Horsham District Council

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NOTICE OF REFUSAL TO GRANT A LAWFUL USE OR DEVELOPMENT CERTIFICATE

TOWN & COUNTRY PLANNING ACT 1990: S191 (AS AMENDED BY S10 OF THE PLANNING AND COMPENSATION ACT 1991)

TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER (ENGLAND) 2015

Application No: DC/24/0189

1. Refusal

Horsham District Council by this notice **refuses** the application made under s191 of the Town and Country Planning Act 1990 (as amended) dated 15th May 2024 (reference DC/24/0189) for the matters referred to in paragraph 2 in respect of the land described in paragraph 3 for the reasons set out in paragraph 4.

2. Matters

Application to confirm that the works commenced under previously approved application DC/19/1870 (Lawful Development Certificate - Existing)

3. The land to which this refusal relates

Little Rowfold, Rowfold Kennel Coneyhurst Road Billingshurst West Sussex

4. Reason for refusing this application

1 The evidence available is insufficiently precise and unambiguous to demonstrate on the balance of probability that the material operation carried out relates to the development approved under planning reference DC/19/1870. It has not therefore been demonstrated on the balance of probability that works to implement planning permission reference DC/19/1870 have commenced within the three year period as defined by condition 2 of the permission.

5. Schedule of plans/documents

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

Plan Type	Description	Drawing Number	Received Date

Location plan	Location Plan	1810RO_Con.9 REV 00	05.02.2024

Note to Applicant
Conditions 3 and 5 of planning approval reference DC/19/1870 go to the heart of the permission and represent a condition precedent. Notwithstanding refusal reason 1, the carrying out of any material operation and subsequent commencement of development to implement the relevant planning permission would represent a breach of condition and would amount to unlawful development.

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**.



Emma Parkes
Head of Development and Building Control

Date: 15/05/2024