Horsham District Council

Mrs Ailsa Tavares
Amberley Cottage
Merrywood Lane
Thakeham
Pulborough
West Sussex
RH20 3HD

TOWN & COUNTRY PLANNING ACT 1990: S192 (as amended by S10 of THE PLANNING AND COMPENSATION ACT 1991)

TOWN & COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

CERTIFICATE OF LAWFUL DEVELOPMENT OR USE (PROPOSED)

Application No: DC/24/1647

Horsham District Council hereby certifies that on 23/10/2024, the development described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in red on the plan attached to this certificate was lawful within s192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):

> The development would be permitted by Class E of Part 1 within Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015, as amended.

FIRST SCHEDULE
Installation of a swimming pool (Lawful Development Certificate - Proposed)

SECOND SCHEDULE
Amberley Cottage Merrywood Lane Thakeham Pulborough

Schedule of plans/document
This decision is based on the following schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Floor plan		NONE	22.10.2024
Section plan		NONE	22.10.2024
Location plan		T/37/98	03.05.2023
Location plan		NONE	03.05.2023
Supporting Statement		NONE	03.05.2023

Note to Applicant

The site lies within the Sussex North Water Supply Zone where Natural England has advised that water extraction cannot be concluded as having no adverse effect on the integrity of the Arun Valley Special Area Conservation (SAC), the Arun Valley Special Protection Area (SPA) and the Arun Valley Ramsar Site.

It is a condition of Permitted Development (see Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended) that development likely to have a significant effect on a European Site "must not be begun" until an application has been made to Natural England for its opinion as to whether the development is likely to have a relevant effect. Following this, an application must be made to the Local Planning Authority for its approval.

No development must therefore be begun until the approval of the Local Planning Authority has been given in respect of Regulations 75 to 77 of the Conservation of Habitats and Species Regulations 2017 (General Development Orders). Further details on this type of application can be found through https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district/regulation-77-conservation-of-habitats-and-species-regulations.

The applicant is advised that any development commenced without compliance with Regulation 75 of the Conservation of Habitats and Species Regulations 2017 would be in breach of the GPDO and may be subject to potential future enforcement action.

Additional notes

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).

2. It certifies that the use or works specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus, would not have been liable for enforcement action under Part 7 of the 1990 Act on that date.

3. This certificate applies only to the extent of the proposal described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations/matter which is materially different from that described or which relates to other land may render the owner or occupier liable for enforcement action.

4. The effect of the certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.



Emma Parkes
Head of Development and Building Control

Date: 18/12/2024

Site Location Plan

