Horsham District Council

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: DC/24/0506
Your ref: APP/6016943
Email: planning@horsham.gov.uk

Dear Sir/Madam,

6016943 – Pear Tree Farm, Furners Lane, Woodmancote, BN5 9HX

Following the submission of the appeal against the Council's refusal of full planning permission for a proposed four pitch settled gypsy accommodation site, the Local Planning Authority would like to reiterate the reason for refusal as follows:

Refusal Reason 1: -

1. *The cumulative impact of the development would introduce unacceptable harm to the countryside, contrary to policies 26, 32 and 33 of the Horsham District Planning Framework (2015).*

Council's Emerging Local Plan

The council's Local Plan is currently at examination, where the Inspector's letter dated 30.10.2026 concludes that the plan is sound, subject to the proposed main modifications and the limited number of further changes discussed within the letter. The final report from the Inspector is anticipated to be received in January 2027, where changes to the draft Schedule of Main Modifications will need to be published for consultation. Given this letter and the status of the Local Plan, the policies contained within the Horsham District Local Plan 2023-2040 (HDLP) are considered to be of significant weight and therefore form part of the council's statement. The policies identified below correlate with the policies which form part of the council's reasons for refusal. The Appendix accompanying this statement outlines the Emerging Local Plan policies in full, however, the polices of note are summarised below.

Policy 14, Countryside Protection, states the following:

1. Outside built-up area boundaries and secondary settlements, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to, and justify, its countryside location, and must meet one of the following criteria:

   a) Support the needs of agriculture or forestry
   b) Enable the extraction of minerals or the disposal of waste;
   c) Provide for quiet informal recreational use; or
   d) Enable the sustainable development of rural areas.

2. In addition, all proposals must be appropriately integrated within the landscape and be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, conserves, and seeks to enhance, the key features and characteristics of the landscape character area in which it is located, including;

   a) The development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;
   b) The pattern of woodlands, fields, hedgerows, trees, waterbodies and other features;
   c) The landform of the area; and
   d) The protection of dark skies, in particular where it may impact on a designated International Dark Sky Reserve (IDSR), Neighbourhood Plan designations and High Weald AONB Management Plan objectives.

Policy 19, Development Quality, details that high-quality and inclusive design for all development in the district will be required based on a clear understanding of the local, physical, social, economic, environmental and policy context. In particular, development will be supported provided that it meets a set criterion, which in part includes:

- It provides an attractive, functional, accessible, safe and adaptable environment in accordance with the principles of Council endorsed Design Codes and Guides, Building for a Healthy Life design toolkit, the National Design Guide and the National Model Design Code, or any future updates (1)
- It complements and responds to locally distinctive characters and heritage of the surrounding area (including building types, architectural styles, materials, detailing and colour. In appropriate locations where context permits, contemporary architecture can be considered (3)
- It contributes a sense of place both in the buildings and spaces themselves, having consideration to the built historic environment and townscape, and in the way they integrate with their structural surroundings and the landscape in which they sit (4)
- It makes efficient use of land and optimises the provision and use of buildings and open space within a site, taking into account the character, appearance and needs of the site itself, together with the appearance and needs of the surrounding area (5)

Policy 20, Development Principles, details that in order to conserve and enhance the natural and built environment, and deliver beautiful and sustainable buildings and places, proposal for development will be supported provided it meets a set criterion. This criterion includes the following:

- Is designed to avoid unacceptable harm to the amenity of existing and future occupiers or users of nearby property and land, for example due to overlooking, over dominance or overshadowing, light pollution, traffic generation, and general activity, noise, odour and/or vibration, and having regard to the sensitivities/impact of surrounding development (3).
- Ensures that the scale, massing and appearance of the development is of a high standard of design and layout and relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views (4)
- Ensures that it is locally distinctive in character, respects and responds to the character of the surrounding area (including the overall setting, townscape features, views and

green corridors) and, where available and applicable, takes account of the guidance in relevant Council endorsed Supplementary Planning Documents, Design Statements, Character Assessments and/or masterplans (5)

- Uses high standards of building materials, finishes and landscaping and demonstrates sustainable use of resources in design and construction, incorporating best practice in resource management, energy efficiency and climate change adaption (6)
- Relates sympathetically to the local landscape and nature. Any losses or harm to landscape and natural features that may occur through the development will require justification and evidence that new opportunities will be provided or that mitigation or compensation for any loss will be provided (8)

Response to Appellants Statement

The application went to Planning Committee on 19th May 2026. Councillors voted to refuse the application, concluding that the proposed development, when considered alongside the extent of existing development in the locality, most notably the adjacent gypsy and traveller sites, would contribute to a cumulative urbanising effect that Members considered would result in unacceptable harm to the character and appearance of the countryside contrary to Policies 26, 32 and 33 of the HDPF. In reaching this view, Members expressly considered the existing built form within the area and determined that the addition of four further traveller pitches would intensify development and erode the rural character of the site and its surroundings.

A motion was proposed and seconded that the application be refused on the grounds that the cumulative impact of the development would introduce unacceptable harm to the countryside, contrary to policies 26, 32 and 33 of the Horsham District Planning Framework (2015). The motion was carried and the application was refused.

Conclusion

The Council therefore remain of the view that the scheme as submitted would be contrary to the relevant policies of the Horsham District Planning Framework (2015) and the Horsham District Local Plan 2023-2040 (HDLP). The Inspector is therefore respectfully requested to dismiss the appeal. However, should the Inspector be minded to approve the appeal, a List of Suggested Conditions and Informatives are attached to this letter.

Yours sincerely,

Development Management

List of Appendices

Appendix A - List of Suggested Conditions and Informatives
Appendix B - Emerging Local Plan Policies

Appendix A - List of Suggested Conditions and Informatives

1. Approved Plans

2. **Regulatory (Time) Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

   Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

   Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4. **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations - to include details on trenchless construction techniques - have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall be coordinated with the landscaping proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

   Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5. **Pre-Commencement Condition:** No development shall commence until a lighting design scheme for biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

   All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

6. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

   Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

   - Plant schedule specifying species in Latin names for the mix of 14no. semi mature native trees, EM4 Meadow Mixture for Loamy Soils and proposed ditch planting, and 2no. fruiting trees and associated rootstocks.
   - Planting plans to demonstrate no conflict with overhead power lines and drainage easement zones.
   - Tree pit and staking/underground guying details, including details for sloping ground and position of root barriers if required.
   - Supplier information for plant stock – only locally-sourced planting stock should be used due to the proximity of Ancient Woodland and only certain tree nurseries are suppliers of accredited UK Sourced and Grown stock.
   - A programme of works detailing the removal of Prunus laurocerasus (Cherry laurel).
   - Details and locations of minor artefacts and structures – such as water butts.
   - Details of existing and proposed levels for all external earthworks associated with the landscape proposals – such as the ditch - including cross sections where necessary.
   - Proposed and existing functional services above and below ground – such as power, communications cables and pipelines – including lines, manholes, supports and other technical features.

   The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 30 years after completion of the development. Any proposed planting, which within a period of 30 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

   Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of

visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the drainage strategy has been implemented in accordance with the details set out in the submitted Drainage Strategy - Issue 5 (Aegaea, November 2025).

   Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

9. **Regulatory Condition:** Notwithstanding the details shown on the approved plan Site Details Drawing No. 2403PE_r7_000 Rev 005 (Manorwood Construction Ltd., December 2025), the development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in Preliminary Ecological Appraisal (Arbtech Consulting Ltd., December 2024), which shall include a minimum of two bat boxes, two bird boxes, log and brash piles and gaps under boundary fencing for Hedgehog.

   Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

10. **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

    Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework (2015).

11. **Regulatory Condition**: There shall be no more than 4 pitches on the site with no more than 1 mobile home/static caravan (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) stationed on each pitch at any time. There shall be no more than 1 touring caravans stationed on site at any time and these shall not be occupied by any person at any time whilst stationed on the application site.

    Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity and to enable the Local Planning Authority to control the use of the site, in accordance with Policy 21, 22, 23 and 26 of the Horsham District Planning Framework (2015).

12. **Regulatory Condition:** The caravans /pitches hereby permitted shall limit the water usage of each unit (dwelling) to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

    Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015), and to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority 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.

13. **Regulatory Condition:** No industrial, commercial or business activity shall be carried out on from the site, including the storage of materials.

    Reason: In the interests of amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14. **Regulatory Condition:** No Heavy Goods Vehicles (defined as any vehicle having 3 axles or more and with a weight exceeding 3,500kg) shall operate to or from the site or be stationed, parked or stored on the site at any time.

    Reason: In the interest of highway safety and amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

15. **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

    Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

16. **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., December 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Precautionary Method Statement for Hazel Dormouse, the Precautionary Method Statement for reptiles, and mobile protected and Priority species (including Hedgehog, which is a Priority and threatened species) of the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., December 2024), which avoids impacts on protected and priority species.

    This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

    Reason*:* To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

INFORMATIVE
Biodiversity Net Gain condition
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

Irreplaceable Habitat
When the onsite habitat includes irreplaceable habitat:
https://www.legislation.gov.uk/uksi/2024/48/schedule/made
there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the irreplaceable habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan

Statutory exemptions and transitional arrangements
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at: https://www.gov.uk/guidance/biodiversity-net-gain

Irreplaceable habitat
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

INFORMATIVE
Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at planningportal.co.uk/planning/planning-applications

INFORMATIVE
The applicant is advised that a Caravan Site Licence will be required for this site.

INFORMATIVE
The applicant is advised that an EA permit will be needed to discharge to the stream.