

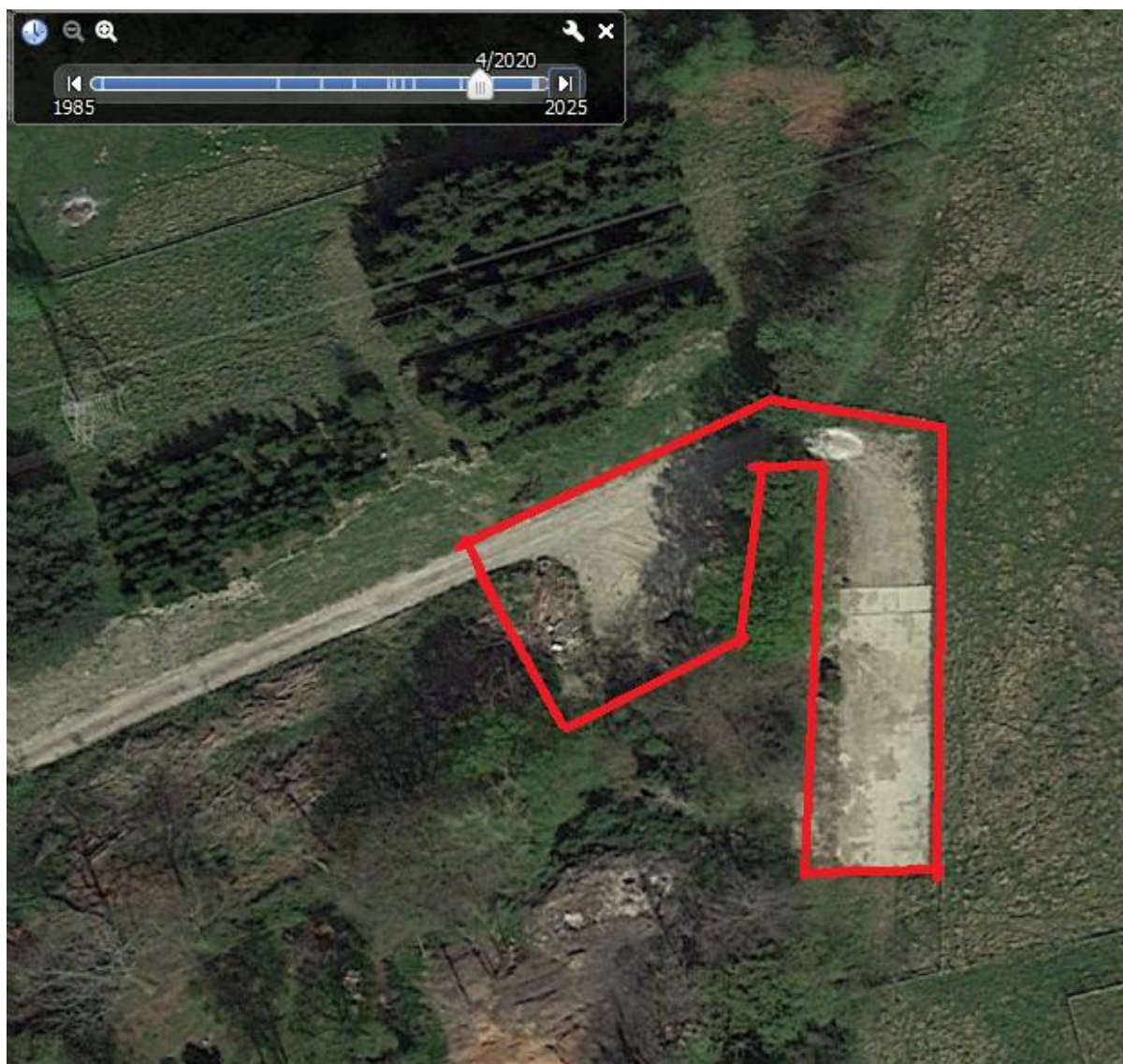
Fir Tree Place, Title Number WSX48293, Turners Hill Road, RH10 4HQ

Lawful Development Certificate with regards to the hardstanding on the site for in excess of 4 years (prior to the date of the Enforcement Notice).

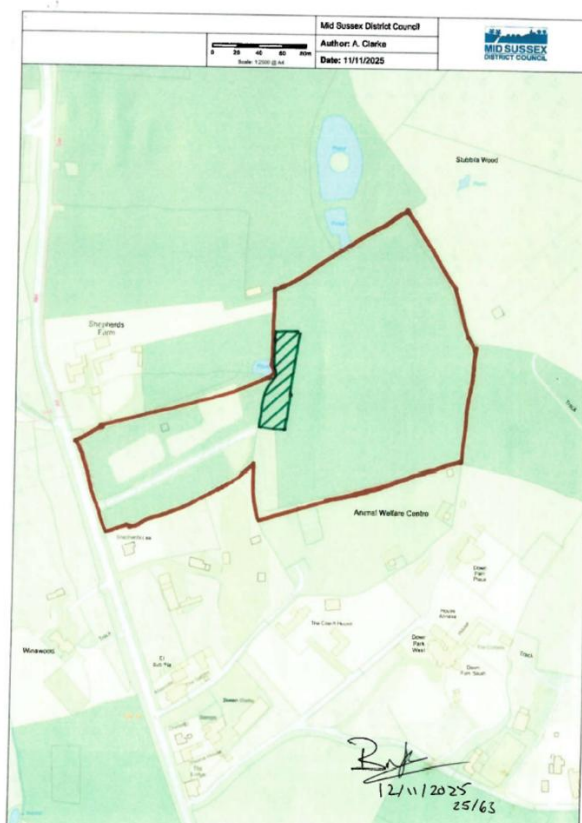
Executive summary

It is trite planning law that the service of an Enforcement Notice (EN) does not preclude the submission of evidence to confirm lawfulness of in this instance operational development / hardstanding if evidence can be shown that it was immune prior to the service of the EN.

This Lawful Development Certificate is made pursuant to the dismissed EN which was issued on 12 November 2025. It is clear from the 2020 aerial photo below the extent of the hardstanding that **was substantially complete prior to April 2020 and has remained in situ.**



It is clear from the EN plan the extent of the hardstanding to be removed – hatched green. The areas to the south and south west of the green hatching are indicative of the hardstanding that this LDC relates to. To remove any ambiguity what this LDC seeks is to clarify is the extent of the hardstanding that is lawful through passage of time.



Appeal A Ref: APP/D3830/C/25/3376721 and Appeal B Ref: APP/D3830/C/25/3376722 relating to Land at Fir Tree Place, Title Number WSX48293, Turners Hill Road, Crawley Down, West Sussex were dismissed by decision date: 6 July 2026 – the extracts from appeal decision below together with the EN plan are relevant background to the LDC application.

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (the 1990 Act) as amended by the Planning and Compensation Act 1991.
- The appeals are made by Mr Michael Delaney (Appeal A) and Mr Miles Delaney (Appeal B) against an enforcement notice issued by Mid Sussex District Council.
- The enforcement notice
- The breach of planning control as alleged in the notice is:
 - (a) without planning permission, the material change of the Land to a mixed use comprising agriculture and stationing of caravans and their residential use
 - (b) without planning permission, the carrying out of works to form hardstanding and a service trench.
- The requirements of the notice are:
 - (i) Cease all residential use of all caravans stationed on the Land
 - (ii) Disconnect from all services all caravans stationed upon the Land
 - (iii) Remove all caravans from the Land
 - (iv) Remove from the Land all pipes, cables, conduits and other paraphernalia installed to provide services to the caravans
 - (v) Remove from the Land all materials laid to form the hardstanding within the area shown in the approximate position hatched green on the plan

attached to the notice

(vi) Remove any debris and chattels from the Land in association with the steps taken to comply with requirements 5.1, 5.2, 5.3 and 5.4 above.

(vii) Reinstate the Land to its condition prior to the unauthorised development taking place.

- The period for compliance with the requirements is compliance with the requirements is 3 months in relation steps 5.1 and 5.2; 4 months in relation steps 5.3 and 5.4; 5 months in relation steps 5.5 and 5.6; and 6 months in relation to step 5.7.

- The appeals are proceeding on the grounds set out in section 174(2) (a) (Appeal A only) and (g) of the Town and Country Planning Act 1990 as amended.

153. In that context, the impact on the character and appearance of the area would be less harmful if the number of caravans stationed on the site was reduced. In particular, I am mindful that the static caravan occupied by the appellant himself is stationed on a pre-existing hardstanding that has become lawful over time and is not visible from the public domain. I have therefore considered whether planning permission ought to be granted for the stationing of that caravan in isolation. This would also mean that the other caravans and the hard surface on which they are stationed could be removed, with attendant partial restoration of the rural character of the appeal site and allowing for the re-introduction of habitats suitable for protected species.

COMMENT – there are additional areas of hardstanding that have become lawful over time and are not visible from the public domain; without prejudice the legitimising of these areas may pave the way for a resubmission of further application(s).

The chronology of historic aerial photographs below since August 2012 all confirm that the extent of the site that has now been covered in hardstanding for more than 4 years.



Image date 29 September 2025

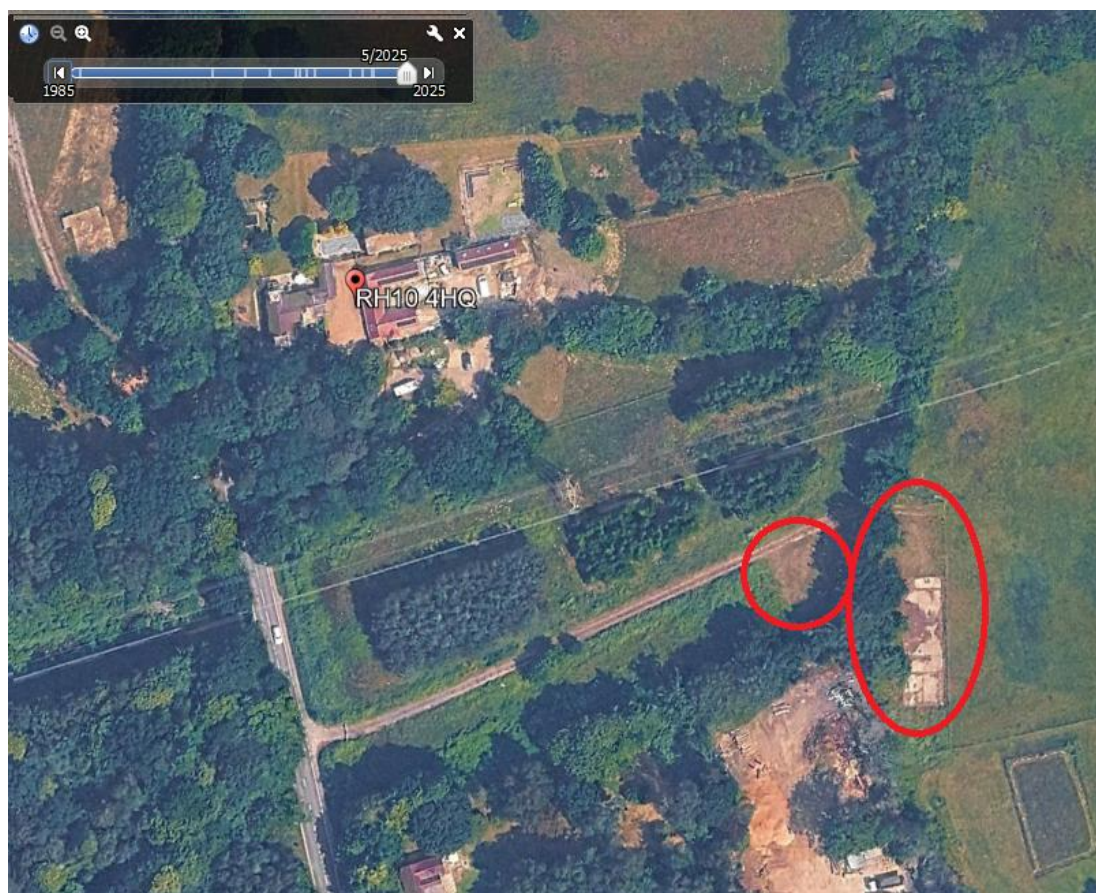


Image date 1 May 2025



Image date 9 June 2021

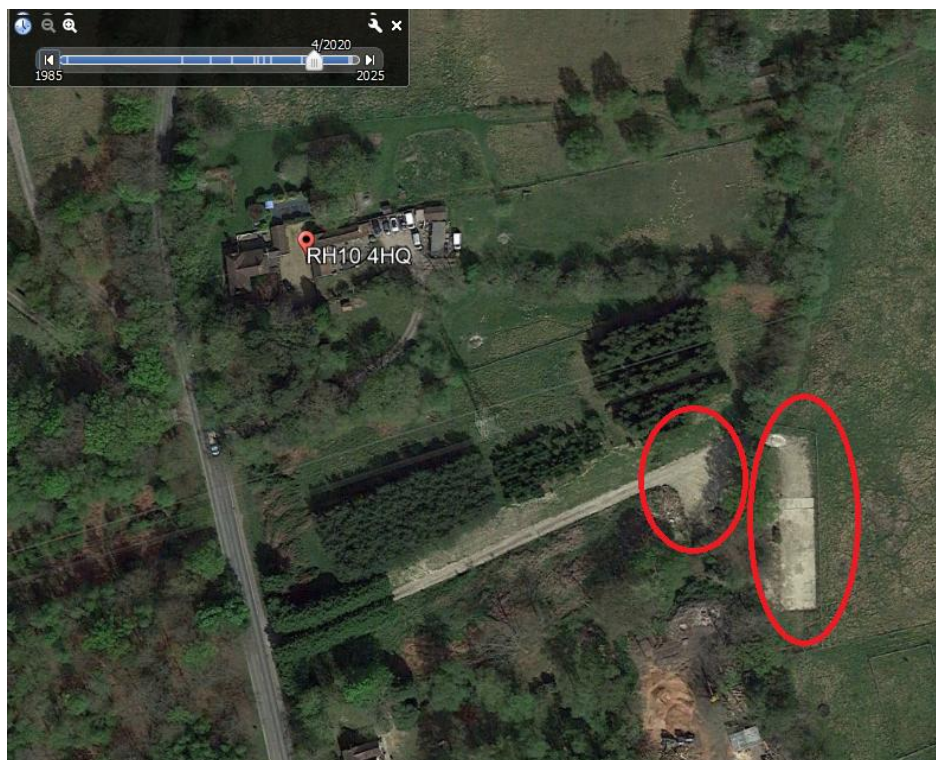


Image date 15 April 2020

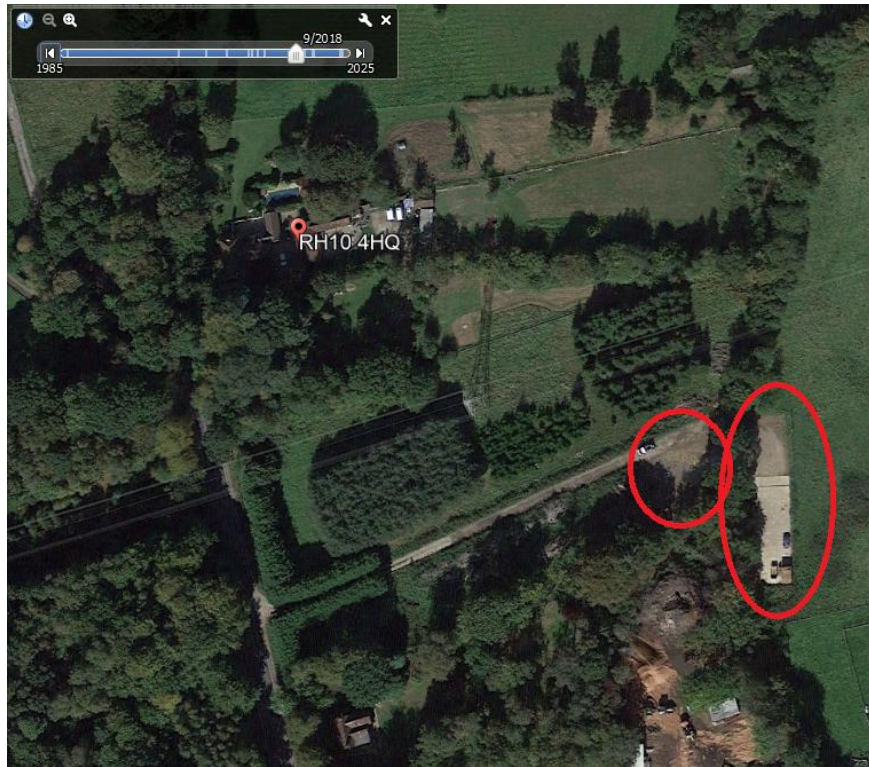


Image date 26 September 2018

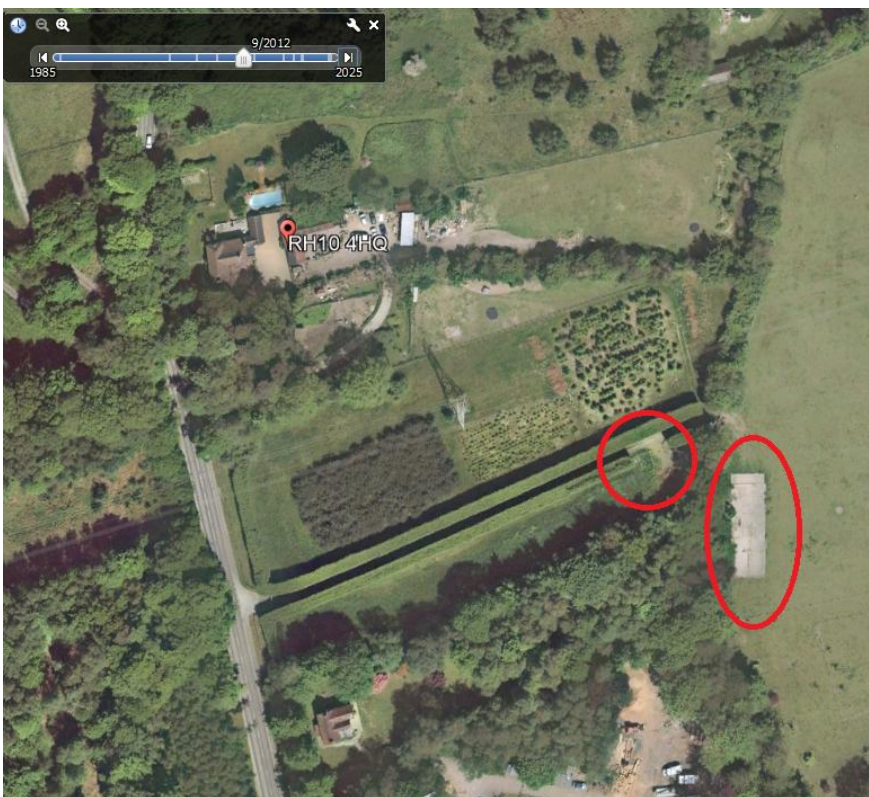


Image date 31 August 2012

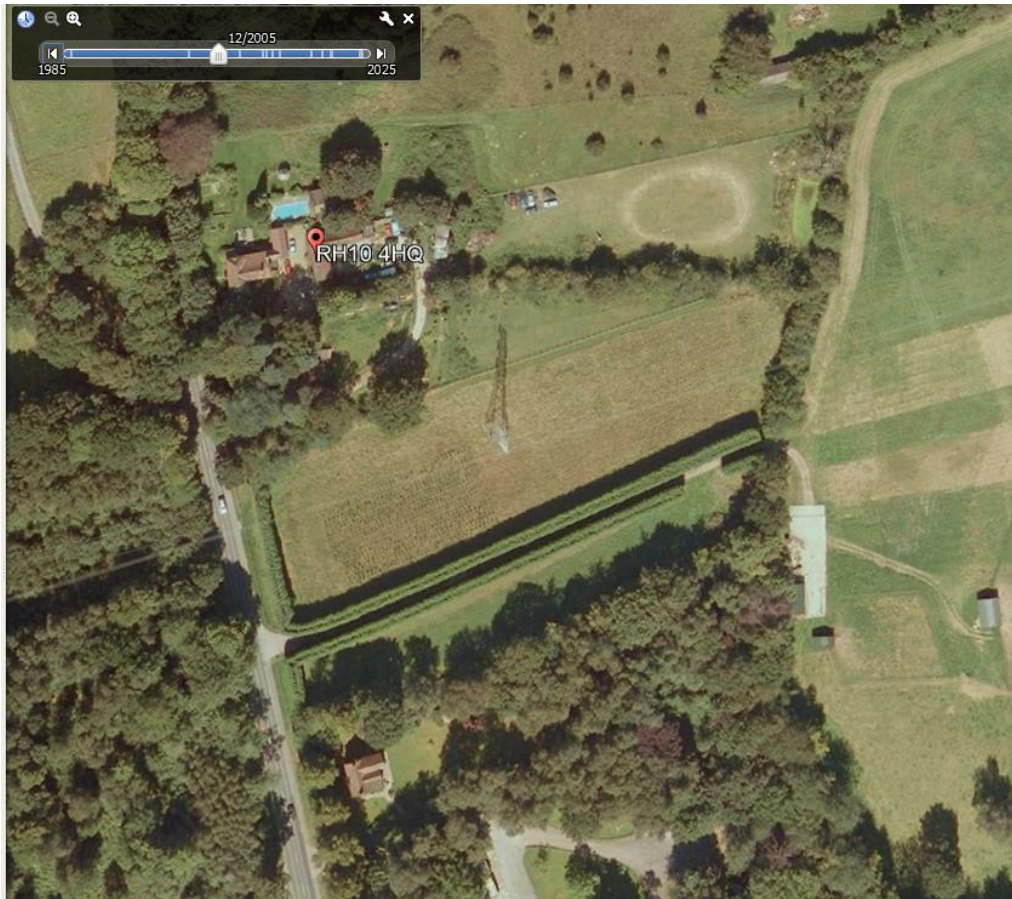


Image date 1 January 2005 - pre- formal hardstanding