

Ms. E. Parkes
Head of Development and Building
Control
Horsham District Council
Albery House
Springfield Road
Horsham
RH12 2GB

September 2026

Our Ref: J005720

Dear Ms. Parkes,

**FULL PLANNING APPLICATION FOR THE MATERIAL CHANGE OF USE OF
LAND TO GYPSY/TRAVELLER SITE COMPRISING 2 PITCHES WITH THE SITING
OF A MOBILE HOME AND DAYROOM PER PITCH AT LAND AT GRID
REFERENCE 510699 117812 (KNOWN AS THE BRAMBLES), TO THE SOUTH OF
DUKES COPSE COMMUNITY, BRAMBLE LANE, THAKEHAM, WEST SUSSEX,
RH20 3DZ**

I refer to the above. WS Planning & Architecture have been instructed by *Messrs Harris & Ripley* ("the applicant") to submit a full planning application regarding the *Material change of use of land to Gypsy/Traveller site comprising 2 pitches with the siting of a Mobile Home and Dayroom per pitch* ("the development") at *Land at Grid Reference 510699 117812 (known as The Brambles), to the south of Dukes Copse Community, Bramble Lane, Thakeham, West Sussex, RH20 3DZ* ("the site"). In support of the application we attach,

- Completed Application Forms & CIL Forms
- J005720-DD-01 Site Location Plan
- J005720-DD-02 EX Block Plan
- J005720-DD-03 EX Site Plan
- J005720-DD-12 PP Block Plan
- J005720-DD-13 PP Site Plan
- J005720-DD-14 PP Dayroom Plans and Elevations
- Preliminary Ecological Appraisal prepared by EHM Ltd
- BNG Documents prepared by DJOGS Ltd
- Landscape Visual Appraisal and Documents prepared by DJOGS Ltd

This covering letter should be read in conjunction with the submitted documents.

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Preliminary Matters

The application seeks planning permission for the material change of use of land to enable the creation of a 2-pitch caravan site for occupation by Gypsy/Traveller families.

The proposal seeks consent for a total of 2 Static Caravans, known as Mobile Homes. These conform to the definitions within Section 29 (1) of the Caravan Sites and Control of Development Act 1960 and Section 13 (1) of the Caravan Sites Act 1968. The proposal also seeks consent for 2 Dayrooms, one per pitch, which are a form of amenity building used ancillary to the residential use of land. The dayroom is not a separate unit of accommodation and does not provide overnight accommodation. Dayrooms typically provide hot and cold-water supply, electricity supply, a separate toilet and hand wash basin, a bath/ shower room, a kitchen and dining area. Dayrooms can also serve to provide a combined kitchen/dining/lounge area, storage space (such as for children's toys or play equipment), home school study space, or medical rehabilitation areas.

The application follows the refusal of DC/26/0506, and seeks to address all previous reasons for refusal to allow the application to be supported. This will be explained further within later sections of this statement.

Furthermore, the National Planning Policy Framework has since been revised, and an assessment against these new policies will follow.

Application Site & Surrounding Area

The application site is located at the junction of two private tracks known as Bramble Lane and Kings Close which are accessed from the nearest public highway of Cray's Lane. The land itself is untidy, featuring generally derelict land with existing post and rail gates, internal timber and metal fencing, areas of crushed hardcore and other hardstanding, old timber sheds, and storage containers. The nearby surroundings feature a number of plots which appear to be generally in agricultural uses, as well as an established Gypsy/Traveller site. In nearby proximity is the village of Thakeham which has a cluster of residential development, a church, a public house, and larger agricultural / commercial plots on its outskirts. Thakeham is located approximately 1 mile from the much larger settlement of West Chiltington. An aerial image of the application site is shown below at **Figure 1**.

the appearance of the development. However, given the site's location within a sensitive rural landscape, the findings of the recent appeal decision on adjoining land, and the absence of a Landscape and Visual Appraisal, there is insufficient evidence to demonstrate that the proposal would not adversely affect the character and appearance of the site and wider countryside. The further subdivision and enclosure of land parcels is also a concern, having regard to the established pattern of change in the area."

The Landscape and Visual Appraisal that has been prepared now provides sufficient evidence to demonstrate that the harm would be significantly tempered subject to the appropriate landscaping measures that would be adopted, as to result in a level of harm that is not unacceptable.

Therefore, both reasons for refusal have been addressed and it is now considered the Council would be in a position to support the application. Notwithstanding, it is notable that the NPPF has since been revised which states that for a development outside of the settlement boundaries that addresses an evidenced unmet need for Gypsy and Traveller sites and complies with Policy HO12, planning permission should be approved unless substantially outweighed by any adverse effects. This is known as the "default-yes" being engaged.

In turn, it is considered that the development should now be supported by the Local Planning Authority.

Other relevant Planning History

The application site benefits from a 2012 planning permission **DC/11/2418** regarding the *"Retrospective permission for erection of stock fencing and two wooden gates"*.

The adjoining plot to the north is understood to feature an unauthorised mobile home for which there is a planning appeal awaiting decision regarding. The application reference is **DC/23/0905** and the description is *"Temporary siting of a mobile home for the use as a rural workers dwelling (Retrospective)"*.

To the south east of the application site is a plot described online as Plot 3, Bramblefield. An appeal was allowed on the land, with reference **APP/Z3825/W/19/3225910** (LPA ref **DC/18/1543**) regarding the *change of use of land to a private gypsy and traveller caravan site*. A copy of the appeal decision and approved site layout (through subsequent discharge of conditions DC/18/1543) is attached at **Appendix 2**.

Relevant Planning Policy

National Planning Policy Framework (NPPF) 2026

The revised National Planning Policy Framework (NPPF) was published in August 2026 and sets out the Government's most up-to date vision for future growth.

Chapter 1, Paragraph 15 of the NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development.

Chapter 1, Paragraph 17 sets out the three over-arching objectives of sustainable development, which are an **“economic objective”**, **“a social objective”** and **“an environmental objective”**.

Chapter 4 of the NPPF is titled ‘Achieving Sustainable Development’.

Policy S3 of the NPPF refers to ‘Presumption in favour of sustainable development’ and states the following:

- “1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means:**
 - a. Policy S4 in this Framework should be applied when considering development proposals within settlements;**
 - b. Outside settlements, policy S5 should be applied; and**
 - c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.**
- 2. Where a development proposal falls partly within and partly outside a settlement, policies S4 and S5 should be applied to the relevant parts which are inside or outside of the settlement boundary (as appropriate), before coming to an overall view on the proposal.”**

Policy S5 refers to ‘Principle of development outside settlements’.

Policy S5(1) states that, **“Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework”**.

Policy S5(1)(g) provides one of those scenarios, being **“Development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation, provided it meets the criteria in policy HO12”**.

Footnote 26 states that scenarios where an evidenced unmet need includes (but is not limited to) where the LPA cannot demonstrate a five year supply of deliverable sites as set out in policy HO3(1)(a) or (b).

Policy S5 (2) states that, **“in applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances”**.

Chapter 6 of the NPPF is titled ‘Delivering a sufficient supply of homes’.

Policy HO1 refers to ‘Assessing the need for homes’.

Policy HO1(1) provides a list of what the preparation of spatial development strategies, and local plans where a spatial development strategy is not in place, should be based upon. Policy HO1(1)(b) requires **“an assessment of the permanent and transit site accommodation needs of travellers in the area as a minimum over the plan period”**.

Policy HO1(2) states that **“at the most appropriate level, development plans should also take into account an assessment of the size, type and tenure of housing or other accommodation needed for different groups”**, which includes travellers, which is listed in Part (h).

Policy HO3 refers to ‘Providing land for homes’ . Policy HO3(1) states that **“local plans should identify a sufficient supply and mix of sites to meet or exceed the housing requirement figure and pitch and plot requirements for their areas over the plan period.”** Policy HO3(1) continues on to state that this should include:

“b. In relation to traveller sites:

- i. A supply of specific deliverable sites for five years following the intended date of adoption of the plan (as set out in Annex D); and**
 - ii. A supply of specific, developable sites or broad locations for growth for the subsequent years 6 to 10 and, where possible, for the remaining plan period, where the plan covers more than 10 years.**
- c. A trajectory showing the expected rate of housing and pitch and plot delivery over the plan period and, where appropriate, the anticipated rate of development for specific sites.”**

Policy HO12 refers to ‘Traveller Sites’ and states the following:

“1. Development proposals for traveller sites should be located so that they:

- a. Provide a settled base while recognising the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability and may also mean that locations not well-related to existing settlements may be appropriate; and**
 - b. Enable access to frequently used services, such as education, welfare and health services, including ensuring that children can attend school on a regular basis.**
- 2. When considering proposals for traveller sites, including for the purposes of considering need under policies S5 and GB7, local planning authorities should take into account the existing level of local provision and need for additional sites and other personal circumstances which may be relevant. Applications from any traveller should be considered and not just those with local connections.**

- 3. Where development proposals require the permanent or temporary relocation of an authorised traveller site, an alternative site should be identified and provided. Suitable alternative sites should take into account the views of existing residents as well as existing family or community groupings where possible.”**

Annex A of the NPPF refers to ‘Implementation’.

Paragraph 2 of Annex A states that “Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework.”

Horsham District Planning Framework (November 2015)

Numerous policies within the Planning Framework are relevant to the proposal at hand, such as those pertaining to the general sustainability and design and character considerations. However, the key policy at hand is Policy 23 which provides a criteria based policy for Gypsy and Traveller Accommodation on non-allocated sites. The criteria are as follows:

- a. There must be no significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable;**
- b. The site is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users;**
- c. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal. The site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play areas;**
- d. The site is located in or near to existing settlements, or is part of an allocated strategic location, within reasonable distance of a range of local services and community facilities, in particular schools and essential health services;**
- e. The development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.**

Policy 22 is also notable with its guidance on how the LPA will provide new sites and protect existing sites. Policy 21 highlights the need for new pitches within the period 2011 – 2017, and the currently allocated sites for development.

It is also the case that the Horsham District Local Plan 2023 – 2040 is within its Regulation 19 draft stage, and that site no. 13 on the list of those proposed for allocation as Gypsy/Traveller sites is the application site at hand.

Need & Supply

Horsham's Local Plan is adopted and there are policies relating to site provision for Gypsies and Travellers. Local planning authorities also have responsibility for setting their own target for the number of pitches to be provided in their areas in their Local Plans.

The Horsham District Council Gypsy & Traveller and Travelling Showpeople Accommodation Assessment (November 2023) provides the evidence of the need for Gypsy & Traveller pitches in the borough for the Local Plan period (2023-2040). Whilst this is the LPA's most up to date assessment and completely decently, this assessment pre-dates the PPTS 2023 and the amended Gypsy/Traveller definition.

The GTAA Assessment found that there is a need for a total 77 additional permanent Gypsy/Traveller pitches in the borough 2023-40, broken down in phases as follows:

2023-2027 - 48 pitches

2028-2032 - 10 pitches

2033-2037 - 12 pitches

2038-2040 - 7 pitches

Total: 2023–2040 = 77 pitches

The 2023 update to the PPTS reverted the Planning Policy Definition of Gypsies and Travellers to the 2012 definition following the Lisa Smith judgement that ruled the previous definition as unlawfully discriminatory. It is therefore the case that the conclusions of the GTAA are now out of date. Notwithstanding the significant need for Gypsy/Traveller households detailed within the GTAA, it does not account for those who now meet the updated PPTS definition. To provide an indication of the need in light of the change in definition, it should be considered that those households concluded as "Undetermined" or "Do not meet Planning Definition" to be accounted for within the overall need, and as such, that there is a need for 128 pitches.

In order to meet the substantial need until 2040, the Draft Local Plan will provide relevant allocations and policies for sites. The Local Plan Timetable sets out that adoption is expected to be in May 2025. It is noted that the Local Plan is therefore likely to be adopted nearly halfway through this 5-year period, and due to the need being so pressing, cannot be relied upon as a safe-haven in the short term.

In summary, it is considered that the LPA do not have an up-to-date demonstrable deliverable 5-year supply of pitches, and that there is a significant unmet need (128 pitches) within the Borough that results in a pressing requirement for pitches to be granted.

Application Assessment

The application proposes the Material change of use of land to Gypsy/Traveller site comprising 2 pitches with the siting of a Mobile Home and Dayroom per pitch.

A full assessment of the proposal is set out below.

Principle of Development

As a starting point, it is noted that the development lies outside of any defined settlement. In line with Policy S5(1) of the NPPF, only certain forms of development should be approved in these locations.

S5(1)(g) includes development which would address an evidenced unmet need for Gypsy and Traveller sites, so long as they comply with Policy HO12.

It is firstly common ground between parties that the development serves to meet an evidenced unmet need, as to comply with the first limb of S5(1)(g).

Moving on to the second limb, compliance with Policy HO12, it is first of all noted that both parties agreed within the previous planning application that the development was in a generally suitable and sustainable location for a Gypsy and Traveller site, in line with the recent appeal decision nearby that has already been referred to.

That assessment was made on what is considered to be a stricter policy in comparison to HO12. HO12 now only considers that the location of Traveller sites should,

- a. Provide a settled base while recognising the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability and may also mean that locations not well-related to existing settlements may be appropriate; and
- b. Enable access to frequently used services, such as education, welfare and health services, including ensuring that children can attend school on a regular basis.

In this regard, it is firstly the case that the provision of the settled base would in itself contribute to sustainability as it allows a permanent home for people without them, preventing the need for unlawful sites, unlawful 'doubling up', and roadside existences. At the same time, it is considered, and has previously been found, that the development is in a location that is generally suitable in terms of access to facilities that can facilitate the lifestyle of Gypsies and Travellers, allowing children to enrol in local schools, and all occupiers to have access to health and welfare facilities. The location is certainly not of a remoteness that would cause concern in this regard. Therefore, it is considered that the development clearly facilitates both (a) and (b) of HO12.

In turn, the development is considered to clearly comply with Policy S5(1)(g) of the NPPF, and the 'default-yes' is therefore engaged. In such event, the development should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects. This should be assessed against the NDMPs within the Framework, with S5(2) stating that those circumstances which likely substantially outweigh are the NDMPs that state development should be refused in specific circumstances.

The NDMPs that have a 'should be refused' clause, and are considered to have relevance to the proposal, are DP3, TR6, and N2. These are matters that will be referred to in the following sections.

Well-Designed Places (DP3)

Policy DP3 of the NPPF provides key principles for well-designed places.

It is firstly noted that the application is for a caravan site that would have occupation restricted to Gypsies and Travellers. Whilst a caravan site is limited in its design possibilities, it should not weigh against compliance with this policy due to it innately being a caravan site.

Overall, having considered the relevant aspects of DP3(2), it is considered that the proposal supports a healthy lifestyle and cohesion between the settled and travelling community, encourages biodiversity and new planting as to reduce its impact upon the climate and enhance nature, provide appropriate access to surrounding settlements, optimises the layout for the families, includes safe amenity space, and introduces a development for travellers that provides them a sense of place and pride without detracting from the character of the area.

Therefore, it is considered the development is generally compliant with DP3(2), and any conflict is not without clear justification based on the development proposed.

Transport Impacts (TR6)

The development is not considered to generate significant amount of movements, and would certainly not have a severe impact upon the transport network or an unacceptable impact on highway safety as to result in conflict with this policy.

Natural Environment (N2)

N2(2) states that the development should be refused if significant harm to biodiversity cannot be mitigate, or as a last resort compensated for. In this regard, it is not considered the development would result in significant harm to biodiversity, and any harm is clearly mitigated for based on the biodiversity proposals put forward.

Local Policy Context

Policy 23 of Horsham District's Planning Framework sets out the criteria against which new proposals for Gypsy and Traveller accommodation will be assessed against.

It is notable that this policy does not specifically correlate with the current version of the NPPF. However, it serves as a guide to assess whether the development is generally acceptable.

The criteria are summarised below:

- a. No significant barriers to development exist in terms of flooding, drainage, ground stability, hazardous land, or other technical concerns.
- b. The site is served by a safe access.
- c. The site can be supplied and serviced with appropriate utility connections, and includes provision of appropriate drainage and waste disposal, as well as adequate parking, turning, and amenity space.

- d. The site is within a sustainable location, either in or near to existing settlements, or in an allocated strategic location, within reasonable distance to services and facilities.
- e. The development would not have an unacceptable impact on character and appearance and neighbouring amenity.

With regard to criteria a, the site is located within Flood Zone 1, and not within an area at risk of surface water flooding. It is understood that no other concerns are relevant to the land in terms of contamination, geology, or similar.

With regard to criteria b, the access proposed is considered to be in a safe location that suitably accommodates the use of the application site.

With regard to criteria c, the site is adequately large to allow for internal parking, turning, and amenity. Foul drainage and general waste disposal would be available through a scheme to be agreed by way of condition. It is considered that acceptable arrangements can be made.

With regard to criteria d, the application site is within a semi-rural location, within relatively close proximity to the nearby settlement of Thakeham, and West Chiltington not far beyond. West Chiltington provides ample services through schools, medical facilities and more. It is noted that public transport is of course preferred to a reliance on private vehicle transport. There are some local bus stops within Thakeham, and connecting public footpaths that can assist in this regard. However, it is not claimed that these can be entirely relied upon and it is acknowledged that the site is located within part of the countryside where residents could be likely to be reliant on the use of a motor car. However, It is submitted that there is an inevitability for Traveller sites to end up in relatively rural locations, as urban areas are reserved for housing and unfeasible for this form of development. At the same time, the NPPF does not prevent Gypsy/Traveller sites in rural or semi-rural areas. It is also important to consider this in relation to Gypsy/Traveller development and alternatives, and as such their inherent lifestyle differences. Of course, public transport and pedestrian access to such is preferred to a reliance on private vehicle transport, however, the Gypsy/Traveller community are often reliant on cars considering their lines of work and lifestyle, and the fact that the vast majority of Traveller sites lying within the more rural areas. In addition, having regard to Policy HO12 of the NPPF, the formation of settled bases for Travellers helps prevents the need for long-distance travelling, and promotes access to health and education services which would otherwise not be available.

The settled base which is proposed is considered to be in a generally suitable location in the grand scheme, which in itself promotes a sustainable way of live for Traveller's. The alternative options in most instances, such as this one, is either living roadside, or doubling up on overcrowded sites without planning permission. Neither of these options can be considered sustainable. In those instances, access to schools and healthcare is often limited, or not prioritised. Establishing a home for in-need families allows these matters to be prioritised, and is demonstrated within this submission.

On this basis, it is submitted that the principle of the development proposal would be considered acceptable. This conclusion aligns with the nearby appeal decision 3225910 which has been attached at **Appendix 2**, which proposed a similar form of development.

With regard to criteria e, the assessment undertaken must be on the basis as to whether there would be an unacceptable impact on the matters raised. With regard to character and appearance and landscape, it is noted that the application site not within a National or Locally designated landscape, however, it is appreciated that the site lies within the Countryside, of which there is intrinsic beauty. The location of the application site is not prominent within the landscape, and is situated within surroundings where long range views are limited. The site itself is extremely well screened already, which is all proposed to be retained and can be supplemented by way of landscaping scheme. Furthermore, the actual quality of the land is low, given its derelict and untidy state. There are numerous structures and features that exist on the plot which detract from its existing character. The development proposed is all of a single storey, and does not protrude into the countryside like traditional 2+ storey brick and mortar dwellings do. It is submitted that the proposal would certainly not result in an “unacceptable impact” upon the character and appearance of the area, and the landscape value, and therefore complies with this criteria. This conclusion aligns with the nearby appeal decision 3225910, attached at **Appendix 2**, which proposed a similar form of development.

Furthermore, a Landscape and Visual Appraisal has been prepared which demonstrates that the harm would not be unacceptable for the development proposed.

It is notable that the refusal of DC/26/0506 generally agreed that the development was suitable, noting only conflict in relation to ecology/biodiversity and landscape, for which have both been addressed.

It is therefore hoped that the application can be supported at a local level.

Material Considerations of Favourable Weight

Whilst it is considered that there is no notable conflict in policy terms, should any conflict be identified, it is considered that the following matters must be taken into account. These material considerations form the ‘benefits’ which must be substantially outweighed by any perceived harm..

- The general suitability of the application site and the sequential preference of its development,
- The unmet need and lack of a 5-year supply within the Borough,
- The likely location of alternative sites within the Borough,
- The availability of alternative sites within the Borough,
- The Personal Circumstances of the applicant families (in such circumstances, a personal consent would need to be considered).

General suitability of the application site and the sequential preference of its development

It is submitted that the proposal would not offend any policies contained within the NPPF, Development Plan, is not located within the National Landscape or any other constrained land, and is of high-quality design that does not unduly harm the character and appearance of the area, neighbouring amenity, or any other aspect. Whilst the

absence of harm is not a benefit, it remains a strong indication that the development would be well placed and appropriately designed.

Furthermore, the development of the land focuses on utilising untidy / derelict land that currently detracts from the character of the countryside, with it featuring existing post and rail gates, internal timber and metal fencing, areas of crushed hardcore and other hardstanding, old timber sheds, and storage containers.

This is therefore considered to be a sequentially preferable location for the development, as to weigh in favour of the grant of planning permission.

Need and Supply considerations

The matters of Need and Supply have been discussed in the relevant section above, it is submitted these individually are key material considerations in favour of the grant of permission.

The likely location of alternative sites

A significant area of the District lies outside of any defined settlement boundary. Some of this land is affected by flooding, some by habitat or heritage designations, and some areas are detached from settlements such that these areas can be deemed as unsustainable in some cases. A substantial portion of land (18%) is designated as within a National Landscape. There is an inevitability that development for Gypsies and Travellers will fall outside of settlement boundaries, and therefore a relatively a high chance that it falls within an additional designation. The application site is considered wholly suitable, and if this is to be avoided, then the question is raised of where the massive need for Gypsy/Traveller development is likely to fall. In all likelihood, sites like the one at hand will have to be considered, and in comparison to the likely location of alternatives, this is considered a sequentially preferable option as to afford positive weight in the balance.

Availability of alternative sites

With regard to alternative sites which could be suggested, it is the case that in *Doncaster MBC v. FSS & Angela Smith [2007]* the Court set out that alternative accommodation has to be suitable, affordable, available and acceptable for it to be considered a realistic alternative. *SCDC v. SSCLG and Julie Brown [2008] EWCA Civ 1010* sets out as well that there is **no requirement in planning policy, or indeed within any case law, for an applicant to demonstrate that there are no other sites available, or that particular needs could be met from another site.**

There is a generally recognised need for Traveller sites nationally and in the South East region, although the level of need varies considerably between areas. This has a significant impact on the wider availability of sites, of which there are none.

I consider significant weight should be afforded to the lack of any suitable alternative sites which would meet the needs of the applicant.

Personal Circumstances

An applicant, irrespective of their ethnic background, may seek permission for a permanent Traveller pitch (in accordance with the planning definition of a Traveller as set out in PPTS), to be conditioned for this use, and that an applicant can provide information about personal circumstances to add into planning balance, if required. A permission should only be conditioned for personal occupancy if that condition is required to make the proposal suitable in planning terms. If it is considered that the proposal is suitable for a Gypsy/Traveller pitch, regardless of personal circumstances, a personal condition is not required.

Personal circumstances can be set out separately, directly to the Case Officer. However, summarising the matters that any personal circumstances will cover, the following matters should be taken into account in the planning balance,

- a) **the personal need for accommodation of the applicant**
- b) **the availability (or lack) of alternative accommodation for the applicant**
- c) **the medical and/or welfare considerations of the applicant**
- d) **the best interests of the child (if relevant)**

Case law is clear that there is a duty on both the LPA and Secretary of State to treat the best interests of the child (including unborn children) as a primary consideration, and that no other consideration is inherently more important. This was established in the case of *AZ v SSCLG & South Gloucestershire District Council [2012] EWHC 3660 (Admin)* and *Collins v SSCLG [2013] EWCA Civ 1193*. **As such, the best interests of the children occupying the site are a paramount consideration which must be taken into account by the Decision Maker.**

The best interests of the children who without this site have no settled base, must carry at least as much weight as any other material and that the weighing exercise must be an exercise of substance rather than form. Clearly here, the best interests of the children could not be served by them remaining without a settled base or being put at risk on illegal camping on the road. Having no settled base and either living on the road is not a long-term option for any of the family. The advantages of a settled base have been set out at Policy HO12 of the NPPF.

The applicant families share the protected characteristic of race for the purposes of the Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010. Refusing to grant a permanent permission would impact negatively on their way of life and would reduce the opportunities available to their family. It would also deny or reduce the opportunities available to the families to foster good relations with the settled community, including those of the children. This therefore must be accounted for within the balance.

Planning Balance & Conclusion

Policy S5 of the NPPF states that development that falls outside of settlements but contributes to an evidenced unmet need for Traveller sites and complies with HO12 should be approved unless substantially outweighed due to conflict with other NDMPs.

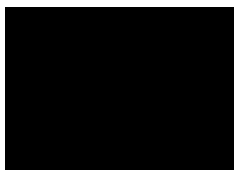
It has been found that the development does indeed comply with S5(1)(g) as to engage this 'default-yes'. It has also been found that no undue harm exists as to substantially outweigh the benefits of the proposal.

Even if some harm were to be found, the material considerations of favourable weight that form the benefits are extensive, and would certainly not be substantially outweighed. The material considerations are reiterated below:

- (i) General suitability of the application site and the sequential preference of its development,,
- (ii) The evident unmet need and lack of supply within the Borough
- (iii) The Likely Location of New Sites within the Borough, and the inevitability for new sites within the District to be located within other constrained areas of land,
- (iv) The lack of any available, suitable, acceptable, and affordable alternative sites,
- (v) The personal circumstances of the families including but not limited to,
 - a. The applicant families personal need for a site,
 - b. The best interests of the children,
 - c. Human Rights considerations,
 - d. The consequences of the refusal of planning permission on the families.

It is therefore submitted that planning permission ought to be granted for the development. It is invited that the Council support the application for planning permission and we would be open to discussion to facilitate a pro-active application process.

Yours sincerely,



Brian Woods
Chairman & Founder

APPENDIX 1

Mr Brian Woods
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RH2 7RP

Application Number: DC/26/0506

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

On behalf of: Harris and Ripley

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:

Change of Use of land to Gypsy/Traveller site comprising 2 pitches with the siting of a mobile home and dayroom per pitch.

Land at Grid Reference 510699 117812 To The South of Dukes Copse Community Bramble Lane Thakeham West Sussex

as shown on Plan and Application Number DC/26/0506 submitted to the Council on 01/06/2026. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

- 1 Insufficient information has been provided to demonstrate that the proposed development would have no adverse impact on protected species and its habitat, and to establish how the development will contribute to measurable Biodiversity Net Gain, contrary to Policy 31 of the Horsham District Planning Framework (2015) and paragraph 187(d) of the National Planning Policy Framework (2024).
- 2 The proposed development would likely introduce an incongruous and urbanising form of development that fails to respect the rural character of the area, and it has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development by virtue of the cumulative impact of the built form, comprising the siting of caravans, associated day room buildings, hardstanding, and domestic paraphernalia, would not result in harm to the rural character and visual amenity of the countryside setting. The proposal therefore fails to protect the intrinsic character and beauty of the countryside, contrary to Policies 23, 25, 26, 32 and 33 of the Horsham District Planning Framework (2015), and paragraphs 135(c) and 187(b) of the National Planning Policy Framework (2024).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Location plan	Site Location Plan	J005516-DD-01 Rev A	19.05.2026
Block plan	As Existing Block Plan	J005516-DD-02	24.03.2026
Site plan	As Existing Site Plan	J005516-DD-03	24.03.2026

Block plan	As Proposed Block Plan	J005516-DD-12 Rev A	24.03.2026
Site plan	As Proposed Site Plan	J005516-DD-13 Rev A	24.03.2026
Elevation & Floor plan	As Proposed Dayroom Plans and Elevations	J005516-DD-14 Rev A	24.03.2026
Location plan	Site Location Plan	J005516-DD-01	24.03.2026

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: 27/07/2026

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>.



**Horsham
District
Council**

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0506

Land at Grid Reference 510699 117812 To The South of Dukes Copse Community, Bramble Lane, Thakeham, West Sussex

DESCRIPTION:

Change of Use of land to Gypsy/Traveller site comprising 2 pitches with the siting of a mobile home and dayroom per pitch.

RELEVANT PLANNING HISTORY:

EN/19/0435 Untidy site and unauthorised storage on Plot 4 Case Closed

DESCRIPTION OF THE SITE

The application site is an agricultural field bounded on all sides with mature hedging. The application site is located to the north of a private single track lane some 250m north of the built up area boundary of Thakeham. The site is approached by an unmade track to the north of Crays Lane. The site itself sits at a slightly elevated position from the surrounding fields and is densely overgrown with a mixture of scrub, small trees and bushes. At the time of the site visit a small shed was sited to the rear of the site. There is woodland immediately abutting the site boundary to the east.

DESCRIPTION OF THE APPLICATION

The application seeks permission for 2 gypsy/traveller pitches, siting of a mobile home and dayroom per pitch with an area of hardstanding to comprise the parking spaces for each pitch and access.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 21 - Strategic Policy: Gypsy and Traveller Sites Allocations
- Policy 22 - Gypsy and Traveller Sites
- Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 29 - Equestrian Development
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Heritage Assets
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use

Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 1 year. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 25: Parking
Strategic Policy 43: Gypsies and Travellers

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Thakeham Neighbourhood Plan to 2031

Policy 1: Spatial Plan for the Parish.
Policy 6: Design.
Policy 8: Sub division of Agricultural Land
Policy 9: Development in the Countryside.
Policy 10: Green Infrastructure and Valued Landscapes

Planning Advice Notes:

Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

HDC Landscape Architect: Objection

Request that a proportionate Landscape and Visual Appraisal (LVA) be prepared and submitted as a minimum to assess the potential landscape and visual effects of the proposal and to inform the determination of the application

No details of tree protection or removals have been submitted; defer to specialist Arboricultural consultation on these matters. Therefore defer to the Council's Arboricultural Officer for specialist advice regarding the adequacy of the submitted information and any requirements for arboricultural assessment, tree protection measures, or mitigation.

The site is located within Landscape Study Area TA1 of the Horsham District Landscape Capacity Assessment (April 2014) where the overall landscape capacity of the site is considered Low/No. The study notes *"The visual sensitivity in this area is high due to the visual prominence of the landform, and the visibility of parts of the area from adjoining residential properties."* and the *"Amenity value of public footpaths"* noting the sites unspoilt rural character. We consider the proposals have the potential to conflict the findings of this study.

The site is located within the northern edge of LCA F1 of the Pulborough, Chiltington and Thakeham Farmlands where partly wooded low scarp is identified as a key characteristic; and close to the southern edge of LCA J2 Broadford Bridge to Billingshurst Farmlands where a key sensitivity identified is small scale incremental changes eroding character.

Given the site's location within a sensitive rural landscape, the findings of the recent appeal decisions on adjoining land, and the absence of a Landscape and Visual Appraisal, there is insufficient evidence to demonstrate that the proposal would not adversely affect the character and appearance of the site and wider countryside. The further subdivision and enclosure of land parcels is also a concern, having regard to the established pattern of change in the area.

Ecology Consultant: Objection

No information has been submitted in relation to ecology, other than that for Biodiversity Net Gain. There are multiple structures within the application site due to be removed and trees within the site which may be suitable for bat roosts. A ground level tree assessment would also be required. A Preliminary Ecological Appraisal should be undertaken, as there is rubble, debris suitable habitat for priority species such as hedgerow.

WSCC Highways response: Advice

The application is along a private access track subject to a speed restriction of 20mph. No recorded collisions have occurred within the last 5 years as such there is no evidence the access is operating unsafely currently. The proposed hardstanding would be acceptable for on site turning and the proposed two parking spaces per pitch would also be considered sufficient.

Thakeham has limited services within walking/cycling distance and limited bus service routes to Horsham and Storrington and these are only a handful of times per day. Residents would rely on private car for trips.

HDC Environmental health: Objection

There is insufficient drainage information to be able to determine the application. The siting is uncertain with the boundary treatments, the pitches would need to be a minimum 3 metres away from the boundary.

PUBLIC CONSULTATIONS:

Representations:

5 letter of objection from 5 addresses:

- Access to the site is narrow and used by dogwalkers and children such that the increase would be dangerous.
- Overdevelopment on undeveloped land
- Across a Public Right of way
- The access is unsuitable
- Outside the built up area boundary
- HDC failed to enforce against alleged other gypsy/traveller issues in the locality.

Parish Comments:

Thakeham Parish Council: Objection

- The site remains good-quality agricultural land despite the presence of various structures and should not be regarded as brownfield/brown belt land.
- The site is in a highly prominent and visually exposed location, situated on the brow of a ridge and visible from a wide surrounding area. Any new development must be appropriate to this sensitive landscape setting.
- Approval of this application could create a precedent for further piecemeal traveller pitch development, which is not considered an appropriate approach to site provision.
- While there is a need for local authorities to provide traveller sites, these should be in suitable, sustainable locations. The emerging Local Plan is expected to identify appropriate sites and is likely to be adopted soon.
- The site lies outside the Built-Up Area (BUA) and close to The Street heritage area, meaning any development requires careful consideration to ensure it preserves local character and heritage significance.
- The location has poor access to essential services, including schools, and lacks practical public transport options, making residents heavily dependent on private vehicles.
- Before any approval is considered, the applicant should provide evidence of:
 - A genuine need for the development.
 - Their current accommodation circumstances.
 - A family history of travelling.
 - Justification comparable to that accepted in the previous appeal, which was based on an urgent accommodation need.
- There appears to be no reference in the submitted planning documents to the Article 4 Direction placed on the land when it was subdivided into smaller plots.
- The Article 4 Direction was introduced because subdivision of the land posed a significant threat to the open countryside, particularly due to its prominent ridge-top location and important long-distance views.
- There have been concerns that subdivision and marketing of plots could mislead purchasers into expecting residential development opportunities, resulting in enforcement action, refused applications and dismissed appeals.
- The only traveller site approved in the area (DC/18/1543, Plot 3) was granted on appeal because the Neighbourhood Plan did not provide sufficient traveller pitch allocation at the time.
- As the approved traveller site is a private site, it does not contribute towards HDC's overall supply of traveller pitches.

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Policy Background and the Principle of Development

The Council has progressed work on an updated Gypsy and Traveller Accommodation Needs Assessment (GTAA) in order to understand the latest position, and to develop an appropriate Gypsy and Traveller Policy as part of the Local Plan Review. In January 2020, the 'Gypsy and Traveller Accommodation Assessment (GTAA) – Final Report' was published. This Report was part of the background evidence base that accompanied the Local Plan Review (Regulation 18) Consultation which ran from February to March 2020. The GTAA Report provides an evidence base for the provision new Gypsy and Traveller pitches and Travelling Showpeople plots for the period 2019 to 2036. The GTAA identifies that there is a need for 93 pitches for Gypsy and Traveller households over the plan period (2019-2036).

To inform the development of Strategic Policy 43 of the submitted Local Plan the Council undertook a Gypsy and Traveller Accommodation Assessment (GTAA, November 2023) and a Targeted Update (September 2024) was also produced in response to changes regarding the PPTS's definition of who is a member of the G&T community for the purposes of planning policy. Collectively, 50 pitches are identified as being needed for the first five years of the submitted Local Plan (2023-2028) for those who meet the definition and also suggested a further need of 11 pitches for members of the community who it could not be determined whether they met the definition or not. At the time of writing 42 pitches have been approved / allowed during the relevant period.

In terms of the Council's current policy position, Policy 22 and 23 of the HDPF are considered to hold great weight, allowing speculative gypsy and traveller sites to come forward in principle. Paragraph 28 of the PPTS (updated December 2024) outlines that if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, the provisions in paragraph 11(d) of the National Planning Policy Framework apply.

Paragraph 11 of the NPPF states that the presumption in favour of sustainable development should apply where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework when taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and provision affordable homes, individually or in combination. This presumption is disengaged where footnote 7 exceptions provide a strong reason to refuse. Such exceptions include impacts on ecology or designated heritage assets. These matters are discussed further below.

Policy C of the PPTS relates to sites in rural areas and the countryside, with paragraph 14 stating that *“when assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community”*. Paragraph 26 of the PPTS continues that local planning authorities *“should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure”*.

Policy 23 (Gypsy and Traveller Accommodation) of the HDPF seeks to resolve specific issues regarding un-allocated sites (rather than the principle of a development), and states that the following criteria (a-e in subsequent sections of this report) will be taken into consideration when determining the allocation of land for Gypsies, Travellers and Travelling Showpeople and any planning applications for non-allocated sites. In terms of the site's location, the Policy states that it must be demonstrated that:

- d. *The site is located in or near to existing settlements, or is part of an allocated strategic location, within reasonable distance of a range of local services and community facilities, in particular schools and essential health services;*

As above, the Council are not currently able to demonstrate a five-year housing land supply to accommodate an identified need of Gypsy and Travelling Showpeople sites within the District. It is recognised that there is a lack of deliverable sites for gypsies and travellers, and there remains an identified need for such accommodation within the District. These matters are of significant weight in the consideration of the application, and weigh in favour of granting planning permission. On the basis of these matters, the proposed development is considered acceptable in principle, subject to all other considerations as discussed below.

The proposal would deliver 2 additional pitches, making a meaningful contribution toward addressing the identified shortfall. The policy framework for gypsy and traveller pitches does not prevent their delivery in the rural countryside, and such development is not expected to achieve the same level of accessibility as general market housing. While this site is not particularly accessible by means other private vehicle, it is not considered that this would, in isolation of any other harm, represent a reason to refuse the application.

The appeal decision relating to APP/Z3825/W/19/3225910 for one pitch at Plot 3, Bramblefield, Thakeham, West Sussex is in close proximity to the site. The appeal was allowed and a material consideration in the assessment of this current application. In the Planning Inspectorate's decision to allow the appeal, paragraph 14 states that *“It is concluded that permission should not be withheld by reason of the site's access to services”*. Paragraph 6 of the decision states *“The site is only a short distance from the settlement of Thakeham (The Street), and whilst in the countryside, neither the Local Framework nor Planning Policy for Traveller Sites preclude such a location, the latter stating that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the Development Plan. The site is not ‘away’ from the settlement and the access track passes through the settlement to reach the highway”*.

Given the close proximity of the appeal scheme to the current application site it cannot be argued that the current application site not within a suitable location given the precedent set by this appeal decision. These matters are of significant weight in the consideration of this application and weigh heavily in favour of granting planning permission. The principle of development of the scale proposed on this site is therefore considered acceptable, subject to all other material considerations, as set out below.

Landscape Character and Appearance

Policy 23(e) of the HDPF states that development for non-allocated gypsy / traveller sites must demonstrate that:

- e. *The development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.*

In addition, Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

Policy 26 of the HDPF requires proposals to be essential to the countryside location be of a scale appropriate to their countryside character location, not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside and/or conserve, and/or enhance, the key features and characteristics of the landscape character area in which it is located.

The site is bounded by mature hedging along the road to the south and west with mature woodland to the east. The proposal would provide be for 2x gypsy pitches together with associated parking, day rooms and mobile homes. The proposal would not be essential to its countryside location.

Landscape Study Area TA1 of the Horsham District Landscape Capacity Assessment (April 2014) where the overall landscape capacity of the site is considered low. The Landscape Architect considers that the introduction of development in this rural location will have some impact on the landscape character, with the layout introducing urbanising features into the rural site. The Landscape consultant considers a Landscape and Visual Appraisal to be a minimum necessity to assess the potential landscape and visual effects of the proposal. The requirement for the LVA would be important as the site is located within an area where *the visual sensitivity is high due to the visual prominence of the landform and because of the Amenity value of public footpaths.*

Policy Thakeham 8 policy responds to the recent increase in the subdivision of agricultural land into small plots. This states that development on holdings of between 0.4 and 5 hectares will be resisted unless it can be demonstrated that such development is solely for agricultural or horticultural purposes.

The development would subdivide the 0.53212 hectare plot into two non-agricultural plots, contrary to policy 8 of the Thakeham Neighbourhood plan. The weight to be given to this conflict will however need to be balanced against other material considerations.

Application DC/23/0905, for the temporary siting of a mobile home for the use as a rural worker dwelling (Retrospective), is located immediately north of the site. This was dismissed at appeal APP/Z3825/W/23/3327173 (decided 2nd April 2025). The Inspector outlined in paragraph 32 that *“the appeal site is within a predominantly open countryside setting which is separate from the built-up area of Thakeham, both physically and in visual terms.”* As per paragraph 34 of the APP/Z3825/W/23/3327173 appeal a mobile home in this location “unacceptably and harmfully erodes the character and appearance of the surrounding countryside”. The Inspector considered that a mobile home would draw the eye and would represent built form that would be an obvious, alien feature in its otherwise largely open countryside setting. The provision of two pitches with mobile homes and dayrooms would represent a much greater level of harm than that found by the Inspector, particularly in the proposed corner plot location.

It is acknowledged that the hedging around the site is shown to be maintained in the submitted plans and would soften somewhat the appearance of the development. However, given the site's location within a sensitive rural landscape, the findings of the recent appeal decision on adjoining land, and the absence of a Landscape and Visual Appraisal, there is insufficient evidence to demonstrate that the proposal would not adversely affect the character and appearance of the site and wider countryside. The further subdivision and enclosure of land parcels is also a concern, having regard to the established pattern of change in the area.

Residential Amenity:

Policy 33(2) continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land. Policy 23(e) is also of material consideration when assessing amenity impact for non-allocated gypsy / traveller sites.

It is acknowledged that letters of representation have been received in relation to unauthorised development activity by Gypsy/travellers in the locality. These representation letters have been received, read, and have been considered in the assessment of the application. However the disturbance referenced within the letter of representation does not concern this application currently under consideration. Furthermore, in the absence of any immediate neighbours there is no evidence to suggest that the development would result in a significant or unacceptable increase in noise and disturbance from the proposed use.

The application proposes a post and rail fence between the two plots which would create a visual subdivision between each plot, although the degree to which this would introduce a level of privacy between the two pitches would be minimal. Nevertheless, the pitches would be angled away from one another such that there would be an acceptable level of mutual overlooking.

The proposed development is therefore considered to accord with Policies 32 and 33 of the Horsham District Planning Framework (2015).

Highways Impacts:

Policy 23(b) of the HDPF states that development for non-allocated gypsy / traveller sites must demonstrate that:

- b. The site is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users;

In addition, policy 40 of the HDPF seeks to direct development to areas which are integrated with sustainable transport networks, encourage sustainable transport choices and ensure that new development is safe for all modes of transport, including vehicles, cyclists and pedestrians. In addition, proposals should minimise conflict between traffic, cyclists and pedestrians.

The proposed development would utilise the existing access from the south and create a new one to the west. WSCC Highways confirmed that there are no apparent visibility concerns with the existing access. The Local Highways Authority (LHA) were also satisfied amount of hardstanding within the site would be suitable for two parking spaces per pitch and for the turning areas required. It was highlighted that the site is situated in a rural location that lacks access to nearby services and amenities and that the residents would have a reliance on the private car, cycle parking was recommended for the site location. However, no highway safety concerns were raised by WSCC Highways.

A number of letters of representation have been received both by members of the public and Parish Council relating to the intensification of the use of the road, access and potential safety concerns for the existing users of the Highway. However, the generation of traffic created by the development would be modest and there is no evidence to suggest that the existing access has been operating unsafely in the past, or that the proposed use and access would exacerbate a safety concern. It is not considered that the proposed number of pitches would result in a significant increase in intensity or vehicle movements to and from the site, with the access considered acceptable for the intended use.

Other Matters

Policy 23(a) of the HDPF states that development for non-allocated gypsy / traveller sites states that:

- a. There must be no significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable;

The site does not sit within any designated flood zones, surface water flood area or groundwater protection zone.

Policy 23(c) of the HDPF states that development for non-allocated gypsy / traveller sites must demonstrate that:

- c. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal. The site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play areas;

The site is historically agricultural. While information has not been provided with specifics relating to drainage and waste disposal and Environmental Health have raised concerns regarding the lack of sufficient information. Nevertheless, there is no reason that these details cannot be secured through a pre-commencement condition and as such, the absence of this information would not justify a reason for refusal.

Ecology:

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.

No ecological information has been submitted, and Place Services Ecology considers that given the proximity to mature trees and the amount of scrubland and hedgerow within the site, there is an absence of ecological information provided such that it cannot be concluded that there would not be any protected species within the application site. Given the density of growth within the site at the time of the Officer's site visit, it is considered likely that the site would have likelihood of some protected species and wild birds and a Preliminary Ecological Impact assessment would be required.

Given the lack of sufficient information regarding protected species it cannot be concluded with certainty that the development would not result in unacceptable harm to protected species, contrary to policy 31 of the HDPF.

Water Neutrality:

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice

clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. If approved, conditions to secure the following measures to build resilience to climate change and reduce carbon emissions would be imposed:

- Water consumption limited to 110litres per person per day
- Integration of SUDS
- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Opportunities for biodiversity gain
- Cycle parking facilities

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The existing baseline outlined within the metric does not appear to be a fair representation of the Biodiversity value within the application site that was viewed at the time of the site Planning Officer site visit. Whilst a 'competent person' does not have to be a suitably qualified ecologist for the purposes of carrying out a Biodiversity Net Gain assessment, the assessment made would need to accurately identify the baseline biodiversity within the site. It was evident from the Officer's site visit that the vast majority of the site was densely populated with a mixture of small and mature trees, hedgerow, scrub, a variety of grasses and native species of plant.

Nevertheless, in the event that the application were otherwise acceptable, that statutory condition would require the submission of a Biodiversity Gain Plan.

Conclusions:

The Council cannot currently demonstrate a five-year land supply for gypsy sites, and at present there remains an identified undersupply of available sites within the District. Paragraph 11(d) of the NPPF states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the

Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. It is therefore recognised that the proposal would go some way to addressing the identified need. This is a material consideration of significant weight in the overall planning balance in favour of approval.

Nevertheless, in the case of the current application, the applicant has not submitted suitable information in the form of a Preliminary Ecological Assessment to demonstrate that the development would not harm any protected species within the site, and given the condition of the site at the time of the officer site visit, this would be a requirement of the application to reach sufficient certainty in this regard. This is a material consideration of significant weight in the consideration of the application.

It is considered, taking into account appeal decisions on neighbouring sites and the proposed development, that the site is suitably located for the proposed use. Further, the scale of the site and its relationship with surrounding properties and land is such that there would be no adverse impacts on neighbouring amenity or highways safety concerns.

The introduction of two gypsy pitches, mobile homes, day rooms, parking and associated domestic features would urbanise a currently rural and open site within a visually sensitive landscape area. The development would also involve subdividing the agricultural plot into two non-agricultural/horticultural parcels, contrary to Policy Thakeham 8, which seeks to prevent incremental encroachment and the erosion of rural character through land subdivision and associated development. Furthermore, a recent appeal decision on adjoining land concluded that a mobile home in this location would be an obvious and alien feature that would harmfully erode the open countryside character. The current proposal, involving two pitches and additional built form, would likely give rise to an even greater degree of harm through the suburbanisation and formalisation of the countryside setting. Given the limited information available in this regard, it has not been demonstrated that the proposed development would not result in harm to the character and visual appearance of the countryside setting.

Therefore, notwithstanding the significant weight attributed to the need for additional Gypsy and Traveller pitches, the absence of sufficient ecological evidence and the identified harm to the character and appearance of the countryside, when taken together, are considered to outweigh the benefits of the scheme. On balance, the proposal is therefore considered unacceptable and planning permission should be refused.

Recommendation: Application Refused

Reason(s) for Refusal:

1. Insufficient information has been provided to demonstrate that the proposed development would have no adverse impact on protected species and its habitat, and to establish how the development will contribute to measurable Biodiversity Net Gain, contrary to Policy 31 of the Horsham District Planning Framework (2015) and paragraph 187(d) of the National Planning Policy Framework (2024).
2. The proposed development would likely introduce an incongruous and urbanising form of development that fails to respect the rural character of the area, and it has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development by virtue of the cumulative impact of the built form, comprising the siting of caravans, associated day room buildings, hardstanding, and domestic paraphernalia, would not result in harm to the rural character and visual amenity of the countryside setting. The proposal therefore fails to protect the intrinsic character and beauty of the countryside, contrary to Policies 23, 25, 26, 32 and 33 of the Horsham District Planning Framework (2015), and paragraphs 135(c) and 187(b) of the National Planning Policy Framework (2024).

POSITIVE AND PROACTIVE STATEMENT

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.

Plans list for: DC/26/0506

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan	Site Location Plan	J005516-DD-01 Rev A	19.05.2026
Block plan	As Existing Block Plan	J005516-DD-02	24.03.2026
Site plan	As Existing Site Plan	J005516-DD-03	24.03.2026
Block plan	As Proposed Block Plan	J005516-DD-12 Rev A	24.03.2026
Site plan	As Proposed Site Plan	J005516-DD-13 Rev A	24.03.2026
Elevation & Floor plan	As Proposed Dayroom Plans and Elevations	J005516-DD-14 Rev A	24.03.2026
Location plan	Site Location Plan	J005516-DD-01	24.03.2026

DELEGATED

Case Officer sign/initial Hannah Darley Date: 27 July 2026

Authorising Officer sign/initial Tamara Dale Date: 27 July 2026

APPENDIX 2



HARD LANDSCAPE KEY:

EXISTING FENCING & GATES RETAINED

**PROPOSED POST & RAIL TIMBER FENCES WITH
MATCHING GATES**

SOFT LANDSCAPE KEY:

EXISTING REGENERATING UNDERSTOREY TO BE RETAINED

PROPOSED TREE PLANTING
(Refer to plant schedule for species/densities)

PROPOSED NATIVE UNDERSTOREY PLANTING
(Refer to plant schedule for species/densities)

EXISTING PADDOCK RETAINED

TREE PLANTING

ABBRV	SPECIES	DENSITY	HEIGHT/GIRTH (cm)	ROOT COND.	POT SIZE	TOTAL
Ac	<i>Acer campestre</i> (Fthd)	As Plan	200-250 (h)	ROOTBALLED	--	--
Bp	<i>Betula pendula</i> (Fthd)	As Plan	200-250 (h)	ROOTBALLED	--	--
Qr	<i>Quercus robur</i>	As Plan	12-14 (g)	ROOTBALLED	--	--

NATIVE HEDGEROWS

ABBREV	SPECIES	DENSITY	HEIGHT (cm)	ROOT COND.	POT SIZE	TOTAL
As Key	<i>Acer campestre</i> (20%)	5 1/m	60-80 (h)	BARE ROOT	--	--
	<i>Corylus avellana</i> (10%)		60-80 (h)	BARE ROOT	--	--
	<i>Crataegus monogyna</i> (25%)		60-80 (h)	BARE ROOT	--	--
	<i>Ilex aquifolium</i> (20%)		--	--	CON+9	--
	<i>Prunus spinosa</i> (25%)		60-80 (h)	BARE ROOT	--	--

NATIVE UNDERSTOREY PLANTING

ABBREV	SPECIES	DENSITY	HEIGHT (cm)	ROOT COND.	POT SIZE	TOTAL
As key	Acer campestre (30%)	1 sq/m	60-80 (h)	BARE ROOT	--	--
	Corylus avellana (10%)		60-80 (h)	BARE ROOT	--	--
	Cornus sanguinea (20%)		60-80 (h)	BARE ROOT	--	--
	Ilex aquifolium (20%)		--	--	CON-P9	--
	Sambucus nigra (20%)		60-80 (h)	BARE ROOT	--	--

All hard landscape proposals to be completed within 12 months of the formal written approval of this drawing.

All soft landscape proposals to be completed within the first available planting/seeding season following completion of the hard landscape works.

C	Bn store and landscape implementation programme added.	RhC	03.05.20
B	Landscape proposals to south eastern end of site amended/reduced to correspond with client land ownership as defined by Land Registry.	RhC	23.03.19
A	Drawing scale amended to 1:500 and scale bar added to plan as requested by LPA.	RhC	DATE
REV	NOTES	BY	DATE

TDA
THE GRANARY
NEWLAND FAWR FARM
LLANGAN
CF35 5DN
TEL: 01446 789367



CLIENT **MR. WILLIAM MITCHELL**

DRAWING NUMBER TDA.2398.03	SCALE 1:500@ A1	
DRAWN RhC	DATE JUNE 2018	

PROJECT
PROPOSED GYPSY & TRAVELLER SITE AT
PLOT 3, BRAMBLE LANE, THAKEHAM

DRAWING TITLE

PROPOSED SITE LAYOUT &
DETAILED LANDSCAPE SCHEME

Appeal Decision

Hearing Held on 15 January 2020

Site visit made on 15 January 2020

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 7 February 2020

Appeal Ref: APP/Z3825/W/19/3225910

Plot 3, Bramblefield, Thakeham, West Sussex

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr William Mitchell against the decision of Horsham District Council.
 - The application Ref DC/18/1543, dated 2 July 2018, was refused by the Council by notice dated 21 December 2018.
 - The development proposed is change of use of land to a private gypsy and traveller caravan site.
-

Decision

1. I allow the appeal and grant planning permission for change of use of land to a private gypsy and traveller caravan site at Plot 3, Bramblefield, Thakeham, West Sussex in accordance with the terms of the application, Ref DC/18/1543, dated 2 July 2018, and the plans submitted with it or as amended, namely TDA.2398.01B, 02, 03B, and 04, and subject to conditions 1) to 7) on the attached schedule.

Main Issues

2. On the basis of both the Council's Reason for Refusal and representation from the Parish Council and local residents, the main issues are;
 - The effect of the proposal on the aims of local and national policies which seek to direct development to sustainable and accessible locations.
 - The effect of the proposal on the character and appearance of the area and the use of the access track.
 - The weight to be attached to other considerations.

Reasons

Accessibility

3. This is the single matter referred to in the Reason for Refusal and only policies in the Horsham District Planning Framework were cited. Policy 1 is a strategic policy on sustainable development and reflects the presumption in the National Planning Policy Framework. Policy 2 sets out the spatial strategy to focus development in and around key settlement of Horsham, and to provide for the varied housing needs of the community in terms of tenure, affordability, care and other support needs and the specific temporary and permanent needs of

gypsy and travellers. The expansion of settlements will be supported under Policy 4 subject to 5 criteria and sustainable transport requirements are contained in Policy 40.

4. With regard to gypsy and traveller sites, Policy 21 states that provision will be made for 39 net additional permanent pitches within the period 2011 – 2017 with necessary additional pitches over the remainder of the Plan period. A current backlog and unmet need, as of the date of the Plan, is referred to. Policy 22 states that existing sites will be safeguarded, and new sites to meet need will be identified in a Site Allocations Development Plan Document, while further sites may be provided with a criteria-based windfall policy. Policy 23 sets out 5 criteria that are to be taken into account when assessing any planning applications on non-allocated sites. The Council confirmed at the Hearing that only criterion d) was considered to be breached. This states that *'the site is located in or near to existing settlements, or is part of an allocated strategic location, within reasonable distance of a range of local services and community facilities, in particular schools and essential health services'*.
5. National policy is contained in Planning Policy for Traveller Sites, and Policy C says that when assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community. Policy H sets out the considerations when determining planning applications. The 2019 revision to the National Framework includes guidance on housing provision, sustainable development and the 3 overarching objectives of the planning system in achieving such development. Paragraph 11 sets out the presumption in favour of sustainable development and the considerations where policies are out-of-date.
6. The site is only a short distance from the settlement of Thakeham (The Street), and whilst in the countryside, neither the Local Framework nor Planning Policy for Traveller Sites preclude such a location, the latter stating that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the Development Plan. The site is not 'away' from the settlement and the access track passes through the settlement to reach the highway.
7. That finding of the site being in reasonable proximity of the settlement is reinforced by the conclusions of an inspector considering an appeal into the refusal of a prior approval application under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the nearby Bramble Barn (Ref APP/Z3825/W/16/317881 date 17 October 2016). The Inspector found that the building was not sufficiently divorced from services and utilities to be considered isolated. The accompanying Costs Decision found the Council's refusal on that ground to be unreasonable, stating that the site is located only a short distance from the settlement of Thakeham.
8. The settlement does however have only limited facilities, being identified as a 'smaller village' under Policy 3 of the District Planning Framework, where residents would be reliant of larger settlements for most of their requirements. There is still a public house on The Street and the parish church is located at the end of the access track from the appeal site. There is a bus service on the main road, but this is limited to a single return journey Monday to Fridays with a very limited additional service on 2 days a week.

9. The significant development at the Abingworth Nurseries site to the south of the Green Gap identified in the Neighbourhood Plan does not appear to have made-good the loss of the first school from The Street, but does have a pre-school nursery, while the Village Hall has relocated there. The shell of a shop has been provided under an agreement with the developer, but no operator has been found so that there is no shop available to the settlement including that new development.
10. The conclusion from the above is that residents of Thakeham (The Street) and the Abingworth Nurseries site would be reliant on larger settlements for much of their requirements, and whilst the Officer's Report from late 2018 referred to the shop as potentially meeting some of the needs of the occupiers of the appeal site, that has not yet come into being.
11. The Council has supplied a map and distances to the nearest facilities, although the development at the Abingworth Nurseries site is erroneously shown to contain a new school, whereas with only the pre-school nursery in place there, the nearest school appears to be 3.6km away at Storrington. That village was visited unaccompanied and was seen to contain a range of shops and other facilities including health services. Shops were also seen at Ashington and the Council state that there is a school there also.
12. The appellant's children attend West Chiltington School, which is stated to be 4.7km away although the blue star on the Council's map does not show the correct location on East Street seen as part of the unaccompanied tour of the area, but it is accepted that each of the schools is beyond a reasonable walk or cycle ride having regard to the nature of the roads between.
13. There is a range of services available to the site, in larger settlements at Storrington, West Chiltington and Ashington, and whilst not readily accessible other than by private vehicle, the distances should be regarded as being reasonable, as sought in Policy 23. Many trips would perform more than one function, perhaps shopping after dropping children at school, and the nomadic way of life implies that family members would be away at times seeking work.
14. Taking into account criterion d) of Policy 23, it is concluded that the site is in a reasonably accessible location. With regard to Planning Policy for Traveller Sites, the site would satisfy the aims of Policy H, paragraph 25 on not being away from existing settlements. It is concluded that permission should not be withheld by reason of the site's access to services.

Character and Appearance, and Use of Access Track

15. The first main issue has concluded favourably against the District Council's single objection and the policies cited in the Reason for Refusal. However, the Parish Council and local residents had raised further objections and cited Neighbourhood Plan policies in addition.
16. The Thakeham Neighbourhood Plan was 'made' in January 2017 and is therefore part of the Development Plan for the location of the appeal site. Policy 1 refers to built-up area boundaries defined in the Plan into which new development is to be steered, with countryside policies applying outside those boundaries. The Policy continues with the statement that proposals must not undermine the visual and physical integrity of a Green Gap identified on the Policies Map. Design is the subject of Policy 5, and Policy 8 seeks to resist the

subdivision of agricultural land, with the text referring to the enclosure and subsequent proliferation of small buildings harming the character of open countryside and where access is poor, putting pressure on verges, footpaths, tracks and rural roads. Policy 9 is entitled 'Development in the Countryside' and states requirements for equestrian development, the conversion of agricultural buildings, and the extension of existing houses. Policy 14 seeks the protection of high-grade agricultural land from significant development.

17. The Neighbourhood Plan does not contain specific gypsy and traveller policies as that provision is contained within the District Planning Framework. Criterion e) of Policy 23 is that *'the development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings'*.
18. The Neighbourhood Plan Policies Map shows the built-up area boundary generally more tightly drawn than the Conservation Area boundary, the latter encompassing a field identified as The Glebe Field Local Green Space. The Green Gap referred to in Policy 1 is shown between the built-up area of Thakeham (The Street) and the new development at Abingworth Nurseries and is on the further side of the built-up area boundary to the appeal site.
19. The site is on or close to a ridge-line with the land sloping towards the village and away to the north. The converted barn is in a similar position, prominent from the north but more sheltered by a tree-line in views from the south, but the considerations under Class Q of the Order are for an existing building and the conversion should not result in the external dimensions being extended. As a result limited weight attaches to this change of use, other than providing a baseline of residential appearance and activity close to the site.
20. The site is described as Plot 3 and there are various other numbered plots to the west and north that result from the subdivision of land and which have items including buildings in place. An Article 4 Direction is in place and Neighbourhood Plan Policy 8 is stated in the text to be responding to a recent increase in such subdivision, seeking to protect the visual amenities of the countryside. A proliferation of buildings was seen as a prominent feature of the hedge-line alongside the footpath heading north, and from the footpath rising up from Crays Lane to the north-east towards the ridge.
21. The Council has supplied details of enforcement action, but it is apparent that not all items would be removed, and some degree of subdivision would likely persist. It is reasonable to attach some weight to the likely residual effect, particularly in respect of the immune items of Plot 8.
22. Of apparent relevance is the refusal of permission on Plot H for change of use from agricultural land to residential and including the stationing of a caravan for the temporary period of 2 years (Ref DC/15/0321). The Officer's Report states that applicants were not employed in a rural business and the proposal was contrary to the then Policy DC1 of the 2007 Plan. Though not referred to, it is apparent that the occupiers were not claiming to be travellers and thus be eligible for consideration under local or national policies concerning that exception to general policies of restraint on development in the countryside.
23. The day-room and caravans associated with the appeal proposal would not be seen from the footpaths further north, due to the topography and intervening

vegetation, although the site would be visible from the footpath and approach lane from the village and from the Local Green Space. However, control can be exercised to ensure suitable landscaping in order to soften the effects, in line with paragraph 26b) of Planning Policy for Traveller Sites, whilst avoiding the harm identified in paragraph 26d) with regard to walls and fences.

24. There would be conflict with District Planning Framework Policy 2 and Neighbourhood Plan Policy 1 through being a countryside location, but traveller sites are commonly situated and permitted in the countryside, subject to the criteria in District Policy 23. With the use of conditions on landscaping and to control the numbers of caravans for this small family site, it is concluded that criterion e) on the visual effect would be met.
25. With regard to design and Neighbourhood Plan Policy 5, the appeal proposals are no different from usual traveller site provisions, a mobile home, a touring caravan and a dayroom, and national policy does not seek to proscribe further design requirements.
26. On the question of subdivision and Neighbourhood Plan Policy 8, a small family site such as this would likely be formed through subdivision of a larger field, and landscaping would commonly be used to separate the residential area from any associated grazing. It is pertinent that although there is enforcement action on many plots as shown on the Council's submissions, fencing and gates, and therefore visual subdivision, have been expressly permitted on Plots 1 and 2 to the west and items on Plot 8 will remain. The appeal site, Plot 3, is a visual continuation of those plots and the barn conversion to the east continues the line of subdivision further along the ridge. The established character and appearance of the area therefore includes subdivision and the appeal proposals would not appear out of character in this group.
27. Policy 9 has been cited by the Parish Council as a list of appropriate development and since the appeal proposal is not on that list it is not considered to accord with the policy. The policy contains a list of types of development that would be supported; equestrian, the conversion of agricultural buildings and proposal to extend houses in the countryside. The Policy sets out the terms under which that support would be given. National policy allows for other forms of development in the countryside, including but not restricted to traveller sites, and as worded, Policy 9 does not appear to seek preclusion of these other types of development either.
28. Policy 14 specifically refers to '*significant development*' when seeking to avoid the loss of Grade 2 and 3a land. The appeal proposal is not significant development, and some pasture or similar use would remain, the landscaping scheme being clear as the area set aside for residential use.
29. Comment has been made over the use of the footpath Right of Way to gain vehicular access to the site. The site plan rightly showed the access track to be part of the red-line application site, and the appellant has rights to pass and re-pass. Refuse collection can be made as agreed and the site is served by electricity and can accommodate its own sewage and surface water disposal, a condition would be required to ensure the required standards are met. As a result, District Framework Policy 23 criteria b) and c) can be satisfied.
30. The remaining criterion in Policy 23 is a); '*there must be no significant barriers to development in terms of flooding, poor drainage, poor ground stability or*

proximity to other hazardous land or installation where conventional housing would not be suitable'. These requirements are met in the case of the appeal site and proposals.

31. To conclude and taking account of the findings of the first main issue on accessibility, the proposal would not harm the character and appearance of the area, and would accord with all criteria of the only Development Plan policy which is specific to the provision of windfall gypsy and traveller sites, notwithstanding that it is not essential that they be met, the requirement being only to take them into account. There is conflict with Neighbourhood Plan Policy 9, but the gypsy and traveller policies at District and national level should take precedence, use of land by gypsies not being listed in Policy 9.

Other Considerations

32. Paragraph 3 of Planning Policy for Traveller Sites, states that the Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community. Paragraph 10 requires Councils to identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets.
33. It is agreed that the Council are unable to demonstrate the required level of supply, the timetable for rectifying that situation has slipped and the sites allocated through Policy 21 have not yet come forward. The Officer's Report accepts that this is a significant consideration in favour of the proposal, provided it does not significantly depart from the criteria in Policy 23, and that requirement has been met.
34. There is unmet need in the Council area and a failure of policy to meet that need. In addition, the appellant and his family are in housing need and there are no viable alternatives other than roadside living should they lose the use of the site. Such precarious living conditions would not be in the best interests of the children, which is a primary consideration. Access to education and healthcare would be seriously disrupted, and the location of the site has not caused difficulties in such access at present.
35. Whilst these matters need not be required to be taken into consideration, given the accordance with Policy 23, they add weight to the finding that the site is a suitable location for gypsy and traveller use, and outweigh the limited effect on the aims of Neighbourhood Plan Policy 8. For those reasons it is concluded that permission should be granted as applied for.
36. The application was for the use of land for a private gypsy and traveller caravan site and was not requested to be either temporary or personal. Whilst these options were discussed at the Hearing in order to fully explore the possible outcomes, the conclusion which flows from the reasoning above is that the site is suitable for permanent occupation and that the personal circumstances of the appellant and his family are common to many traveller families and have not had to be taken into account with specific reference to this family. As a result it is concluded that a permanent, non-personal permission should be granted, subject to the site only being occupied by gypsies and traveller as defined in Planning Policy for Traveller Sites.

Conditions

37. The Officer's Report recommending that permission be granted contained a list of conditions and as the site was not being occupied at that time, they included some pre-commencement conditions to ensure mitigation. This list was carried forward into the Appeal Statement and was discussed at the Hearing.
38. In the event the family had moved onto the site and the distressing circumstances surrounding the perceived need to leave their previous home were alluded to at the Hearing. As a result, not only are pre-commencement condition inappropriate, but further mitigation would need to be secured by a condition that provided for the use to cease and items be removed in default.
39. In addition to the gypsy and traveller condition previously referred to, conditions are necessary and reasonable in order to seek details of drainage, lighting, the removal of existing poor quality buildings, vehicle movements, landscaping and details on refuse storage and collection. The maximum numbers of caravans should be stated, and further conditions should prevent industrial, commercial or business activity including the external storage of materials; and to limit the size of vehicle.

Conclusions

40. The proposals satisfy the criteria in the relevant Development Plan policy on the provision of windfall gypsy and traveller sites. The arrangement of adjacent plots and the barn conversion allow the site to be assimilated into the character and appearance of the area and an acceptable access can be provided. Looking specifically at the only reason for refusal, the site is not so distant from day-to-day services, shops, education and health as to be unsuitable for the intended use. For the reasons given above it is concluded that the appeal should be allowed.

S J Papworth

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

N Pettifer

Horsham District Council

FOR THE APPELLANT:

A Murdoch
W & C Mitchell

Murdoch Planning
Appellant and spouse

INTERESTED PERSONS:

O Richards
M Keenan
K Dawes
C Pightling
W Ward

Thakeham Parish Council
Local resident
Local resident
Local resident
Local landowner

DOCUMENTS

- | | | |
|----------|---|---|
| Document | 1 | Enforcement action plan and photo Plot G submitted by Parish Council |
| Document | 2 | Appeal Decision and Costs Decisions relating to Bramble Barn (DC/16/0272) submitted by District Council |
| Document | 3 | Council's Enforcement and Compliance status on small-holding plots and explanatory plan (Thakeham Plots and Plan) submitted by District Council |
| Document | 4 | Article 4 direction and map for background clarification submitted by District Council |
| Document | 5 | Enforcement Notices served in respect of Plot G, which are subject to recently lodged Appeals (APP/Z3825/C/20/3245103 & APP/Z3825/C/20/3245105) submitted by District Council |
| Document | 6 | Background Evidence for Thakeham Neighbourhood Plan – Subdivision of Fields submitted by District Council |
| Document | 7 | Officer's Report DC/15/0321 submitted by Parish Council |
| Document | 8 | Enforcement context submitted by Parish Council |
| Document | 9 | Appellant's final comments on foregoing Documents |

Schedule of Conditions

- 1) The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites (or its equivalent in replacement national policy).
- 2) The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days, or such longer period as considered reasonable of the date of failure to meet any one the requirements set out in (i) to (iv) below:
 - i) within 3 months of the date of this decision a scheme for:
 - a) The means of foul and surface water drainage of the site;

- b) Proposed external lighting within the site;
- c) The removal of the existing storage buildings and structures on site.
- d) Details of the anticipated numbers, frequency and types of vehicles used during the laying out of the site and the construction of the dayroom, and the delivery of the mobile home.
- e) The hard and soft landscaping of the site including fences and gates, areas of hardstanding and a programme of the planting of vegetation, to be in general accordance with drawings TDA.2398.01B, 02, 03B, and 04.
- f) Details of arrangements for the storage and collection of refuse and recycling.

shall have been submitted for the written approval of the Local Planning Authority and the said scheme shall include a timetable for its implementation.

- ii) within 11 months of the date of this decision the site development scheme shall have been approved by the local planning authority or, if the local planning authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
 - iii) if an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State.
 - iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable.
- 3) There shall be no external lighting on the site other than as approved under Condition 2) above.
 - 4) Any plants as approved and provided under Condition 2) above which within a period of 5 years, die, are removed, or become 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.
 - 5) No industrial, commercial or business activity shall be carried on from the site, including the external storage of materials.
 - 6) No more than 1 static caravan or mobile home, and no more than 1 touring caravan, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (or any Act revoking or re-enacting these Acts), to be stationed on the site at any time.
 - 7) No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.