Horsham District Council

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

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT (EXISTING)

Application No: DC/24/0894

Horsham District Council hereby certifies that on the 18th June 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 the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) and for the reasons(s) below:

The use/operation/matter is LAWFUL for the part that relates to:

1 The use of the building shared in red on the plan below as a dwellinghouse for residential purposes in connection with Woodside Equestrian Centre

2 The use of the land edged in red on the plan below for residential purposes in association with the dwelling subject of this certificate

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

1 The porch erected to the south-west of the building

2 The use of the land to the south-west of the building for residential purposes in association with the dwelling subject of this certificate

Reason(s) for granting this certificate

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

1 It has been demonstrated, on the balance of probability, that the building (shaded in red on the plan below) has been used as a dwellinghouse for residential purposes, in connection with Woodside Equestrian Centre, for a period in excess of four years prior to the date of the submission of this application.

2 It has been demonstrated, on the balance of probability, that the curtilage (edged in red on the plan below) has been used for residential purposes in association with the dwelling subject of this certificate for a period in excess of ten years prior to the date of the submission of this application.

The part that is NOT LAWFUL has been refused for the following reason(s):

1 It has not been demonstrated that the porch erected to the south-west of the building was substantially completed for a period in excess of four years prior to the date of the submission of this application.

2 It has not been demonstrated that the extended curtilage to the south-west of the building has been in residential use in association with the dwelling subject of this certificate for a period in excess of ten years prior to the date of the submission of this application.

FIRST SCHEDULE

Application to confirm the erection of a dwellinghouse for residential purposes for a period in excess of ten years (Lawful Development Certificate - Existing)

SECOND SCHEDULE

Woodside Equestrian Centre , Forest Road, Colgate, West Sussex, RH12 4TF.

Schedule of plans/documents

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	12.06.2024
Block plan		NONE	12.06.2024
Floor plan	As existing	NONE	12.06.2024
Supporting Statement	Planning	NONE	12.06.2024
Supporting Statement	Statutory Declaration L Carey	NONE	12.06.2024
Supporting Statement	Statutory Declaration L Fitzsimmons	NONE	12.06.2024
Supporting Statement	Statutory Declaration S Fitzsimmons	NONE	12.06.2024
Supporting Statement	Statutory Declaration C Thompson	NONE	12.06.2024
Supporting Statement	Statutory Declaration A Swiers	NONE	12.06.2024

Community Infrastructure Levy (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. **This development constitutes CIL liable development**.

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at cil@horsham.gov.uk

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

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 s191 of the Town and Country Planning Act 1990 (as amended).

2. It certifies that the use/operations specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and thus was not liable to enforcement action under Part 7 of the Act on that date.

3. This certificate applies only to the extent of the use/operations described in the First Schedule and to the land described 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 to enforcement action.

4. The effect of the certificate is also qualified by the proviso in 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 operation begun, in any of the matters relevant to the determining of such lawfulness.



Emma Parkes
Head of Development and Building Control

Date: 13/08/2024

Plan

