Horsham District Council

Mr Simon Peake
RPS Group
4th Floor 1 Newhall Street
Birmingham
B3 3NH

Application Number: DC/24/1452

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

On behalf of: Dunmoore Group

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:

Erection of a single storey building (3,110 sq.m gross floorspace) with ancillary external storage/sales area to accommodate either: 1. employment (E(g(iii)/B2/B8); or 2. retail warehouse use E(a); with associated customer/staff car park, landscaping and two adjoining access roads.

Unit 18 Billingshurst Trade Park, Stane Street, Billingshurst, West Sussex, RH14 9LZ

as shown on Plan and Application Number DC/24/1452 submitted to the Council on 04/10/2024. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 The proposed development would lead to the loss of employment floorspace within an existing employment area. It has not been demonstrated that the site is not needed or is not viable for employment use therefore the proposal for retail use of the site would undermine the delivery of planned for employment floorspace and employment opportunities within the district in conflict with policies 2, 7 and 9 of the Horsham District Planning Framework (2015).

2 It has not been demonstrated that there are no sequentially preferrable sites reasonably available within town centre or edge of centre locations within the proposal's catchment area for the proposed retail use. Furthermore, the significant scale and very broad retail offer of the proposal would result in a significant adverse impact on the vitality and viability of Billingshurst town centre and would undermine the district's retail hierarchy which promotes Horsham Town and the Broadbridge Heath Quadrant as the primary retail centre for the district, contrary to the provisions of policies 2, 12 and 13 Horsham District Planning Framework (2015), and paragraph 95 of the NPPF (2024).

3 The proposed development fails to secure the off-site delivery and ongoing monitoring of the statutory Biodiversity Net Gain for a period of 30 years by way of an appropriate legal agreement. Therefore, the proposal would not be in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

4 It has not been demonstrated that the proposed development would not have a severe residual cumulative impact on the road network following mitigation, contrary to para 116 of the NPPF (2024).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Details plan	Proposed Soft Landscape	2215-DLA-DR-L-02 P01	08.01.2025
Supporting Statement	Emissions Mitigation Assessment	NONE	23.09.2024
Supporting Statement	BNG Metric Summary	NONE	23.09.2024
Design & Access Statement		NONE	23.09.2024
Location plan		D-101-T-U18-01 REV A	05.11.2024
Site plan		D-101-TP-U18-02 REV B	05.11.2024
Floor plan	Roof	D-101-TP-U18-03 REV A	04.10.2024
Elevation plan	Section	D-101-TP-U18-04 REV A	04.10.2024
Supporting Statement	Noise Assessment	NONE	23.09.2024
Supporting Statement	Compliance with England Building Regs	NONE	23.09.2024
Supporting Statement	Surface Water Drainage	NONE	23.09.2024
Supporting Statement	Water Neutrality	NONE	23.09.2024
Supporting Statement	BNG Metric	NONE	09.01.2025
Supporting Statement	BNG Preliminary Design Stage Report 2.1	NONE	08.01.2025
Supporting Statement	Energy	1360-50-RPT-01 REV 01	23.09.2024
Supporting Statement	External Lighting Assessment	1360-60-RPT-01 REV 01	23.09.2024
Supporting Statement	Staff Travel Plan	NONE	23.09.2024
Supporting Statement	Transport	NONE	23.09.2024

Note to Applicant – Community Infrastructure Levy (CIL):
Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. **This development constitutes CIL liable development**.

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at cil@horsham.gov.uk

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

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: 19/02/2025

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.