Horsham District Council

Mr Steve Hesmondhalgh
AMS Planning Architecture and Development Consultants
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HG4 5DR

Our ref:	DC/25/0736
Your ref:	Nightingale Farm Class Q rev
Email:	planning@horsham.gov.uk
Direct Line:	01403 215184
If Calling Please ask for:	Kate Turner
Date:	26th June 2025

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (General Permitted Development) (England) Order 2015
Application for Prior Approval under Schedule 2, Part 3, Class Q

Prior Notification for Change of Use of Agricultural Building to 8no. dwellinghouses.

Nightingale Farm Sincox Lane Shipley West Sussex

Further to the above notification which was received on 2 May 2025, I am writing to confirm that **prior approval is required and refused** for the following reason(s):

1 It has not been demonstrated to the satisfaction of the Local Planning Authority that the land was used for agricultural purposes on 24th July 2023, or ten years prior, and that the building was in agricultural use as part of an established agricultural unit for the purpose of trade or business as set out in Paragraph X of Part 3. The notification therefore does not comply with paragraph Q.1.(a) of Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended

2 The building is subject of condition 1 of planning permission reference SP/53/99 and condition 3 of planning reference DC/05/2547, which restricts the use of the western side of the building to the keeping and training of racehorses and full livery stabling purposes respectively. The proposed development would be contrary to the condition imposed by the planning permissions granted. The proposal would not therefore constitute permitted development under Article 3(4) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

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.

Schedule of plans/documents

The following plans and document were considered when making the above decision:

Plan Type	Description	Drawing Number	Received Date
Elevation plan	Proposed Elevations	2405-06-007 REV B	02.05.2025
Location plan	Site Location Plan	2405-06-001A	02.05.2025
Floor plan	Existing Floor Plan	2405-06-002	02.05.2025
Elevation plan	Existing Elevations	2405-06-003	02.05.2025
Site plan	Proposed Site Plan	2405-06-004 REV B	02.05.2025
Floor plan	Proposed Ground Floor Plan	2405-06-005 REV B	02.05.2025
Floor plan	Proposed First Floor Plan	2405-06-006 REV B	02.05.2025

Planning permission is therefore required for the proposed development.

Appeals to the Secretary of State

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 this decision notice for a 'minor commercial' (shop front) application, and within 6 months for most 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.

Yours faithfully



Emma Parkes
Head of Development and Building Control