Planning Inspectorate

Room 3B Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 5225
Customer Services:
0303 444 5000

Email: east1@planninginspectorate.gov.uk
www.gov.uk/planning-inspectorate

Head of Development Control
Horsham District Council
Parkside
Chart Way
Horsham
West Sussex
RH12 1RL

Your Ref: DC/25/0810
Our Ref: APP/Z3825/W/25/3374677

29 October 2025

Dear Head of Development Control,

Town and Country Planning Act 1990
Appeal by Jack Dunckley
Site Address: Jack Dunckley's yard, Birchfield Nursery, London road, Henfield, West Sussex, BN5 9AA

I am writing further to the receipt of this Planning Appeal(s).

I am the case officer, if you have any questions, please contact me.

I have checked the papers and consider the appeal(s) is valid. However, if it later emerges that this may not be the case, I will write to both parties again.

A copy of the appeal form(s), full statement of case and other relevant documents must be shared with the local planning authority (LPA). If this has yet to be done, then the appellant must contact the LPA and do this immediately.

Please note that as you have informed the appellant in your refusal notice that the development proposed at the above site does not fulfil the conditions for permitted development under the General Permitted Development Order (GPDO) the appointed Inspector will first consider whether the development constitutes permitted development. This means that the Inspector will address your position as a preliminary matter and only proceed to determine the appeal and consider the planning merits where he/she is satisfied that the prior approval procedure is applicable.

The procedure and starting date

The criteria for determining an appeal published on GOV.UK has been considered and the Written representations procedure is deemed suitable for starting this appeal(s). The procedure will be kept under review and if it is later considered an oral event is necessary, then we will let you know with an explanation.

The date of this communication is the starting date for the appeal(s). The timetable for the appeal(s) begins from this date.

Sending documents to us and looking at the appeal(s)

A timetable is set out below. No reminders will be sent, and documents cannot be received after the deadlines.

All documentation should be submitted online via the Planning Casework Portal which can also be used to track progress on the case.

Timetable

The following action is required within this timetable.

Within 1 week of the appeal starting (by 5/11/25)

The LPA must upload to the Portal a completed appeal questionnaire and supporting documents (with a copy sent to the agent/appellant).

The LPA must also notify any person who was notified or consulted about the application, in accordance with the Act or a development order and any other interested persons who made representations about the application, that an appeal(s) has been made.

The notification must inform recipients: -

- When and where the appeal documents are available for inspection
- Any comments they made at application stage will be sent to the Inspectorate for consideration by the Inspector (unless they withdraw them within the 5-week deadline).
- If they want to make any additional comments, they must submit them via the Appeals Casework Portal by the 5-week deadline.
- The Portal will not accept representations after the 5-week deadline.
- That guidance regarding appeal participation is available at GOV.UK.
- That the decision will also be published on GOV.UK.

A copy of your notification letter and a list of those notified should be uploaded to the Portal with the Questionnaire and copied to the appellant.

Within 5 weeks of the appeal starting (by 3/12/25)

The LPA can upload a statement if their appeal questionnaire does not cover the full details of their case. The Inspectorate will send a copy of any statement received to the appellant, and any interested party comments will also be copied to both parties.

Within 7 weeks of the appeal starting (by 17/12/25)

Any final comments either main party wishes to make in response to representations received at week 5 must be uploaded to the Portal. However, to be clear, no late evidence which has not previously been the subject of consultation will be accepted at this stage. Only final comments will be considered and copied by the Inspectorate for information only.

Site visit

We will appoint an Inspector who will visit the appeal site if they consider it necessary. If they do, and access to the site is required, this will be arranged directly with the appellant.

Planning obligations - section 106 agreements

As this appeal is following the Section 78 written representations procedure, the appellant was expected to ensure that an executed and certified copy of any planning obligation was received at the time of making their appeal. Any subsequent submission now will be classified as late evidence.

Withdrawal of the appeal(s)

If a decision is taken by the appellant to withdraw the appeal(s) then the Inspectorate are required to be notified in writing.

Costs

Any application for costs should be set out separately from the appeal statements and sent to the Inspectorate by no later than week 7 of the above timetable. Further information about making a claim can be found at GOV.UK.

Further information

Information and guidance about the appeals process can be accessed at GOV.UK.

Yours sincerely,

Stephen Bartle
Stephen Bartle

https://www.gov.uk/government/publications/planning-inspectorate-privacy-notices