECISION 3313394	NONE	11.03.2026
Supporting Docs	COURTNEY GREEN CORRESPONDENCE	NONE	11.03.2026
Supporting Docs	COURTNEY GREEN LETTER 12 DECEMBER 2018	NONE	11.03.2026
Supporting Docs	COURTNEY GREEN LETTER 16 NOVEMBER 2018	NONE	11.03.2026
Supporting Docs	CERTIFICATE OF REGULARISATION	NONE	11.03.2026
Supporting Statement	PLANNING STATEMENT	NONE	20.03.2026
Supporting Docs	STATUTORY DECLARATION OF HUGH THOMAS EVANS	NONE	11.03.2026
Supporting Docs	JONATHAN FREEMAN TENANCY AGREEMENT	NONE	11.03.2026
Supporting Docs	MARTIN BAXTER HENLEYS BARN TENANCY AGREEMENT	NONE	11.03.2026
Plans	NORTH BARN CONVEYANCE PLAN	NONE	11.03.2026
Supporting Docs	ROSEANNA VOKES HENLEYS BARN TENANCY AGREEMENT	NONE	11.03.2026
Supporting Docs	VANESSA MUNDEN STATUTORY DECLARATION	NONE	11.03.2026

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 22.04.2026

Authorising Officer sign/initial Guy Everest Date: 06.05.2026