Horsham District Council

Martin Landivar
Landivar Architects Limited
The Workshop, Unit 3,
29-42 Windsor Street
Brighton
BN11RJ

Application Number: DC/24/1513

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

On behalf of: Mr Geoff Moseley

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 redundant farm buildings and erection of two new detached residential dwellings with associated landscaping including boundary wall, two garage barns, cycle stores and a refuse store.

Wellens Farm Steyning Road Ashurst West Sussex

as shown on Plan and Application Number DC/24/1513 submitted to the Council on 11/11/2024. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 The development would be located beyond a defined built-up area on a site not allocated within the Development Plan and would not be essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 4 and 26 of the Horsham District Planning Framework (2015). Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations in this instance which would outweigh harm arising from conflict with Local in these regards.

2 The proposal would include the clearance of vegetation and would involve earthworks required which would result in landscape character and visual amenity harm. The proposal would include the demolition of non-designated heritage assets and from the evidence available, there is no justification for the demolition of unit 3 as it has not been demonstrated that this could not be reused or repaired. The proposal would therefore be contrary to policies 25, 32, 33 and 34 of the Horsham District Planning Framework (2015) and 135 of the National Planning Policy Framework (2024).

3 Insufficient information has been submitted to establish the protection of the ecological and biodiversity interests of the site and whether suitable mitigations or enhancements are necessary and achievable, contrary to Policy 31 of the Horsham District Planning Framework (2015).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Photos		Picture	24.02.2025
Supporting Docs		1701_1.010	24.02.2025
Details plan		1701_3.012	24.02.2025
Location & Block plan		1701_1.001	30.09.2024
Site plan	Existing	1701_1.002	30.09.2024
Site plan	Existing with photos	1701_1.003	30.09.2024
Site plan	Existing with Constraints	1701_1.004	30.09.2024
Details plan	Existing Topography	1701_1.005	30.09.2024
Site plan	Proposed	1701_3.001	30.09.2024
Site plan	Proposed	1701_3.002	30.09.2024
Floor plan	and Roof - House Type 1	1701_3.003	30.09.2024
Elevation plan	House Type 1	1701_3.004	30.09.2024
Floor plan	and roof - House Type 2	1701_3.005	30.09.2024
Elevation plan	Proposed - House Type 2	1701_3.006	30.09.2024
Layout plan	Proposed Crossover	1701_3.007	30.09.2024
Details plan	Proposed Landscaping	1701_3.008	30.09.2024
Design & Access Statement		1701 Part 1 of 5	30.09.2024
Design & Access Statement		1701 Part 2 of 5	30.09.2024
Design & Access Statement		1701 Part 3 of 5	30.09.2024
Design & Access Statement		1701 Part 4 of 5	30.09.2024
Design & Access Statement		1701 Part 5 of 5	30.09.2024
Supporting Statement	Bat Survey	none	30.09.2024
Supporting Statement	Preliminary Ecological Appraisal	none	30.09.2024
Supporting Statement	Reptile Presence/Likely Absence Survey 2024	none	30.09.2024
Supporting Statement	Tree Survey	none	30.09.2024
Supporting Statement	Water Neutrality	63383	11.11.2024
Supporting Statement	Heritage	none	21.10.2024
Floor plan	Existing	1701_1.007	21.10.2024
Elevation plan	Existing Units 3 and 4	1701_1.008	21.10.2024
Elevation plan	Existing Units 5, 6 and 7	1701_1.009	21.10.2024

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: 09/05/2025

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.