Horsham District Council

ET Planning
200 Dukes Ride
Crowthorne
RG45 6DS

Application Number: DC/25/0934

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

On behalf of: James Carthy and Kathleen O'Driscoll

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:

Change of use of land to provide 10no gypsy pitches with dayroom, associated parking, access and services (part retrospective).

Kingfisher Farm, West Chiltington Lane, Billingshurst, West Sussex

as shown on Plan and Application Number DC/25/0934 submitted to the Council on 17/07/2025. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 The proposed development would, by reason of its scale and activity and resultant incremental subdivision and intensification of the site, the overall harms of which would be amplified when considered cumulatively with other nearby development, result in an unacceptable harm to the rural character and undeveloped nature of the countryside, with key sensitivities within the Landscape Character Areas in which the site is located being neither protected nor conserved and absence of adequate landscaping provision as mitigation to adverse negative effects, all of which conflict with Policies 23, 25, 26, 32, and 33 of the Horsham District Planning Framework (2015), and Polices 1 and 12 of the Barns Green & Itchingfield Neighbourhood Plan (2025) and Paragraph 27(b) and (d) of the Planning Policy for Traveller Sites (2024).

2 It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposals would provide for satisfactory essential utility services to the site (foul and surface water drainage) and safeguard the heath of the site occupiers and environmental protection, and to avoid increasing flood-risk elsewhere, all of which conflict with Policies 23, 24 and 32, 33, 38, 39 of the Horsham District Planning Framework (2015) and Paragraph 182 of the National Planning Policy Framework (2024).

3 It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposals would avoid possible adverse effects upon protected species (bats) and their habitat, or that potential adverse effects are capable of being successfully addressed through the incorporation of relevant mitigations. The proposals, therefore, are contrary to the requirements of Policy 31 to the Horsham District Planning Framework (2015) and Policy 2 of the Barns Green & Itchingfield Neighbourhood Plan and the Authority's duties pursuant to the Conservation of Habitats and Species Regulations (2017) (as amended), and Section 40 of the Natural Environment and Rural Communities Act 2007 (as amended).

4 Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute 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 water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Policy 16 of the Barns Green & Itchingfield Neighbourhood Plan (2025), and Paragraphs 193 and 194 of the National Planning Policy Framework (2023), thus the Local Planning Authority is unable 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).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Plans	Location Plan	PP-14050679v1	04.06.2025
Plans	Topographical Survey	1885-01	20.06.2025
Plans	Topographical Survey	1885-02	20.06.2025
Plans	Site Layout As Proposed	501 REV A	04.06.2025
Plans	Day Room Details	1050 REV E	17.07.2025
Plans	Swept Path Analysis Estate Car Site Parking	2501083-TK01	04.06.2025
Plans	Swept Path Analysis Estate car Site Parking	2501083-TK02	04.06.2025
Plans	Swept Path Analysis Car Towing Caravan Site Access	2501083-TK03	04.06.2025
Supporting Statement	Water Neutrality	NONE	04.06.2025
Supporting Statement	Sil Infiltration Testing and Groundwater Monitoring Report	P1262/R1/V2	04.06.2025
Supporting Statement	Surface Water Drainage Design Summary and Calculations by BP Civils	D2328	04.06.2025

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: 16/10/2025

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.