Planning Inspectorate

PRE-HEARING NOTE

Appeal Ref: 6003043
Site address: Land off Jackrells Lane, Southwater, West Sussex RH13 9DH
Appellant: Holbrook Animal Rescue.
Local Planning Authority: Horsham District Council.
Proposed development: Relocation of Holbrook Animal Rescue with associated buildings and infrastructure.

Background

1. The appointed Inspector has reviewed the appeal and given the technical nature of the submitted evidence, where the Inspector will need to test evidence to clarify matters, in combination with the significant level of public interest, a Hearing has been ruled to be appropriate in this case.

2. Therefore, a one-day Hearing relating to the above appeal is currently programmed to take place at 10.00 on 21 May 2026 in the Council Chamber at Horsham District Council, Albery House, Springfield Road, Horsham, West Sussex RH12 2GB. (Council - Please confirm venue and room if different to the above by 01 May 2026). The Hearing will be conducted by N Praine BSc Hons MA MRTPI, who is the Inspector appointed by the Secretary of State to determine the appeal.

3. The purpose of this pre-hearing note is to explain how the event will operate in a fair, open and transparent way and what should be done to ensure it runs smoothly. This note outlines several actions that are required prior to the Hearing being opened and any deadlines are emphasised in red text. This follows an initial review by the Inspector. Failure to engage could amount to unreasonable behaviour and an award of costs. A list of actions required are copied to Annex 2 of this document for quick reference.

4. Council – Please upload this pre-Hearing note and attached draft agenda to your website by 01 May 2026.

Hearing Arrangements

5. The Hearing will run as an in person physical event hosted by the Council. It would assist the Inspector if both main parties could submit a list of those representing them at the Hearing. This should include title, full name, job title / role in the appeal and professional qualifications, by 18 May 2026.

6. If available, a list of interested parties intending to appear at the event would be helpful. This should be provided at least two working days in advance of the Hearing.

7. The Inspector requests that, if possible, a separate room be made available for him for the duration of the event. Please can the Council also provide details of car parking available to the Inspector By 18 May 2026.

8. It would be helpful for the Inspector to have access to Wi-Fi, and electrical sockets, during the Hearing in order to access electronic documentation and evidence in relation to the appeal. Therefore, please can the Council ensure that Wi-Fi will be available at the venue and provide any associated security credentials/passwords to gain access.

9. Facilities to produce hard copies of documents should also be available if the IT is not working for any reason or if documents need copying. The Inspector also requests that drinking water is made available for all participants.

10. On the day the Inspector will ask the Council to confirm the fire evacuation procedures and to identify the location of the nearest toilets, please ensure this information is available just before the Hearing opens.

11. The Inspector notes the Council Chamber has been booked for the day and this may be suitable, but it is difficult to predict how many people will attend the Hearing. We note public representations are in the region of 1000 and we ask that live streaming is on standby in the event members of the public cannot physically fit into the Council Chamber. The Inspector requests that microphones would also be available for all participants.

12. With other hearings elsewhere, an overflow room has been provided where the public can view the Hearing on a screen, and the Council have someone who would be able to act as a point of contact for interested parties during the event to ensure they can engage with the Hearing. Please note, in the event facilities are insufficient to allow all attendees to engage in the Hearing process the Inspector may need to adjourn proceedings to ensure fairness to all participants.

<u>Format</u>

13. The Inspector will open the event promptly at 10:00am and a draft agenda is attached to the end of this note setting out the initial identification of specific points for discussion (Annex 1), but it could well change. The Inspector welcomes any early views you have on this, and he will issue a final version shortly before the event opens.

14. The Hearing will be run as a structured discussion with the Inspector asking a series of questions in respect of the main issues. All parties who so wish, will be given an opportunity to speak. There is no need to simply repeat representations that have already been made in writing. The Inspector will take into consideration all written submissions that have been previously made by any party.

15. It is anticipated that the Hearing will close by 17:00 at the latest with all matters covered. In the unlikely event the Hearing has not closed by this time, the Inspector will discuss arrangements for a second day to sit in the future.

16. We have the Council's letter of notification from the 28 January 2026 advising interested parties of this appeal. However, please provide the Council's letter of notification advising interested parties of the date, time and location of the Hearing and a list of all those notified of the Hearing arrangements - Council by 01 May 2026.

Statement of Common Ground ("SoCG")

17. A draft SoCG has been provided, however the final version is overdue. This must now be finalised and agreed by both parties and submitted to the Inspectorate.

18. The Council and appellant should note that SoCGs are an important aspect of parties' reasonable conduct of appeals. The Planning Practice Guidance indicates that not agreeing a statement of common ground in a timely manner or not agreeing factual matters common to principal parties could form the basis of unreasonable conduct. The Inspector stresses the importance of completing this document to ensure the best possible use of Hearing time. This must be submitted by 01 May 2026.

19. The final SoCG should include the following:

- A list of drawings which the Council made its decision on.
- A list of documents which the Council made its decision on.
- A list of any new drawings, documents, or evidence submitted with the appeal.
- List of conditions (both agreed or not agreed) also making it clear that any pre-commencement conditions are agreed with.
- It would also be helpful to include a list of which parts of the appeal are in disagreement between the main parties.
- A table listing the benefits of the scheme and the Council's and appellant's positions regarding the weight to be afforded to them.

- In addition, it would be helpful to the Inspector to ascertain if:

    - There is agreement between the main parties of the appellant's need to relocate given the progressing strategic site known as 'Land North of Horsham'. *(Paragraphs 1.1, 1.2, 1.3 and 2.4 of the appellant's statement).*

    - There is agreement regarding other sites investigated as paragraphs 1.10, 1.11 and 5.2 of the appellant's statement suggests.

Additional Information and Late Evidence

20. Aside from any requests made within this pre-hearing note, it is not anticipated that there will be any need for additional documents to be submitted during the Hearing. You should review your cases promptly to ensure that is the case. Any late evidence should be brought to the attention of the Inspector before the Hearing opens so that it can be cross copied amongst the parties.

21. There will be very limited opportunities for the Inspector (or possibly the other parties) to read any late evidence submitted on the day of the Hearing. Therefore, the Inspector will not allow the introduction of new evidence by any

of the parties and will only accept such evidence if there are exceptional circumstances.

22. Late evidence submitted at the Hearing raises the risk of an adjournment and/or an award of costs.

Other Matters

23. The plans submitted with the appeal particularly Landscaping Plan Ref: KCC3091/08A and LB712_D01 sheets 1 – 3, show planting and enhancements outside the red line boundary of the appeal site. Appellant - Please clarify if this is the case, and if it is, how planting and enhancements outside the site could be achieved? This clarification can either form part of the SoCG or can be submitted separately by 01 May 2026.

Conditions

24. As part of its statement of case the Council has submitted 20 suggested draft conditions. Can the appellant confirm whether these are agreed or not. The appellant is reminded that their written agreement to any pre-commencement conditions will be required. This information could be included in the SoCG or provided as a separate document. However, it should be submitted by 01 May 2026.

25. The list of conditions (agreed and not agreed) will form the basis of the 'conditions discussion' at the Hearing. Both parties should reflect on whether the conditions would meet the relevant tests.[1]

Site Visit

26. The Inspector intends to undertake a site visit following the conclusion of the discussions at the Hearing. Currently it is the intention to close the Hearing at the venue with no further debate taking place on site, but that may change depending on discussions at the Hearing. The visit is therefore likely to be unaccompanied, and the appellant will need to arrange access to the appeal site for the Inspector.

N Praine
INSPECTOR
20 April 2026

[1] See Paragraph 57 of the National Planning Policy Framework

Annex 1- Provisional Agenda

1. Introduction, opening formalities and points of clarification.

2. Main issue – The effect of the proposed development upon the rural landscape character of the site and the surrounding area.

3. Main issue – The living conditions of existing residential occupiers with particular reference to noise and disturbance.

4. Any other planning matters and planning balance.

   To include, but not limited to:

   - Substantial environmental improvements.
   - Any other economic, social and environmental benefits.
   - The Council and the appellant should also be prepared to assist the Inspector during discussion of any other matters raised by interested parties not included on this agenda.

5. Planning conditions (without prejudice to the outcome of the appeal).

6. Applications for costs (if any).

7. Arrangements for the site visit.

8. Close.

Annex 2 –Action Points

No	Appellant Action Point	Date Due	No	Council Action Point	Date Due
1	Statement of Common Ground to be finalised and submitted to the Inspectorate.	01/05/26	1	Upload this pre-Hearing note and draft agenda to your website.	01/05/26
2	Comment on planting and enhancements proposed outside of the red line boundary.	01/05/26	2	Confirm Hearing venue.	01/05/26
3	Confirm whether the draft conditions are agreed or not, including any pre-commencement conditions.	01/05/26	3	Forward the letter of notification confirming the date, time and location of the Hearing.	01/05/26
4	Provide a list of those representing them at the Hearing. This should include title, full name, job title / role in the appeal and professional qualifications.	18/05/26	4	Statement of Common Ground to be finalised and submitted to the Inspectorate.	01/05/26
			5	Provide a list of those representing them at the Hearing. This should include title, full name, job title / role in the appeal and professional qualifications.	18/05/26
			6	Provide details of car parking available to the Inspector and confirm a retiring room will also be available for him.	18/05/26