Appeal 6017339

Appeal details

Appeal type	Planning
Appeal procedure	Written Part 1
Appeal site	3 Abingworth Crescent, Thakeham, RH20 3GW
Agent contact details	[redacted]
Application number	DC/26/1153

Before you start

Which local planning authority (LPA) do you want to appeal against?	Horsham District Council
What is your appeal about?	Removal or variation of conditions
What date did you submit your application?	16 Jul 2026
Was your application granted or refused?	Granted
What is the date on the decision letter from the local planning authority?	11 Sep 2026

Appellant's appeal

Was the application made in the appellant's name	No
Applicant's name	. . T and J Portfolio LLP
Application reference	DC/26/1153
Contact details	Matt Smith D&M Planning Ltd
Phone number	[redacted]

Site address	3 Abingworth Crescent Thakeham RH20 3GW
What is the area of the appeal site?	600 m^2
Is the site in a green belt	No
Site fully owned	No
Site partly owned	Yes
Other owners known	Yes
Other owners informed	Yes
Agricultural holding	No
Will an inspector need to access the land or property?	Yes Access is required to view the site.
Site health and safety issues	No
Was your application for a major or minor development?	Minor
Was your application about any of the following?	Other minor development
Enter the description of development	Amendment of Condition 8 of previously approved application DC/18/2594 (Alterations to an existing building; retention for use as a village shop (class a1) with ancillary café facilities to part of ground floor, use of part of ground floor as veterinary practice (class D1) and change of use of upper floor to two flats (use class C3)) relating to Use Classes.
Did the local planning authority change the description of development?	No
Why are you appealing?	The appeal is made against the decision of Horsham District Council to approve the application made under Section 73 in relation to condition 8. The Section 73 related specifically to this condition which considers the permitted uses in the building. We consider the Council have acted unreasonably in determining the application and the justifications for restricting the permitted uses does not stand up to scrutiny. The Council have failed to, in line with Policy DM6 of the NPPF, to provide a clear justification for the restriction. The Council have relied on an interpretation of the planning history which is not supported by the evidence. Further, the Council have failed to give regard as to whether the

	condition meets the relevant tests, to this extent we do not consider the condition to be reasonable or necessary. The condition would limit the flexibility of the units from changing use within the broader Class E use class, this in terms places an unreasonable burden on occupiers should the business need to adapt in future to meet market conditions. This in turn would impact on the longer term viability of the unit to provide an economic and employment provision in the area. The other restrictions placed on the unit are unsupported and do not reflect the context of the site in terms of surrounding properties and the existing situations.
Significant changes since application	National policy changes: Adoption of new NPPF August 2026
Preferred procedure	written
Are there other appeals linked to your development?	No
Did the appellant apply for an award of appeal costs?	Yes

Appellant's documents

Application form	Application Form.pdf (/published-document/fef7d2ac-fd50-4858-b8e9-461899f459c7)
Decision letter	Decision Notice.pdf (/published-document/85cc4da4-5779-4569-a73b-f7cc8413e86d)
Planning obligation	No
Separate ownership certificate in application	No
Environmental statement	No
Costs application	Costs Application.pdf (/published-document/6a460f8d-bca2-4f25-b385-008eb71d7a9b) Appendix 2.pdf (/published-document/4547cc2b-70fd-4643-8014-5800c1a120d9) Appendix 3.pdf (/published-document/ff3ed876-2a40-45e3-8a0f-588df489c8d4) Appendix 2 (2).pdf (/published-document/aa2d6c4e-3e42-4957-a750-b786a502ee5e) Appendix 1.pdf (/published-document/7802b36f-69da-47b9-bcac-d38058d55b77)