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**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 191 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

**REFUSAL OF CERTIFICATE OF LAWFUL USE OR DEVELOPMENT
(EXISTING)**

REFERENCE: DM/25/0140

**PROPOSAL: APPLICATION FOR AN EXISTING CERTIFICATE OF LAWFUL
USE OR DEVELOPMENT FOR THE CONSTRUCTION OF A
RESIDENTIAL CABIN.**

**LOCATION: CABIN AT , HORSEPASTURE WOOD, WALLAGE LANE,
ROWFANT**

DECISION DATE: 2 APR 2025

CASE OFFICER: HAMISH EVANS - HAMISH.EVANS@MIDSUSSEX.GOV.UK

The Mid Sussex District Council hereby certify that on 17th February 2025 the matter described in the First Schedule hereto in respect of the land and building specified in the Second Schedule hereto and hatched red on the plan attached to this certificate, was not lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

1. It is considered that the applicant has not established on the balance of probabilities that the lawful use of the existing building and surrounding redline area as residential. Accordingly, a LDC for the development as described in the application cannot be granted and the application is refused.

First Schedule

Application for an Existing Certificate of Lawful Use or Development for the construction of a residential cabin.

Second Schedule

Cabin At , Horsepasture Wood, Wallage Lane, Rowfant

Informatives

1. None.

A handwritten signature in black ink, appearing to read 'ABiggs', with a stylized, cursive script.

Ann Biggs
Assistant Director Planning and Sustainable Economy

RELDEZ



APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within **6 months** of the date of this notice.

However, if

- (i) this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- (ii) an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
 - 28 days of the date of service of the enforcement notice, or
 - within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal which you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).

