Horsham District Council

Mr James Halls
Squires Planning
The Long Barn
Poplars Place
Turners Hill Road
Crawley Down
RH10 4HH

Application Number: DC/24/0962

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

On behalf of: Mr Hussey

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:

Variation of Conditions 1, 2, 3, and 4 of previously approved application DC/21/1274 (Demolition of existing agricultural barn and erection of a detached barn style dwelling house) variation sought on Water Neutrality, Contamination, removal and disposal of asbestos containing material, and materials.

The Owl Barn, The Mount, Ifield, West Sussex

as shown on Plan and Application Number DC/24/0962 submitted to the Council on 25/06/2024. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 Planning permission DC/21/1274 lapsed on 08/09/2021 with there being no evidence this permission was lawfully implemented. Accordingly, it is not possible under S73 of the Town and Country Planning Act 1990 to vary a planning permission that is itself no longer capable of being implemented within the initial statutory time period of three years.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Agent Cover Letter	NONE	25.06.2024
Supporting Statement	Water Neutrality Statement	NONE	25.06.2024
Supporting Statement	Method Statement for the removal and disposal of asbestos containing material	NONE	25.06.2024
Supporting Statement	Contamination Assessments	NONE	25.06.2024
Supporting Statement	Materials Assessment	NONE	25.06.2024

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: 17/09/2024

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.