



Appeal Decisions

Hearing Held on 29 May 2024

Site visit made on 29 May 2024

by Roy Curnow MA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 October 2024

Appeal A Ref: APP/R3650/X/23/3333287

Wrotham Hill Cottage, Wrotham Hill, Dunsfold GU8 4PA

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr Grant Marshall against the decision of Waverley Borough Council.
 - The application Ref WA/2023/02021, dated 8 September 2023, was refused by notice dated 6 November 2023.
 - The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended.
 - The development for which a certificate of lawful use or development is sought is The siting of a shipping container within the land edged red on the accompanying block plan for use ancillary to the lawful use of the land would not constitute development for which planning permission would be required. A lawful development certificate should therefore be issued for the siting of a shipping container.
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Appeal B Ref: APP/R3650/X/23/3337134

Wrotham Hill Cottage, Wrotham Hill, Dunsfold GU8 4PA

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr Grant Marshall against the decision of Waverley Borough Council.
 - The application Ref WA/2023/00302, dated 30 January 2023, was refused by notice dated 28 March 2023.
 - The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended ('the Act').
 - The use for which a certificate of lawful use or development is sought is Use of roof space of the garage building for the purposes of habitable accommodation – contrary to condition 2 of consent WA/2003/2383.
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Decision

1. In respect of **Appeal A**: The appeal is dismissed.
2. In respect of **Appeal B**: The appeal is allowed and attached to this decision is a certificate of lawful use or development describing the use of the first floor of the garage building for purposes ancillary to the residential use of Wrotham Hill Cottage which is found to be lawful.

Procedural Matters

3. As set out above there are two appeals on this site. Whilst they are for two different developments, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated. Each proposal has been considered on its individual merits.
4. With reference to Appeal B, the Council issued a certificate of lawfulness for the same development as is before me. As such, it set out that it would not be contesting the appeal. During the Hearing, I heard that the decision to issue a certificate was based, in part, on additional information that was in the Council's possession at that time. That information had not been put before me and I found that, in the circumstances, it would be in the public interest were I to take that information into account in making my decision. The parties agreed that this would be the case, and it was submitted by the Council after the Hearing. I have used it in making my decision on the appeal.
5. In the Hearing, I expressed doubts about the description of the use that was applied for in Appeal B. Whilst, given the wording of condition 2 of planning permission WA/2003/2383, I could understand why the use applied for had been described as it was, it lacked the necessary specificity. The Appellant clarified that the certificate he sought was for an en-suite bedroom used for purposes ancillary to the use of Wrotham Hill Cottage. This was also the Council's understanding of the case. Following discussions, the parties agreed that the description could be changed to "Use of the first floor of the garage building for purposes ancillary to the residential use of Wrotham Hill Cottage". I have assessed Appeal B on this basis.

Application for costs

6. At the Hearing an application for costs was made by Mr Grant Marshall against Waverley Borough Council on both appeals. Those applications will be the subject of a separate Decision.

Main Issue

7. The main issue in both appeals is whether the Council's decisions to refuse to issue certificates of lawfulness were well-founded.

Reasons

8. In both appeals, the onus lies with the Appellant to make his case on the balance of probability.

Wrotham Hill Cottage

9. Wrotham Hill Cottage is a large semi-detached property that lies in the open countryside close to the village of Dunsfold. It is a Grade II listed building that is set back from the public highway, Wrotham Hill. A gravelled drive runs uphill into the property from the highway to a parking area at the side of the house. At the rear of the parking area is a large two-storey outbuilding. This building is the subject of Appeal B.
10. At the end of the gravelled area, a gate lies between the outbuilding and the rear of the house. This gives access to a very large rear garden area. Close to the house, the garden is set to lawn that gently slopes away from the house. There are trees along the western boundary of this lawned area, as there are at

its southern end. There are two gaps between the trees from which access is gained down a steeper slope to the remainder of the garden, which I shall refer to as the 'lower garden area'.

11. Much of the eastern side of the lower garden area lies at a significantly higher level than that to its west, and a steep bank links the two. Much of this eastern area is taken up by a manège. There are a number of outbuildings to the north of the manège, between it and the rear of the two-storey outbuilding. South of the manège, the garden is fairly rough in character and is grassed, but not kept as a lawn in the manner of the area close to the house. At the southern end of this area, the garden falls away steeply to a stream that bounds the property. There is a container, used as a store, and a shed in this area.
12. The remaining area of the lower garden also slopes towards the stream. The grass in this area is rough and the land is a little uneven underfoot. Whilst the grass is cut, it could not reasonably be described as a lawn. A brick barbecue lies towards the centre of this area. As it lies at a lower level, this land is closer to the level of the stream and, thus, there is no steep drop to it in the manner of that towards the southeastern corner of the garden. The Council said that this land gets wet in winter, a point that was not countered by the Appellant, and I could see how this might easily be the case. Mature trees line the stream.
13. The Council states that the "Planning history of the site shows that it has been accepted that the application site is residential curtilage". As my decision does not turn on this, I do not need to make a finding as to whether this is the case or not.

Appeal A

14. Not all of the garden I have described is included within the area for which a certificate of lawfulness to site the shipping container is sought. The site excludes the gravelled parking area and much of the lawn, as well as the area between the two-storey outbuilding and manège and between the manège and the property's eastern boundary. Essentially, therefore, the appeal relates to a narrow strip of the lawn and much of the lower garden area.
15. The Appellant's case is that the siting of the container for purposes ancillary to the lawful use of the land would not constitute development.
16. Section 55 of the Act defines "development" as the carrying out of building, engineering, mining or other operations in, on, over or under land and the making of any material change of use of buildings or other land. Section 336 defines a "building" as including "any structure or erection, and any part of a building as so defined, but does not include plant or machinery comprised in a building".
17. For the purposes of this decision, it makes sense to address the question of a material change of use first. The Council, in its Officer report, agreed with the Appellant that, as the container would be used for purposes ancillary to the land on which it would be sited, so there would not be a material change of use. I also find this to be the case.
18. Drawing NW/001 submitted with the application, entitled 'Proposed siting of a container', shows plan views and elevations of the proposed container. Although the dimensions were not annotated on the drawing, there is a scale

bar and this shows the proposed container to be a little under 13m long, with a height and width of about 3m.

19. The Council's argument is that its siting would constitute operational development by reason of its size, scale, permanence and degree of attachment. Put succinctly, the Appellant's position is that its siting would not amount to development.
20. Both parties have referred to established case law¹ in their submissions. The Appellant's submissions included a Counsel's Opinion² ('the Opinion'). As the Opinion states at the beginning of its paragraph 3, "Whether a shipping container is or is not development for which planning permission is required is ultimately a matter of judgement for the Inspector". The Opinion demonstrates that the court decisions provide a framework upon which a decision is to be made, based on the facts of each case³. Therefore, that the appeal decisions submitted by the parties differ in their conclusions as to whether the siting of a container or containers amounts to development is not surprising. They merely reflect the need to assess each case on its individual merits.
21. In *Cardiff*, the courts identified three factors in assessing whether something was a building: its size, degree of permanence and the manner of its fixing.
22. The Appellant also refers to the decision *Cheshire CC v Woodward* [1962] 2 QB 126, which held that even large objects do not necessarily amount to development. He further points to that part of *Cardiff* that states that buildings would normally be of a substantial size and that they would normally be constructed on the site rather than being ready made.
23. The Appellant stated that the container would not be assembled on site, it would come in constructed form and that it would require no significant number of persons to erect it, as it is designed to be moved as a piece.
24. Notwithstanding that it would be brought to the site ready constructed, the size of the proposed container would be substantial.
25. In its paragraph 40, *Cardiff* qualifies the term permanence through the use of the words "some degree" and "normally". The Appellant makes the case that "'Normally' shipping containers are, by their very nature, designed to be conveniently movable from place to place as a matter of course". I agree; in what might be termed their design use, they are loaded with goods then moved from one point to another and, when emptied, moved on in further such movements. That would not be the case here.
26. I have no information in respect of how the container would be moved after its initial siting. Given the nature of much of the land and its topography, and the skilled efforts needed to move it, once positioned it would be likely to remain in position for a considerable period. If sited on the grassed area that gets wet in the winter without the provision of a hard base, which is not proposed, I have

¹ *Cardiff Rating Authority v Guest Keen Baldwin's Iron and Steel Co Ltd* [1949] 1QB 385
Skerritts of Nottingham Ltd v SSETR (No. 2) [2002] EWCA Civ 5569
Barvis Limited SSE and Anor [171] P&CR 1710

² Michael Rhimes, Francis Taylor Building

³ APP/V0728/W/23/3314720 - MKM Building Supplies, Limerick Road, Dormanstown, Redcar
APP/Z5630/X/21/3269510 - 422A Kingston Road, Kingston
APP/M2270/C/20/3246942 - Oakland's Farm, Sandhurst, Kent
APP/R3650/C/17/3172490 - 1 Glen Road, Hindhead

little doubt that it would sink into the ground, to a degree, by reason of its weight. Siting it there, or on the sloping land would provide additional challenges; therefore, it seems quite unlikely that the container would be moved, at least not for a considerable period.

27. I note that, in the Redcar appeal, the Inspector opined that containers could be removed quickly and easily. There, they were to be sited on land that was fully hard surfaced. That could only make it easier to do so by a crane and lorry. It is quite different here. Although the Opinion says that the container would merely rest on grassland, that only gives a partial description of the nature of the appeal site and does not fully address the challenges that would arise.
28. Therefore, as a matter of fact and degree, I find that the siting of the proposed container shows the degree of permanency required by *Cardiff*.
29. In terms of the container's affixation to the land, the Council say that this would be by reason of its own weight. Rather than being of "limited assistance", as put forward by the Appellant, I find this to be a pertinent point.
30. The Appellant says that this nature of fixing to the land is true of most things. His case cites a planter in this regard, saying that it is inconceivable that it would require planning permission. It would, of course, depend on the nature of the planter and the application of the case law I refer to. Were a planter to be constructed from steel and measure a little under 13m by 3m by 3m, it is entirely conceivable that planning permission would be required.
31. Although it would not be connected to the land by utilities, as the steel container would weigh several tons, I find that its simply sitting on the land would provide the necessary "degree of physical attachment".
32. Paragraph 40 of *Cardiff* refers to the removal of a building by a process amounting to pulling down or taking to pieces. I agree that this is unlikely to be the case with the container. However, that statement is also subject to the word "normally". It is not, therefore, an absolute requirement in the assessment of what constitutes a building.
33. For the reasons given above, and as a matter of fact and degree, I find that the proposed container would be a building. Thus, operational development defined in s55 of the Act would occur.
34. I need now assess the question of whether the container might be sited under permitted development rights. Class E (a) of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, sets out that, amongst other things, the provision of any building within the curtilage of a dwellinghouse and required for a purpose incidental to the enjoyment of the dwellinghouse is permitted development. However, E.1.(g) states that this would not be the case where the building would, as here, be situated within the curtilage of a listed building.
35. Thus, as the container would be a building, and in the absence of permitted development rights for it, an application for planning permission would need to be made before it was brought onto the land.
36. No details as to how the container would be brought to the site and where and how it would be positioned have been provided. Given the rise from the public road to the property's parking area, and then two 90 degree turns through the gates onto the lawned area, access to the site would not be straightforward. It

would seem to me that a lorry to transport the container, and a crane to lift it off and position it, would be required. Even were it to be sited on the small area of lawn that is within the hatched red line, there would be a need for specialists with considerable skills. Given its topography and nature, siting the container on the land within the appeal site below the lawned area would present further challenges. Without further details, I cannot be sure whether any other operational development would occur. However, given my finding that the container would be a building, this is not critical to my decision.

37. Several decisions made by the Council were drawn to my attention.
38. Firstly, a decision by the Council on an application for a certificate of lawfulness, under s192, on 7 September 2023 (Council reference WA/2023/01923). This was for a development described in the certificate as "the siting of a caravan ancillary to residential property". The site shown on the Block Plan was identical to that in the appeal before me. The plans and elevations for a 'Caravan compliant container' show that what was proposed was a container measuring 9.2m by 2.44m by 2.59m, modified for residential use.
39. Secondly, the decision notice and location plan for an application, (Council reference WA/2024/01129), made under s192 of the Act for Certificate of Lawfulness under Section 192 'that a self contained container for ancillary residential use is covered by Certificate WA/2023/01923 for the siting of a caravan ancillary to residential property'. This was approved by the Council.
40. I was not provided with copies of the Council's Officer reports for these applications, so I am unclear as to how it reached its decisions. In any event, I am not bound by these or any other decisions made by the Council, and they do not lead me to reach a different conclusion in this case.
41. In submissions the Appellant referred to an application for a certificate of lawfulness made by Mr Domm, who attended the Hearing. That application, Council reference WA/2024/00634 was made to the Council on 3 April 2024 and was entitled 'The proposed siting of a container for use ancillary to the lawful agricultural use of the land at this particular site would not constitute development as defined in Section 55(1) of the Town and Country Planning Act 1990 (as amended) and therefore the proposed development would be lawful'. The application was for a container of the same size and appearance as that which forms the basis of the appeal before me.
42. Unbeknown to Mr Domm and the Appellant, that application was approved on the day of the Hearing. Given this, the Appellant could not have provided a copy of the decision at the Hearing. As the Council could not be prejudiced by my agreeing to look at one of its own decisions, the Planning Inspectorate accepted copies of the decision notice, Officer report and plan, as well as representations, after the Hearing.
43. I note that the Officer report for WA/2024/00634 makes reference to the topography and nature of the terrain at Mr Domm's site and that this "is such that the site is well drained throughout and the ground is relatively hard". It says that this and the access to the site have a bearing on the degree of affixation and the permanence of the container.
44. Amongst the representations, was a letter from Mr Domm contesting the Council's view that the nature of the sites were different. He said that there

was no difference. The Appellant requested that I visit that site, which is several miles away from the appeal site. I did not visit the site as, whether the sites are similar or not, my decision is based on the facts pertaining to Wrotham Hill Cottage and, again, I am not bound by decisions reached elsewhere by the Council in my determination of the appeal. This is limited to an assessment as to whether its decision, here, was well-founded.

Conclusion on Appeal A

45. For the reasons given above I conclude that the Council's refusal to grant a certificate of lawful use or development in respect of the siting of a shipping container was well-founded and that the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act as amended.

Appeal B

46. In this appeal, the Appellant stated that "It is Government advice that if the lpa has no evidence of its own to contradict what the applicant says in support of the application, or any evidence from anyone else, a Certificate should be issued". He went on to say that as the Council did not have evidence of its own it should have issued the certificate. This is incorrect. Established case law⁴ sets out that in these circumstances the applicant's/appellant's evidence has to be precise and unambiguous.
47. Here, the Appellant needs to demonstrate that, using the time limits in s171 of the Act, the claimed use had been carried out continuously for ten years.
48. For reasons of clarity, it is necessary to briefly outline the planning history of the land at Wrotham Hill Cottage that is relevant to the appeal.
49. Planning permission was granted for the erection of a garage under the terms of application WA/2003/2383 on 7 January 2004. That permission was subject to conditions, of which condition 2 reads "The roof space of the garage building hereby permitted shall not be used for the purpose of habitable accommodation without the prior written approval of the Local Planning Authority". The reason given was that the decision had "regard to restrictive policies that apply in this area". Those policies were then listed but, as they have no relevance to this appeal, I do not recite them here.
50. Part of the Appellant's case was that the condition should be lifted as it does not accord with the guidance on the use of conditions in the National Planning Policy Framework ('the Framework') and Planning Practice Guidance ('PPG'). However, there is no power available to me under section 195 of the Act to remove a condition from a permission.
51. An application for a certificate of lawfulness in respect of the use of the roof space of the garage building for the purposes of habitable accommodation was made in 2022, Council reference WA/2022/02476. In the same year, an identical application was made under the reference WA/2022/02960. The former application was refused on the basis that the submitted evidence did not prove the case; a decision that was taken to appeal. The latter application was also taken to appeal, as the Council failed to determine the application within the statutory timeframe.

⁴ *Gabbittas v SSE & Newham LBC* [1985] JPL 630

52. The two appeals were withdrawn prior to a decision being made on them. This withdrawal led to the Council's 'determination' of application WA/2022/02960 and the issuing of a certificate of lawfulness. It did not have the power to make a formal decision on that application, so I have not taken that 'decision' into account in my assessment of the appeal before me.
53. Two further applications for certificates of lawfulness for the same use of the roofspace of the garage were made in 2023. These had the Council's references WA/2023/00302 and WA/2023/01993. The former was refused and is the subject of the appeal before me and the latter was approved and a certificate issued.
54. Given its decision on application WA/2023/01993, the Council made it clear that it "does not wish to contest" the appeal before me.
55. Notwithstanding this, as an appeal was lodged it falls to me to determine whether the Council's reason to refuse to issue a certificate in respect of application WA/2023/00302 was well-founded.
56. The evidence submitted to the Council in support of the application amounted to a single letter from the owner/occupier of Wrotham Hill Cottage. In this, she said that the roof space has been used continuously by her and her family and friends for the purposes of human habitation continuously for a period of ten years and was being so used on the date of the letter.
57. The Council found this to be "not sufficiently clear and unambiguous" to show that the breach had occurred for the required ten-year period on the balance of probability. Given that no date for the commencement of the breach was given, that there was scant evidence of continuous use, and it did not explain whether the use was as a self-contained unit separate to the main house or as an adjunct to it, I, too, find the evidence to fail the tests of precision and ambiguity.
58. The validation of the application by the Council cannot be read that the Council agreed that the submitted information would merit the issuing of a certificate. Section 39 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out what information is required to validate such an application. The required information was submitted in respect of application WA/2023/00302 and it was right and proper for the Council to validate and register it. Quite correctly, the Council then scrutinised the evidence put forward in support of the claimed use and made its decision.
59. The refusal by a decision-maker to issue a certificate should not be read as an accusation that those making a case are lying, as was stated in the Appellant's representations. Such decisions are made on the basis that the case was not made in the manner required by law.
60. The Appellant makes the case that the Council's decision-making was perverse, as the evidence submitted by him in respect of the two 2023 applications was identical. This, however, is not the case.
61. The Council was in possession of additional information when determining application WA/2023/01993. Furthermore, this had been supplied by the Appellant. He had submitted a number of signed statements from third parties

as part of his evidence in support of the appeals that were thereafter withdrawn. The Council quite rightly made the point that guidance in the PPG⁵ states that whilst the onus to make the case lies with an applicant, "a local planning authority always needs to co-operate with an applicant who is seeking information that the authority may hold about the planning status of the land". To my mind, even where an applicant does not wish to have certain evidence taken into account, as was the case with application WA/2023/01993, I agree with the Council that it must take it into consideration in order to make a well-founded decision.

62. This information was submitted after the Hearing, and I can see why the Council reached a different decision on application WA/2023/01993. The information before it was quite different from that before it when it determined application WA/2023/00302 and it shows on the balance of probability that the use claimed had occurred continuously for 10 years.
63. The Council Officer dealing with the application did not enter the first floor of the garage prior to making a decision on the application that is the subject of this appeal. The Appellant argued that this should have been done and that, had it occurred, a different decision would have been made. This was because the Officer would have seen how the first floor was used and would have been able to note the patina of age on, for example, the lino and bathroom fittings.
64. Whether a site visit was required was a matter that the Planning Inspectorate addressed in its decision⁶ on a costs application made by the Appellant in respect of the withdrawn conjoined appeals⁷. No site visit had been carried out by the Council in respect of the applications that led to the appeals. The costs decision set out that there was no statutory requirement for a Council to visit a site as part of its determination of a LDC application; this is a matter of judgement for a Council. Whilst the Appellant found the Council's actions to be unprofessional as the interior of the building was relevant, he did not point to evidence to show that the view reached in the costs decision, that there was no statutory requirement for a site visit, was incorrect. Where, as was the case with this application, the supporting evidence is so imprecise and ambiguous, I can quite understand why it was held that no visit was necessary. When I asked questions on this point, the Appellant's position was that a site visit would have been "helpful". Given the evidence before it, I am of the view that it would have been of little help, and was certainly not enough to lead the Council to make a different decision.
65. That the Council resolved to carry out a site visit on another application where similar evidence was submitted was, as is set out in the aforementioned costs decision, a matter for the Council.
66. After the Hearing, the Appellant submitted a copy of the decision notice by which the Council, by way of a s73A application (Council reference WA/2024/01222) removed the restriction on the use of the roof space in garage building as habitable accommodation set out in condition 2 attached to WA/2003/2383. A condition was attached to the new planning permission restricting the use of the roof space to purposes incidental to the residential occupation and enjoyment of the dwelling as such and not for any trade or

⁵ Paragraph: 006 Reference ID: 17c-006-20140306. Revision date: 06 03 2014

⁶ Dated 4 January 2024

⁷ PINS references APP/R3650/X/22/3311558 and APP/R3650/X/22/3315023

business. Whilst of interest, it has no bearing on this appeal. This is based on whether the use was lawful at the time of the application.

67. On the basis of the evidence that I have before me, I find that the decision made by the Council was, at that time, well-founded. However, in the light of the information that is before me now, including that given at the Hearing, I find that it was not well-founded and that a certificate of lawfulness should be issued.

Conclusion on Appeal B

68. For the reasons given above I conclude, on the evidence now available, that the Council's refusal to grant a certificate of lawful use or development in respect of Use of roof space of the garage building for the purposes of habitable accommodation – contrary to condition 2 of consent WA/2003/2383 was not well-founded and that the appeal should succeed. I will exercise the powers transferred to me under section 195(2) of the 1990 Act as amended.

Roy Curnow

Inspector

APPEARANCES

FOR THE APPELLANT:

Graham Lea

Agent – Town and Country Planning Partnership Ltd

FOR WAVERLEY BOROUGH COUNCIL ('WBC'):

Victoria Choularton

Manager – Heritage and Planning Compliance

Wanda Jarnecki

Senior Planning Officer

THIRD PARTY

Steve Domm

DOCUMENTS SUBMITTED FOR/AFTER THE HEARING

- Documents related to the decision made by WBC on application WA/2024/00634 – land at Lower Punchbowl Farm GU10 2LA
- Documents related to the decision made by WBC on application WA/2023/01923 – Land at Wrotham Hill Cottage
- Documents related to the decision made by WBC on application WA/2024/01129 – Land at Wrotham Hill Cottage
- Decision made by WBC on application WA/2024/01222 – Land at Wrotham Hill Cottage
- Letter from Mr Domm, dated 14 July 2024
- Documents related to the decision made by WBC on application WA/2024/01222 – Land at Wrotham Hill Cottage
- Decision Notice for application WA/2024/01222

Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 30 January 2023 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged and cross-hatched in black on the plan attached to this certificate, was lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990 (as amended), for the following reason:

The evidence shows that, on the balance of probability, the first floor of the garage has been used continuously for a period in excess of four years for purposes ancillary to the residential use of the Wrotham Hill Cottage.

Signed

Roy Curnow
Inspector

Date 2 October 2024

Reference: APP/R3650/X/23/3337134

First Schedule

Use of the first floor of the garage building for purposes ancillary to the residential use of Wrotham Hill Cottage

Second Schedule

Land at Wrotham Hill Cottage, Wrotham Hill, Dunsfold GU8 4PA

NOTES

This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).

It certifies that the use /operations described in the First Schedule taking place on the land specified in the Second Schedule was /were lawful, on the certified date and, thus, was /were not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the use /operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use /operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.



Plan

This is the plan referred to in the Lawful Development Certificate dated: 2 October 2024

by Roy Curnow MA BSc(Hons) DipTP MRTPI

Land at: Wrotham Hill Cottage, Wrotham Hill, Dunsfold GU8 4PA

Reference: APP/R3650/X/23/3337134

Scale: Not to scale

