From: Planning@horsham.gov.uk
Sent: 19 January 2025 18:31
To: Planning
Subject: Comments for Planning Application DC/25/0009

Categories: Comments Received

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 19/01/2025 6:30 PM.

Application Summary

Address:	Land Which Forms Part of Mannings Heath Golf Club & Wine Estate, Hammerpond Road, Mannings Heath
Proposal:	Application to confirm the the laying of a private access track and associated storage area on a date four years previous (Lawful Development Certificate - Existing).
Case Officer:	Alice Johnson

Click for further information

Customer Details

Address:	Aberfoyle The Quarries Mannings Heath

Comments Details

Commenter Type:	Member of the Public
Stance:	Customer objects to the Planning Application
Reasons for comment:	- Design - Highway Access and Parking - Privacy Light and Noise - Trees and Landscaping
Comments:	I strongly object to this planning application and urge HDC to refuse permission and to take urgent enforcement action for a breach of planning rules. Detailed reasons follow DC/25/0009: Application to confirm the laying of a private access track and associated storage area on a date four years previous (Lawful Development Certificate - Existing) Land which forms part of Mannings Heath Golf Club and Wine Estate, Hammerpond Road, Mannings Heath HDC refused planning application DC/24/1564 by letter dated Friday 13 December 2024 and

then the applicant submitted a new application DC/25/0009 (form dated 18 December 2024)- only three working days later. I wonder why the applicant has been so hasty? Is it because the applicant is seeking to stop HDC from taking urgent Enforcement Action on a concealed deliberate breach of planning rules?

As the Act quoted by the applicant came into force on 25 April 2024 (see attached note), the applicant had the opportunity to include the information in their previous application DC/24/1564 in October 2024. Why did they not do so?

The applicant alleges that the work on the access track was completed in 2019. The applicant deliberately concealed that the work had been completed for two years as the first enforcement investigation by HDC was initiated on 19 August 2021 which is less than 4 years ago (see attached notes).

As per the Enforcement and Post Permission matters from Gov.uk (attached), the 4 year rule for breaches of planning that were complete before 25 April 2024 do not apply because :-
i. there has been deliberate concealment of a breach of planning control and
ii. the time limits in section 171B of the Act do not engage until the breach has been discovered. As the breach was discovered on 19 August 2021 the 4 year rule allows for enforcement action until 19 August 2025.

The Act also provides for the taking of further enforcement action.

Therefore HDC is well within its rights to continue with enforcement action and to refuse planning application DC/25/0009 given that the applicant deliberately concealed the work and only started to apply for planning permission when the breach was discovered by a member of the public.

Furthermore HDC's arboriculturist has objected due to the damage to the ancient woodland caused by the work. Also there is a serious risk to members of the public using the public right of way from vehicles using the access track.

I urge HDC to refuse planning permission and to institute immediate enforcement action for the reasons given above.

[redacted]

Kind regards

Telephone:
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Horsham District Council 50 YEARS

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