Horsham District Council

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Cherry Tree Inn

Address Line 1

Crawley Road

Address Line 2

Address Line 3

West Sussex

Town/city

Faygate

Postcode

RH12 4SA

Description of site location must be completed if postcode is not known:

Easting (x)

521199

Northing (y)

133676

Description

Applicant Details

Name/Company

Title

First name

Surname

.

Company Name

Thistlewood Properties

Address

Address line 1

Wilmslow Road

Address line 2

Address line 3

Town/City

Alderley Edge

County

Country

Postcode

SK9 7QW

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Applicant Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Dylan

Surname

Brooks

Company Name

Edgeplan Limited

Address

Address line 1

Causeway House

Address line 2

13 The Causeway

Address line 3

Town/City

Teddington

County

Country

GB

Postcode

TW11 0JR

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Change of use of public house (A4) to restaurant/cafe (A3) and hot food takeaway (A5). Demolition of existing single storey rear extension and erection of a rear extension, including internal and external alterations, with associated parking and landscaping.

Reference number

DC-19-1912

Date of decision (date must be pre-application submission)

06/01/2021

Please state the condition number(s) to which this application relates

Condition number(s)

1 (approved drawings), 3 (CEMP) and 5 (EV charging).

Has the development already started?

- [x] Yes
- [ ] No

If Yes, please state when the development was started (date must be pre-application submission)

04/12/2023

Has the development been completed?

- [ ] Yes
- [x] No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

This application is made under S73A application which seeks to regularise the development at the site.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Specific Pre-commencement conditions reworded to be in compliance with the submitted details. Please refer to the submitted covering letter.

Community Infrastructure Levy

Your development may be liable for a charge under the Community Infrastructure Levy if it involves new or additional gross internal area for residential and non-residential buildings, including extensions or a new dwelling. If your scheme is liable, this charge is payable after development begins.

Information on the CIL charges can be found on the local authority website. In London both Mayoral and local borough CIL charges may be applicable.

Your answers below, and in the application, will enable the local authority to establish if your development is liable for a charge and to calculate it accurately.

Further information on CIL, and what to do if you are liable can be found on the Planning Portal.

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a collecting or charging authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

Liability for CIL (when applying to Remove or Vary Conditions on an Existing Planning Permission)

Does the application involve a change in the amount or use of new build development, where the total (including that previously granted planning permission) is over 100 square metres gross internal area?

- [x] Yes
- [ ] No

Note: Answer No if either:

- the new or additional internal area only relates to a building into which people do not normally go or only go into intermittently for the purposes of inspecting or maintaining fixed plant or machinery; or
- the new or additional internal area solely relates to an internal/mezzanine floor and no other works or change of use are proposed.

Does the application involve a change in the amount of gross internal area where one or more new dwellings (including residential annexes) are to be created, either through new build or conversion (except the conversion of a single dwelling house into two or more separate dwellings with no additional gross internal area created)?

- [ ] Yes
- [x] No

If liable for CIL, a Commencement (of development) Notice (CIL Form 6) must also be received by the collecting authority prior to the commencement of the development. Otherwise a surcharge equal to 20% of the notional CIL chargeable amount or £2,500, whichever is the lower amount, will be incurred.

All additional CIL forms can be downloaded from the Planning Portal website.

Proposed New Gross Internal Area

Does the application involve new residential development?

- [ ] Yes
- [x] No

Note: Residential development includes new dwellings, extensions, conversions, garages or any other buildings ancillary to residential use. In flatted developments, this includes communal entrances, landings, etc and any related internal parking.

Does the application involve new non-residential development?

- [x] Yes
- [ ] No

Please provide details of the changes to gross internal area

Market housing (if known)	Social Housing, including shared ownership housing (if known)	Total residential	Total non-residential
Existing gross internal area (square metres) (a)	Existing gross internal area (square metres) (a)	Existing gross internal area (square metres) (a)	Existing gross internal area (square metres) (a)
0	0	0	250
Gross internal area to be lost by change of use or demolition (square metres) (b)	Gross internal area to be lost by change of use or demolition (square metres) (b)	Gross internal area to be lost by change of use or demolition (square metres) (b)	Gross internal area to be lost by change of use or demolition (square metres) (b)
0	0	0	250
Total gross internal area proposed (including change of use, basements, and ancillary buildings) (square metres) (c)	Total gross internal area proposed (including change of use, basements, and ancillary buildings) (square metres) (c)	Total gross internal area proposed (including change of use, basements, and ancillary buildings) (square metres) (c)	Total gross internal area proposed (including change of use, basements, and ancillary buildings) (square metres) (c)
0	0	0	340
Net additional gross internal area following development (square metres) (c - b = d)	Net additional gross internal area following development (square metres) (c - b = d)	Net additional gross internal area following development (square metres) (c - b = d)	Net additional gross internal area following development (square metres) (c - b = d)
0	0	0	90

Grand Total	Existing gross internal area (square metres) (a)	Gross internal area to be lost by change of use or demolition (square metres) (b)	Total gross internal area proposed (including change of use, basements, and ancillary buildings) (square metres) (c)	Net additional gross internal area following development (square metres) (c - b = d)
	250	250	340	90

Existing Buildings

Are there any existing buildings on the site that will be retained, demolished or partially demolished as part of the development proposed?

- [x] Yes
- [ ] No

Number of existing buildings on the site to be retained, demolished or partially demolished as part of the development proposed

1

Please state for each existing building/part of an existing building that is to be retained or demolished, the gross internal area that is to be retained and/or demolished and whether all or part of each building has been in use for a continuous period of at least six months within the past thirty six months.

Brief description of existing building/part of existing building to be retained or demolished:
The modern single storey, flat and pitched roof rear extension. The existing bar and access corridor the toilets will also be removed

Gross internal area to be retained:
190 Square metres

Proposed use of retained gross internal area:
Class E

Gross internal area to be demolished:
60 Square metres

Was the building or part of the building occupied for its lawful use for 6 continuous months of the 36 previous months (excluding temporary permissions)?:
Yes

Is the building still occupied and used for its lawful use?:
No

When was the building last occupied for its lawful use?:
06/01/2021

Note: Any existing buildings into which people do not usually go or only go into intermittently for the purposes of inspecting or maintaining plant or machinery, or which were granted temporary planning permission should not be included here, but should be included in the next question

Total floorspace	Total floorspace to be retained		Total floorspace to be lost by demolition	
	190	Square metres	60	Square metres

Does the development proposal include the retention, demolition or partial demolition of any whole buildings which people do not usually go into or only go into intermittently for the purposes of inspecting or maintaining plant or machinery, or which were granted planning permission for a temporary period?

◯ Yes
⊘ No

If the development proposal involves the conversion of an existing building, will it be creating a new mezzanine floor within the existing building?

◯ Yes
⊘ No / Not applicable

Exemption or Relief

Any exemption or relief must be claimed for and granted by the collecting authority prior to the commencement of the development, otherwise the full charge will be payable.

All additional CIL forms can be downloaded from the Planning Portal website.

Is the site owned by a charity where the development will be wholly or mainly for charitable purposes, and the development will be either occupied by or under the control of a charitable institution?

◯ Yes
⊘ No

Does the proposed development include affordable housing which qualifies for mandatory or discretionary Social Housing relief?

◯ Yes
⊘ No

Do you wish to claim a self-build exemption for a whole new home?

◯ Yes
⊘ No

Do you wish to claim an exemption for a residential annex?

◯ Yes
⊘ No

Do you wish to claim an exemption for a residential extension?

◯ Yes
⊘ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

⊘ Yes
◯ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

⊘ The agent
◯ The applicant
◯ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

◯ Yes
⊘ No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?
E.g. All the land is owned by a single individual

◯ Yes
⊘ No

Is the land owned by multiple individuals, or has agricultural tenants where the details of all individuals are known by the Applicant?
E.g. The land is owned by 2 people and the applicant can provide details of those owners.

⊘ Yes
◯ No

Certificate Of Ownership - Certificate B

I certify/ The applicant certifies that:

⊘ **I have/The applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates; or**
◯ **The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners* and/or agricultural tenants**.**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990**

Owner/Agricultural Tenant

Name of Owner/Agricultural Tenant:
***** REDACTED ******

House name:
Kingsbury House

Number:
468

Suffix:

Address line 1:
Church Lane

Address Line 2:

Town/City:
London

Postcode:
NW9 8UA

Date notice served (DD/MM/YYYY):
10/10/2026

Person Family Name:

Person Role

◯ The Applicant
⊘ The Agent

Title

First Name

Dylan

Surname

Brooks

Declaration Date

10/10/2026

☑ Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Steve Edgeller

Date

10/10/2026