Horsham District Council

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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/24/1682

Horsham District Council hereby certifies that on 05/11/2024, 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 M of Part 7 within Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015, as amended.

FIRST SCHEDULE
Siting of two new school buildings, containing three classrooms, for educational use (Lawful Development Certificate - Proposed)

SECOND SCHEDULE
Ingfield Manor School Ingfield Manor Drive Five Oaks Billingshurst

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

Plan Type	Description	Drawing Number	Received Date
Location plan		4864 - 1014 REV A	29.10.2024
Site plan	Proposed	4864 - 1012 REV A	29.10.2024
Elevation & Floor plan	Existing	4864 - 1011 REV A	29.10.2024
Elevation & Floor plan	Proposed	4864 - 1012 REV A	29.10.2024

Note to Applicant

- The applicant is advised that it is a condition of permitted development that, where a proposed development under Class M relates to the erection, extension or alteration of a school building

that results in an increase in the school's published admission number, the developer must, within a period of six months starting with the date the development is completed, submit to the local planning authority a travel plan for the site. This condition must be complied with, if relevant, in order for the development to constitute permitted development.

- Section 75 of the Conservation of Habitats and Species Regulations 2017 states that "it is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which -

  (a) Is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

  (b) Is not directly connected with or necessary to the management of the site, must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority)."

  The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

  The applicant is therefore advised that in order to be permitted development, no development must commence until the written approval of the local planning authority has been given pursuant to the application submitted under Section 77 of the Conservation of Habitats and Species Regulations 2017, ref: HRA/24/0006.

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: 05/03/2025

Site Location Plan

