Horsham District Council

Phil Rowe
PROwe Planning Solutions
Melton Lodge
Rusper Road
Newdigate
Dorking
Surrey
RH5 5BX

Application Number: DC/22/1999

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

On behalf of: Phil Rowe

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:

Proposed settled gypsy accommodation site comprising 12no pitches and associated utility buildings.

Oakhurst Centre West Chiltington Lane Coneyhurst West Sussex

as shown on Plan and Application Number DC/22/1999 submitted to the Council on 25/11/2022. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 The proposed development, by reason of its siting, extent and layout would, firstly, fail to preserve the established treed-hedgerow boundaries present to the application site considered to possess intrinsic and landscape value, and, secondly, would result in an urbanising effect detrimental to the rural qualities of the site and its respective surroundings, contrary to Policies 23, 25, 26, 32 and 33 of the Horsham District Planning Framework (2015), Policy BILL 2 of the Billingshust Neighbourhood Plan (2021) and NPPF Paragraph 174.

2 It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would be serviced by a safe and convenient means of access without unacceptable risk to the safety of highways users contrary to Policies 23 and 40 of the Horsham District Planning Framework (2015).

3 It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would adequately preserve the integrity and viability of existing habitats and biodiversity features within and in the vicinity of the application site, deliver a proportionate biodiversity net-gain and incorporate relevant mitigation and avoidance measures such as to avoid harm to protected and priority species. The proposal, therefore, is contrary to the requirements of Policies 25 and 31 of the Horsham District Planning Framework (2015).

4 Insufficient information has been submitted to determine flood-risk and local drainage conditions. It has not been demonstrated to the satisfaction of the Local Planning Authority, therefore, that future occupiers would not be exposed to unacceptable flood risk as a

consequence of proposed development or that the proposed development could be adequately supported by appropriate drainage infrastructure without increasing flood-risk elsewhere. The proposal, therefore, is contrary to the requirements of Policy 38 of the Horsham District Planning Framework (2015) and NPPF Paragraph 167.

5 Insufficient information has been provided to demonstrate with a requisite degree of certainty that the proposed development would avoid contribution 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 demand for public groundwater abstraction. The proposed development, therefore, is contrary to Policy 31 of the Horsham District Planning Framework (2015), Regulation 63 of the Conservation and Species Regulations (2017) (as amended) and the Authority's duties pursuant to Section 40 of the NERC Act 2006 (Priority habitats & species).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Design & Access Statement	Planning	NONE	20.10.2022
Supporting Docs	Matrix sewage system details	NONE	20.10.2022
Supporting Statement	Water Neutrality	NONE	20.10.2022
Location plan		2209OA_R0_000 REV R.0	20.10.2022
Block plan		2209OA_R0_100 REV R.0	20.10.2022
Elevation & Floor plan	Day room, bike, and bin store, as proposed	2209OA_R0_200 REV R.0	20.10.2022
Supporting Statement	Highways Technical Note	2305089	10.07.2022
Elevation & Floor plan	Static homes, as proposed	NONE	25.11.2022

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: 31/07/2023

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.