Horsham District Council

Mr Graeme Skipper
Fulcrum Design Ltd
Studio 7
Design House
Guildford Road
Bookham
KT23 4HB

Application Number: DC/25/1165

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

On behalf of: Mr Alpesh Shingadia Budgens Southwater and Post Office

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:

Erection of two external condenser units. (Retrospective).

Budgens Worthing Road Southwater West Sussex

as shown on Plan and Application Number DC/25/1165 submitted to the Council on 15/08/2025. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 The siting of the installed condenser units in relation to existing neighbouring properties and absence of any noise mitigation measures to mitigate against any harm has an unacceptable impact on neighbouring amenity by way of adverse noise impact, contrary to Policy 33(2) of the Horsham District Planning Framework (2015).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Site plan	Elevations	08-19-322	15.08.2025
Supporting Statement	Heritage	NONE	15.08.2025
Supporting Statement	Planning	NONE	15.08.2025
Supporting Docs	Noise Impact Report	NONE	15.07.2025
Location & Block plan		08-19-322A	15.08.2025

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: 08/10/2025

ADDITIONAL INFORMATION

Right of Appeals
If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries.