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/24/1194

Horsham District Council hereby certifies that on the 7th August 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 southern extension

2. Use of the northernmost unit for agricultural storage

3. Use of the central unit as vehicle repair / mechanics / agricultural maintenance garage

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

1. The use of the southernmost unit for Class B8 storage and distribution use

Reason(s) for granting this certificate

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

It has been demonstrated on the balance of probability that the southern extension, identified in yellow on the attached plan, was substantially completed more than 4 years prior to this application (and was completed before 25th April 2024).

It has been demonstrated on the balance of probability that the northern unit, identified in blue on the attached plan, has been used for agricultural storage, and that the central unit, identified in

green on the attached plan, has been used as vehicle repair / mechanics / agricultural maintenance garage for a period in excess of 10 continuous years prior to this application.

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

It has not been demonstrated on the balance of probability that the southernmost unit has been used for Class B8 storage and distribution purposes for a period in excess of 10 continuous years.

FIRST SCHEDULE

Application to confirm the continuous use of existing building used as agricultural storage, car repair, mechanics, agricultural maintenance garage and general B8 storage purposes for a period in excess of ten years. An extension to the building was completed more than 4 years prior to the date of the application (Lawful Development Certificate - Existing).

SECOND SCHEDULE

Spring Gardens Nursery , Spring Gardens, Washington, West Sussex, RH20 3BS.

Schedule of plans/documents APPROVED

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Planning	NONE	07.08.2024
Location plan		2024.422.01	07.08.2024
Elevation & Floor plan	Existing roof	2024.422.02	07.08.2024
Photos		NONE	07.08.2024

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.

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: 06/02/2025

Site Location Plan

