Horsham District Council

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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/24/1921

Horsham District Council hereby certifies that on the 10th December 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 green and blue on the plan attached to this certificate, was 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 Building operations to the external elevations of the building known as The Byre

2 Use of the land to the west and north of the building known as The Barn as residential amenity space in connection with The Barn

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

1 Use of the buildings known as The Byre and The Barn as a single residential dwelling and ancillary accommodation

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 operations to the external elevations of the building known as The Byre, as outlined in blue on the attached plan, have been substantially complete for a period in excess of 4 years from the date of the application.

2 It has been demonstrated on the balance of probability that the land to west and north of the building known as The Barn, as outlined in green on the attached plan, has been used as residential amenity space in connection with The Barn for a period in excess of 10 years from the date of the application.

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

1 It has not been demonstrated on the balance of probability that the two buildings known as The Byre and The Barn have been used as a single residential dwelling and ancillary accommodation, in breach of the condition 2 of planning approval reference DC/09/1017 and condition 8 of planning permission reference DC/12/0742, for a period in excess of 10 years from the date of the application.

FIRST SCHEDULE

Application to confirm use of two adjoining buildings as a single dwelling with ancillary accommodation on a date four years previous. Use of adjoining land as residential garden for a period in excess of ten years. Conversion of the Byre not in accordance with the plans approved by DC/09/1017 (Lawful Development Certificate - Existing)

SECOND SCHEDULE

Homelands Farm Stables , Bines Road, Partridge Green, West Sussex, RH13 8EQ.

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: 27/03/2025

Plan

