Horsham District Council

Phil Rowe
PROwe Planning Solutions
Melton Lodge,
Rusper Road
Newdigate
Dorking
Surrey
RH5 5BX

Application Number: DC/24/0298

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

On behalf of: Phil Rowe

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:

Proposed settled gypsy accommodation site comprising 10no pitches and associated utility buildings.

Oakhurst Centre, West Chiltington Lane, Coneyhurst, West Sussex

as shown on Plan and Application Number DC/24/0298 submitted to the Council on 26/02/2024. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 It has not been demonstrated to the satisfaction of the Local Planning Authority that no other reasonably available sites exhibiting a lesser degree of flood risk are available as a reasonable alternative to the application site and that the proposed development has adequately demonstrated that it would prove safe for its lifetime, and that the proposals would avoid increasing flood-risk elsewhere. The proposals are, therefore, considered to fail the sequential and exception tests for flood-risk, collectively providing a strong reason to refuse planning permission pursuant to Policy 38 of the Horsham District Planning Framework (2015) and Paragraphs 11(d)(i), 174, 178, 179 and 181 of the National Planning Policy Framework (2024).

2 It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposals would avoid possible adverse effects upon Great Crested Newt 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 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).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date

Block plan	Proposed Block Plan	22090A R2.3 001	20.12.2024
Details plan	Proposed Bin/Cycle Stores	22090A R2.3	20.12.2024
Details plan	Tree Survey Plan	22090A R2 001	10.10.2024
Details plan	Proposed Mobile Home Plans and Elevations	NONE	22.02.2024
Supporting Statement	Technical Note 1 : Water Neutrality Statement	1ppchi/2305087	22.02.2024
Supporting Statement	Planning Statement	P-009a	22.02.2024
Supporting Statement	Matrix Sewage Treatment System Specification	NONE	22.02.2024
Supporting Statement	Highways Technical Note	prcone/2305089	22.02.2024
Supporting Statement	Preliminary Ecological Assessment	NONE	22.02.2024
Supporting Statement	Bat Survey Report and Swift Mitigation Strategy	NONE	19.08.2024
Location plan	Location Plan	22090A R2.3	20.12.2024
Supporting Statement	Arboricultural Survey	TSR 01	11.10.2024
Supporting Statement	BNG Metric	NONE	01.05.2025
Supporting Statement	Biodiversity Net-Gain Assessment	NONE	06.01.2025
Supporting Statement	River Condition Assessment	NONE	28.04.2025
Supporting Statement	Flood Risk Assessment	747/MMEPlanning/OakhurstEquestrian/FRA	08.08.2025

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: 27/08/2025

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.