Horsham District Council

Mr Jack Dunckley
Jack Dunckley's Yard
Birchfield Nursery
London Road
Henfield
West Sussex
BN5 9AA

Our ref: DC/25/0810
Your ref:
Email: planning@horsham.gov.uk
Direct Line: 01403 215429
If Calling Please ask for: Bethan Tinning
Date: 7th July 2025

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (General Permitted Development) (England) Order 2015
Application for Prior Approval under Schedule 2, Part 3, Class R

Prior Notification for the Change of Use of an Agricultural Building to flexible commercial use.

Jack Dunkleys Birchfield Nursery Birchfield Nursery Kidders Lane Henfield

Further to the above notification which was received on 13 May 2025, I am writing to confirm that **prior approval is required and refused** for the following reason(s):

1 Insufficient information has been provided to demonstrate that the building subject of the application was in agricultural use on the relevant date. It has not therefore been demonstrated that the building would benefit from the permitted development right set out in Class R of Part 3 within Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended.

Schedule of plans/documents
The following plans and document were considered when making the above decision:

Plan Type	Description	Drawing Number	Received Date
Site plan		DWL 00b	13.05.2025
Supporting Docs	Application Form	NONE	13.05.2025

Planning permission is therefore required for the proposed development.

Appeals to the Secretary of State
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 this decision notice for a ‘minor commercial’ (shop front) application, and within 6 months for most 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.

Yours faithfully



Emma Parkes
Head of Development and Building Control