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) – SPLIT DECISION

Application No: DC/24/0981

Horsham District Council hereby certifies that on 28/06/2024, the use/operations/matter 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 in part and not lawful in part (as outlined below) within s192 of the Town and Country Planning Act 1990 (as amended) and for the reason(s) below:

The operation is LAWFUL for the part that relates to:

1 Classes C, D and E of Part 1 within Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015

The operation is NOT LAWFUL for the part that relates to:

1 Classes A and B of Part 1 within Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015

Reasons for granting this certificate

The part that is LAWFUL has been permitted for the following reason:

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

The part that is NOT LAWFUL has been refused for the following reasons:

1 The eaves of the extension projects beyond the eaves of the original part of the dwellinghouse, comprising a side extension with a width greater than half the width of the original dwellinghouse, and would include alterations to the roof of the original dwellinghouse, contrary to Class A.1(d), (j) and (k) respectively of Part 1 within Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015.

2 The roof of the proposed extension sought under Class A interacts with the elevations of the proposed roof extension sought under Class B, thus the works are considered a single building operation, in which neither parts of the works would accord with the provisions set out within Classes A and B of Part 1 within Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015.

FIRST SCHEDULE

Removal of conservatory and erection of a single storey rear extension. Loft conversion with rear roof extension. Erection of a side extension to existing garage. Construction of a front porch and relocate front door (Lawful Development Certificate - Proposed).

SECOND SCHEDULE

21 Barleycroft Cowfold West Sussex RH13 8DP

Schedule of plans/documents

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		Green/23/01A	28.06.2024
Elevation & Floor plan	Existing sections	Green/23/02A	28.06.2024
Elevation & Floor plan	Proposed sections	Green/23/03A	28.06.2024

Your right to appeal

Where your application to the Council has been refused or refused in part you may appeal under s195 of the Act to the Secretary of State for Communities and Local Government. Further details and appeal forms are available at **www.gov.uk/appeal-lawful-development-certificate-decision**.

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: 23/08/2024