

Phil Rowe
Melton Lodge
Rusper Road
Newdigate
RH5 5BX

**Downsview Paddock New Hall Lane Small Dole West Sussex
Proposal for a single pitch settled gypsy accommodation site (Retrospective).**

Your application DC/25/1996 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

Conditions

Before you start work, information must be submitted for any conditions that require discharge before development can begin. The decision notice will set out what information need to be sent.

Biodiversity Net Gain Condition

Please note the requirement within the Environment Act 2021 for development to deliver a minimum of 10% net gain in biodiversity may be applicable to your development. In the event your development is required to achieve a minimum 10% net gain in biodiversity then a Biodiversity Net Gain Condition (separate to the main list of conditions) will appear on your decision notice requiring the submission of a Biodiversity Gain Plan for approval prior to development commencing.

Failure to discharge conditions before commencing development could result in the development being unlawful or enforcement action being taken. You can notify us of your intention to initiate development by completing a pre-commencement notification which will help us to monitor your development. There is no fee to use this service. To do this, or for further information about discharging planning conditions, visit us online at horsham.gov.uk/planning/discharging-a-planning-condition

Community Infrastructure Levy (CIL)

If this development is CIL liable, the requirements of CIL must be met before you start work. Failure to do so could result in additional financial penalties. For further information relating to CIL visit horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay

If you have any questions about the decision notice, you can call us and speak to a member of the team on 01403 215187 between 9AM - 5PM, Monday to Friday.

If you are acting as the planning agent for this application, please ensure that the applicant is given a copy of the decision notice and this letter.

Yours Sincerely,
Development Management



Phil Rowe
Melton Lodge
Rusper Road
Newdigate
RH5 5BX

Application Number: DC/25/1996

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

On behalf of: Tim Bloxham

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify you that they PERMIT the following development, that is to say:

Proposal for a single pitch settled gypsy accommodation site (Retrospective).

Downsview Paddock New Hall Lane Small Dole West Sussex

to be carried out in accordance with Application No. DC/25/1996 submitted to the Council on 17/02/2026 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 01/05/2026

- 1 **Plans Condition:** The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

SCHEDULE OF PLANS/DOCUMENTS

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	17.02.2026
Block plan		NONE	03.12.2025

Reason: For the avoidance of doubt and in the interest of proper planning.

- 2 **Pre-Commencement Condition:** Within 3 months of the date of this permission, a detailed surface water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on sustainable drainage principles and shall include:
- o Evidence of compliance with the drainage hierarchy in accordance with Building Regulations Part H;
 - o Infiltration testing undertaken in accordance with BRE Digest 365 (if infiltration is proposed);

- o Justification where infiltration is not feasible and identification of alternative discharge methods;
- o Calculations for existing and proposed runoff rates (including Qbar);
- o Details of on-site attenuation, including storage volumes;
- o Details of exceedance flow routing for the 1 in 100 year + climate change event;
- o Evidence that rainwater harvesting is not relied upon for attenuation;
- o Water quality and pollution control measures;
- o A management and maintenance plan.

The approved scheme shall be implemented within 6 months of approval and thereafter maintained.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 3 **Pre-Commencement Condition:** Within 3 months of the date of this permission, a detailed foul drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- o Full specification of the proposed treatment system;
- o Location, layout and discharge point;
- o Evidence of suitability of discharge method (ground or watercourse);
- o Details of maintenance and emptying regime;
- o Measures to prevent pollution, including shut-off mechanisms where appropriate.

The approved scheme shall be implemented within 6 months and thereafter retained.

Reason: To ensure satisfactory foul drainage and to prevent pollution in accordance with Policy 38 of the HDPF.

- 4 **Pre-Commencement Condition:** Within 3 months of the date of this permission, a detailed scheme of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include:

- o existing trees and planting to be retained and removed;
- o planting plans, including species (in Latin names), sizes and densities;
- o hard surfacing materials and finishes;
- o boundary treatments;
- o minor structures and features; and
- o coordination with services and drainage infrastructure.

The approved landscaping scheme shall be implemented within the first planting season following approval and shall thereafter be retained.

Any planting which dies, is removed or becomes seriously damaged or diseased within a period of 5 years shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing.

Reason: To ensure identified adverse visual effects are satisfactorily mitigated, including during construction, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Prior to Occupation Condition:** Within 3 months of the date of this permission, the parking, turning and access arrangements shall be provided and retained thereafter

Reason: In the interests of highway safety in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 6 **Pre-Occupation Condition:** Within 3 months of the date of this permission, details of refuse and recycling storage shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided prior to occupation and thereafter retained.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** Within 3 months of the date of this permission, cycle parking facilities shall be provided and thereafter retained.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** Within 3 months of the date of this permission, a scheme for electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to occupation and thereafter retained.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** No external lighting shall be installed unless a lighting design strategy for biodiversity has first been submitted to and approved in writing by the Local Planning Authority.

All lighting shall thereafter be installed and maintained in accordance with the approved strategy.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 10 **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** There shall be no more than 1 pitch on the site with no more than 1 mobile home/static caravan (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) stationed on the pitch at any time. There shall be no more than 1 touring caravan stationed on site at any time and these shall not be occupied by any person at any time whilst stationed on the application site.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity and to enable the Local Planning Authority to control the use of the site, in accordance with Policy 21, 22, 23 and 26 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** No industrial, commercial or business activity shall be carried on from the site, including the storage of materials.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** There shall be no burning on site at any time.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** Within 3 months of the date of this permission, details of water efficiency measures to achieve a consumption rate of no more than 110 litres per person per day shall be submitted to the Local Planning Authority for approval in writing. The approved measures to be installed, including specification of fittings and appliances, shall be implemented within 6 months of the date of written approval and shall thereafter be retained and maintained for the lifetime of the development.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015), and to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority 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).

- 16 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order, no development falling within Class A of Part 2 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development site hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to control the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Note to Applicant - Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);
2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;
3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);
4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

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.

ADDITIONAL INFORMATION

Planning Permission – Important Provisos

If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations or avoid

any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email hop.oast.admin@horsham.gov.uk.

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Amendments

Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring

Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

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>.