The Planning Inspectorate

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Your Ref: DC/24/0164
Our Ref: APP/Z3825/X/24/3345651

Head of Development Control
Horsham District Council
Parkside
Chart Way
Horsham
West Sussex
RH12 1RL

20 September 2024

Dear Head of Development Control,

Town and Country Planning Act 1990
Appeal by Ms Sandra Stockbridge
Site Address: Prestwood Corner, Prestwood Lane, Ifield, CRAWLEY, RH11 0LA

I have received Lawful Development Certificate Appeal forms and documents for this site. I am the case officer, if you have any questions, please contact me.

I have checked the papers and confirm that the appeal(s) is valid. If I later find out that this is not the case, I will write to you again.

The procedure and the starting date

We have applied the criteria which can be found at: https://www.gov.uk/government/publications/criteria-for-determining-the-procedure-for-planning-enforcement-advertisement-and-discontinuance-notice-appeals/criteria-for-determining-the-procedure-for-planning-enforcement-advertisement-and-discontinuance-notice-appeals and considered all representations received, including your preferred choice. We consider that the Written representations procedure is suitable, and we intend to determine this appeal(s) by this procedure.

The appeal(s) procedure will remain under review, as normal, whilst in progress.

The date of this letter is the starting date for the appeal(s). The timetable for submission of documents begins from this date.

Sending documents to us and looking at the appeal(s)

Please ensure all documents are GDPR compliant: Customer Privacy Notice - GOV.UK (www.gov.uk).

A timetable for some elements of the case is set out below. No reminders will be sent, and any document submitted after the deadlines will normally be returned.

Please use the portal to submit all documents. You can use the Internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is https://acp.planninginspectorate.gov.uk/

If it is not possible for you to submit documents using the portal, please use the email address above. If you are unable to use the internet to submit documents, you may post them to the address at the top of this letter. Whichever method you use, please make sure that all documents/emails are clearly marked with the full reference number.

Guidance on communicating with us electronically can be found at Appealing to the Planning Inspectorate: communicating electronically with us - GOV.UK (www.gov.uk).

Keeping to the timetable

You must keep to the timetable set out below and make sure that you send us the relevant documents within these deadlines. This will mean that we can deal with the appeal(s) promptly and fairly. If you do not send us the relevant documents in time, the Inspector will not normally look at them and we will return them to you unless there are exceptional reasons for accepting them. You must note the details of the following timetable because we will not send any reminders.

Inspectors will not accept any documents from you or discuss your appeal(s) at the site visit. Also, Inspectors will not delay their decision to wait for any such documents.

IMPORTANT

Please be aware that in the event we require information from any appeal party, we will only give one opportunity and set a deadline. If at any time before or during the determination of an appeal against an enforcement notice or LDC it appears to the Secretary of State that the appellant is responsible for undue delay in the progress of the appeal(s), the Secretary of State may give the appellant notice that the appeal will be dismissed unless the appellant takes, within the period specified in the notice, such steps as are so specified for the expedition of the appeal. Similarly, the Secretary of State may allow an appeal and quash the enforcement notice if the local planning authority fail to comply with any requirement of regulations within the prescribed period.

By 04 October 2024

Using the model notification letter at the following link: Model notification letter for certificate of lawful use appeals - GOV.UK (www.gov.uk) you must notify any person who was notified or consulted about the application in accordance with the Act or a development order and any other interested persons who made representations to you about the application, that the appeal(s) has been made. You should tell them:

1. that any comments they made at application stage will be sent to me and the appellant(s) and will be considered by the Inspector (unless they withdraw them within the 4 weeks deadline). If they want to make any additional comments they must submit within 4 weeks from the date of the notification letter, by 1 November 2024. If comments are submitted after the deadline, the Inspector will not normally look at them and these will be returned.

2. when and where the appeal documents will be available for inspection.
3. that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal(s).
4. that they can get a copy of our booklet 'Guide to taking part in planning appeals proceeding by Inquiry' either free of charge from you, or on GOV.UK https:// www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal;
5. that the decision will be published on GOV.UK.
6. From 1 April 2024 the Planning Inspectorate will no longer accept interested party comments sent via email. Any comments submitted by email will not be considered and will be returned. Comments from interested parties on appeals will only be accepted through the Appeals Casework Portal, or via letter to Temple Quay House. Please could the council note the advice here: Streamlining comment submission for planning and enforcement appeals - GOV.UK (www.gov.uk), including the letter from our Chief Operating Officer to all Local Planning Authorities.

You must also make sure that the appellant(s) and I are sent a copy of your completed appeal questionnaire and supporting documents, including a copy of your notification letter and a list of those notified. You have the opportunity to state your preferred choice of procedure by answering Question 1 of the appeal questionnaire.

By 01 November 2024

Please send me a copy of your statement. I will send a copy of your statement to the appellant(s) and send you a copy of their statement.

By 22 November 2024

You and the appellant(s) must submit a copy of any final comments you and they have on each other's statement and on any comments from interested people or organisations. You must not send your final comments instead of, or to add to your statement. No new evidence is allowed at this stage. I will send you a copy of the appellant's final comments at the appropriate time.

Site Visit

We will arrange for one of our Inspectors to visit the appeal site. If it is decided that the Inspector should be accompanied by the main parties, we will send you details of these arrangements nearer the time. If, however, an unaccompanied site visit can be made you will not be informed in advance and the Inspector should not be approached should you happen to observe him/her whilst he/she is conducting the site visit. If you were to do so the Inspector would of course identify him or herself but would not be able to engage in conversation with you at that time.

Withdrawing the appeal(s)

If you hear that the appeal(s) is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant(s), I will write to you.

Costs

Costs can be awarded in this type of appeal. Details of this can be found on GOV.UK: http://planningguidance.communities.gov.uk/blog/guidance/appeals/. You are advised to read this guidance very carefully as it contains important information about how one party to an appeal might have to pay another party's costs. You should be aware that withdrawal at any stage in the proceedings without good reason, may result in a successful application for costs. A successful application is also possible should an event be adjourned because of the submission of late evidence. Additionally, the appointed Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

Further information

Further information about the appeals process can be accessed at - https://www.gov.uk/government/publications/enforcement-appeals-procedural-guide. I recommend that you read the relevant guidance.

Yours sincerely,

Ben White
Ben White

https://www.gov.uk/government/publications/planning-inspectorate-privacy-notices