Horsham District Council

Ms Alishba Saqib
AMS Planning, Architecture and Development
Consultants
Hutton Mount
Hutton Bank
Sharow
Ripon
HG4 5DR

Application Number: DC/24/1602

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

On behalf of: Mr Kevin Jacobs

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 9 of previously approved application DC/20/2046 (Retrospective application for the Change of use of the land to create a glamping site) to allow longer occupancy duration.

Nightingale Farm Sincox Lane Shipley West Sussex

as shown on Plan and Application Number DC/24/1602 submitted to the Council on 14/10/2024. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 A lack of business jutification and insuffuient information has been provided to justify the variation of the condition. No suggetsed wording has been put forward, and in it's absence it is considered that the variation of condition 9 could lead to inappropriate development in the countryside contrary to policies 10 and 26 and a loss of identified tourism accommodation contrary to policy 10 of the Horsham District Planning Framework (2015).

2 Insufficient information has been submitted to establish whether the proposal will protect, conserve and enhance the landscape character of the area or have an acceptable impact on neighbouring residential amenity contrary to policies 25, 26, 28, 32 and 33 of the Horsham District Planning Framework (2015).

3 Insufficient information has been submitted to establish the protection of the ecological and biodiversity interests of the site and whether suitable mitigations or enhancements are necessary and achievable, contrary to Policy 31 of the Horsham District Planning Framework (2015).

4 Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 193 and 194 of the National Planning Policy Framework (2024), thus the Local Planning Authority is unable to discharge its

duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	14.10.2024
Supporting Docs	Planning Statement	NONE	14.10.2024

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: 20/01/2025

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.