



Mr Michael Conoley
MCA Architects
Abbey House
Hickleys Court
South Street
Farnham
GU9 7QQ

Application Number: DC/26/0826

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

On behalf of: Mr George Macari

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:

Outline Planning Application for up to 93 residential dwellings (including 35% affordable), pharmacy, shop/cafe and open space, all matters reserved except access.

Toat Café, Stane Street, North Heath, West Sussex

as shown on Plan and Application Number DC/26/0826 submitted to the Council on 16/06/2026. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

- 1 The proposed development would comprise an isolated block of housing located beyond a defined built-up area boundary, involving a site not allocated for residential development within the Horsham District Planning Framework (2015) or the Pulborough Neighbourhood Plan (2015-2031). The proposed development, further, would not attract in-principle support from National Planning Policy Framework (2026) Policies S3 or S5 as it is not physically well-related to an existing settlement or to a well-connected station and is located on land which is in the clear majority not previously developed. The proposal would further not promote sustainable patterns of movement as its location remote from existing settlements and would not provide a genuine choice of transport modes for residents and visitors. The proposal therefore fails to accord with National Planning Policy Framework (2026) Policies S3, S5, TR3, TR4 and CC2 and HDPF Policies 2, 3, 4, 26 and 40. There are deemed to be no material considerations which would outweigh conflict with the above development plan and National Planning Policy Framework policies in these regards.
- 2 Insufficient information has been provided to demonstrate the allocation PNP Policy 8 is no longer needed or viable for employment uses, with particular regard to those uses within Class E, B2 and B8 to which the site would be well-suited given its location on the strategic road network.
- 3 Insufficient information has been provided to demonstrate the proposed access arrangements would provide a safe and suitable access to the development and that the proposed access would not result in an unacceptable impact on highway safety contrary to Policy 40 of the Horsham District Planning Framework (2015) and Policy TR6 of the National Planning Policy Framework (2026).

- 4 Insufficient information has been provided to demonstrate the proposed surface water drainage scheme is sufficiently connected within the wider watercourse network or that the receiving watercourse is able to receive surface water flows from the site. In the absence of this information it has not been demonstrated that the development site would be sufficiently drained and would not result in an increased risk of flooding elsewhere contrary to Policy 38 of the Horsham District Planning Framework (2015) or Policy F7 of the National Planning Policy Framework (2026).
- 5 Insufficient information has been provided to fully assess the ecological potential of the site or to demonstrate the potential ecological impact of the proposed development, including the potential impact on statutory protected species namely reptiles, bats, and great crested newts. It has further not been demonstrated that the proposal would not have adverse effects on the integrity of the Mens or Ebernoe Common SACs. The proposal therefore fails to accord with Policy 31 of the Horsham District Planning Framework (2015) and Policy N2 and Policy N6 of the National Planning Policy Framework (2026).
- 6 The statutory Biodiversity Net Gain metric and Assessment have not been satisfactorily completed such as to provide an accurate and common understanding of the existing habitats baseline of the application site. It cannot, therefore, be concluded that the development proposals would prove capable of discharging the statutory Biodiversity Net Gain condition in conflict with Paragraph 002 and 019 of the Biodiversity Net Gain Planning Practice Guidance.
- 7 The proposed development has not been accompanied by a completed s106 Legal Agreement, thereby does not secure the units required to be provided as affordable housing units or other infrastructure necessary to make the development acceptable. The proposal is therefore contrary to Policies 16, 31 and 39 of the Horsham District Planning Framework (2015), as it has not been demonstrated how the infrastructure needs of the development would be met.

Schedule of plans/documents

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Highways Technical Response Note	ITR.CV.6301.TRN.3	19.08.2026
Supporting Statement	BNG assessment	25_BNG_10_78 REV 4	20.05.2026
Supporting Statement	Biodiversity metric calculator	NONE	20.05.2026
Supporting Statement	Drainage report	TCP01	20.05.2026
Supporting Statement	Preliminary ecological appraisal	EC2338	20.05.2026
Supporting Statement	Framework Travel Plan	ITR.6301.TP.4	20.05.2026
Supporting Statement	Preliminary ground contamination risk assessment report, parts 1 to 3	R17021 REV 3	20.05.2026
Supporting Statement	Arboricultural Method	NONE	20.05.2026
Supporting Statement	Preliminary Roost Assessment Report	25_PRA_10_78 REV 4	20.05.2026
Site plan	Existing	1726/S-101	20.05.2026
Location plan	LOCATION PLAN	1726/OS-100	20.05.2026
Supporting Statement	Transport assessment	6301.ITR.CV.TA.7	03.07.2026

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. In the case of outline applications the CIL charge will be calculated at the relevant reserved matters stage.

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: 11/09/2026

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>.