Horsham District Council

Mr. Tim Rodway
Rodway Planning Consultancy Limited
293 Upper Shoreham Road
Shoreham by Sea
BN43 5QA

Application Number: DC/24/1967

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

On behalf of: Mrs. Jean Gorton

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:

Variation of Condition 1 of previously approved application DC/24/0462 (Demolition of existing garage and annexe and construction of 1no 3 bedroom detached house with residential amenity areas, car parking and turning, together with hard and soft landscaping and new access) Relating to site area, change of use of land, vehicular access and minor elevational revisions to the new dwelling.

Sailtops Cox Green Rudgwick West Sussex

as shown on Plan and Application Number DC/24/1967 submitted to the Council on 17/12/2024. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 The proposed access would result in harm to the Public Right of Way (449Sy) and would not enhance the character of the District, contrary to Policy 33 of the Horsham District Planning Framework (2015) and Paragraph 105 of the National Planning Policy Framework (2024).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Floor plan		2307/PL04 REV D	23.01.2025
Elevation & Floor plan		23/5966	25.03.2024
Elevation plan		2307/PL06 REV C	17.01.2025
Elevation plan		2307/PL06 REV D	17.01.2025
Elevation plan		2307/PL07 REV D	17.01.2025
Layout plan		2307/PL08 REV B	17.12.2024
Roof plan		2307/PL05 REV D	17.12.2024
Details plan	Visibility Splays	2212013-02	17.12.2024
Details plan		2212013-TK05	17.12.2024
Details plan		2212013-TK06	17.12.2024

Location plan		2307/PL01 REV D	17.12.2024
Supporting Statement	Arboricultural Impact Assessment	jwmb/rpt2/sailtops/AIAA MS	17.12.2024
Supporting Statement	Planning	NONE	17.12.2024
Supporting Statement	Preliminary Ecological Appraisal	NONE	17.12.2024
Block plan		2307/PL02 REV R	17.12.2024
Block plan		2307/PL02 REV R	17.12.2024
Site plan		2307/PL03 REV B	17.12.2024

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: 03/04/2025

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.