Horsham District Council

Mr Nikolas Antoniou
NJA Town Planning Ltd
The Beehive
City Place
Gatwick
RH6 0PA

Application Number: DC/24/0660

TOWN & COUNTRY PLANNING ACT, 1990 (as amended)
TOWN & COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Mrs J Moore

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby REFUSE to permit the works specified hereunder, that is to say:

Demolition of existing detached garage and erection of a two-storey detached dwelling.

April Cottage Sunset Lane West Chiltington West Sussex

as shown on Plan and Application Number DC/24/0660 submitted to the Council on 29/04/2024. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 The proposed development would result in a plot size that would be out of character with the build pattern of the immediate surroundings and would contribute to the inappropriate suburbanisation of the wider locality. The proposal would subsequently detract from the spacious and open character that defines the historic locality, and would result in an intrusive form of development that would be out of keeping with the informal and semi-rural character of the area. The proposed development would therefore detract from the build pattern and historic character of the area, resulting in demonstrable harm to the spacious character and visual amenities of the locality, contrary to Policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

2 The proposed development would create a dwellinghouse which fails to sufficiently incorporate and reflect locally distinctive features of existing development in the immediate locality, particularly to the front elevation. The development would represent an incongruous addition to the street scene which would appear out of character with the design and appearance of the area. The proposal is therefore contrary to policies 32,33 and 34 of the Horsham District Planning Framework (2015) and paragraph 135 of the National Planning Policy Framework (2023).

3 Notwithstanding information submitted, the applicant has not demonstrated with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), thus the Local Planning Authority are unable to discharge its duties under the Conservation of Habitats and

Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		P-PL1	29.04.2024
Floor plan	Proposed Ground and First	P-PL2	29.04.2024
Elevation plan	Proposed Elevations	P-PL3	29.04.2024
Elevation & Floor plan	Existing Garage	P-EX1	29.04.2024
Tree plan	Tree Protection Phase 1	none	29.04.2024
Tree plan	Tree Protection Phase 2	none	29.04.2024

Note to Applicant – Community Infrastructure Levy (CIL):
Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. **This development constitutes CIL liable development**.

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at cil@horsham.gov.uk

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

Note To Applicant:
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Emma Parkes
Head of Development and Building Control

Date: 24/06/2024

ADDITIONAL INFORMATION

Right of Appeals
If you are aggrieved by the decision 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.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

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 that 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 at https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries.