

Mr Simon Brett
Brett Incorporated Limited
18 Seal Road
Selsey
Chichester
PO20 0HW

Application Number: DC/26/0286

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

On behalf of: Anita Lines

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:

Demolition of existing garage and erection of a detached dwelling.

73 Daux Avenue Billingshurst West Sussex RH14 9TD

as shown on Plan and Application Number DC/26/0286 submitted to the Council on 18/02/2026. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

- 1 The proposed development, by reason of the siting, scale and massing of the detached dwelling within a constrained plot, would result in a cramped and contrived form of development that fails to respect the established pattern, spacing and character of the surrounding area. The proposed development would significantly erode the sense of openness between built form and the adjacent protected woodland belt, resulting in a harmful urbanisation of this edge-of-development location. As such, the proposal would constitute an overdevelopment of the site, causing harm to the character and appearance of the area, contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).
- 2 The proposed dwelling, by reason of its siting, height and proximity to the existing dwelling at No. 73, would result in a dominant and overbearing form of development, leading to a harmful sense of enclosure and an unacceptable impact on outlook. The proposal therefore fails to provide a satisfactory standard of amenity and is contrary to Policy 33 of the Horsham District Planning Framework (2015).
- 3 The application fails to provide adequate and up-to-date arboricultural information, including a Tree Survey, Arboricultural Impact Assessment, and Tree Protection Plan, to demonstrate that the proposed development would not result in harm to the adjacent woodland subject to Tree Preservation Order (TPO) 1423. In the absence of this essential information, the Local Planning Authority cannot be satisfied that the development would avoid direct or indirect harm to trees of high amenity value, or that appropriate protection measures could be implemented. The proposal is therefore contrary to Policy 33 of the Horsham District Planning Framework (2015) and the provisions of the National Planning Policy Framework (2024).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Location & Site plan	Location and Site Plans	189.1/01	18.02.2026
Block plan	Existing and Proposed Block Plans	189.1/02	18.02.2026
Block plan	Proposed Block Plan	189.1/03	18.02.2026
Floor plan	Existing Floor Plans	189.1/04	18.02.2026
Elevation plan	Existing Elevations	189.1/05	18.02.2026
Floor plan	Proposed Floor Plans	189.1/06	18.02.2026
Elevation plan	Proposed Elevations	189.1/07	18.02.2026

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: 15/04/2026

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>.