Horsham District Council

Mr Sam Eachus
Plainview Planning Ltd.
Office 115
Watermoor Point
Watermoor Road
Cirencester
GL7 1LF

Application Number: DC/24/0848

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

On behalf of: Mrs Tonia Jackson-Robson

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 from agricultural to mixed agricultural, day nursery and forest school (Use Class E(f)). Retention of existing field shelters. Construction of education/nursery building, polytunnels and woodwork shelter. Alterations to existing access and extensive hard and soft landscaping

Land To The West of Whites Copse, Horsham Road, Rowhook, West Sussex

as shown on Plan and Application Number DC/24/0848 submitted to the Council on 01/08/2024. 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 the proposed development represents an essential form of development to this countryside location and that the application site represents a sustainable location for the proposed development by reason of its location remote from existing settlements, necessitating a high degree of reliance on the use of the private vehicle, and in the absence of any evidence as to the availability of alternative sites in more sustainable locations closer to settlements. The proposed development, therefore, is considered contrary to the provisions of Policies 10, 26, 40 and 43 of the Horsham District Planning Framework (2015).

2 The proposed drainage works would result in the deterioration of the designated ancient woodland of Whites Copse. No wholly exceptional circumstance for the deterioration of this irreplaceable habitat have been demonstrated in this instance, neither would the development proposals secure appropriate compensation. The proposed development, therefore, is contrary to the requirements of Policy 31 to the Horsham District Planning Framework (2015) and Paragraph 193(c) of the National Planning Policy Framework (2024).

3 It has not been demonstrated to the satisfaction of the Local Planning Authority that appropriate surveys have been conducted to establish the presence or absence or protected arboreal species potentially present to trees to be felled in conjunction with the formation of visibility splay southwards of the proposed access. In the absence of sufficient information the effects of the development proposals upon protected species cannot be reliably determined or

appropriate mitigation measures secured in conflict with Policy 25 of the Horsham District Planning Framework (2015).

4 The statutory Biodiversity Net Gain metric is not deemed to have satisfactorily completed such as to provide an accurate 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 009 of the relevant Planning Practice Guidance document.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Details plan	Site Sections (Sheet 1)	0209-LIC-XX-00-DR-L-0004-2 REV P04	11.10.2024
Details plan	Site Sections (Sheet 2)	0209-LIC-XX-00-DR-L-0004-2 REV P04	11.10.2024
Details plan	Planting Plan	0209-LIC-XX-00-DR-L-0001 REV P05	11.10.2024
Supporting Statement	Flood Risk Assessment	NONE	01.08.2024
Layout plan	Levels plan with existing trees for retention/removal	0209-LIC-XX-00-DR-L-0002 REV P05	03.06.2024
Elevation & Floor plan	Existing Timber Goat Shelter	0209-LIC-XX-00-DR-L-0005 REV P05	10.06.2024
Elevation & Floor plan	Southerly Existing Entrance Shelter	0209-LIC-XX-00-DR-L-0006 REV P05	10.06.2024
Elevation & Floor plan	Existing Small Timber Goat Shelter	0209-LIC-XX-00-DR-L-0007 REV P05	10.06.2024
Elevation & Floor plan	Existing Northerly Entrance Shelter	0209-LIC-XX-00-DR-L-0008 REV P05	10.06.2024
Elevation & Floor plan	Existing Timber Duck Shelter	0209-LIC-XX-00-DR-L-0009 REV P05	10.06.2024
Elevation & Floor plan	Existing Timber Chicken Shelter	0209-LIC-XX-00-DR-L-0010 REV P05	10.06.2024
Elevation & Floor plan	Existing Duck & Chicken Coop	0209-LIC-XX-00-DR-L-0011 REV P05	10.06.2024
Elevation & Floor plan	Proposed Wood Workshop	0209-LIC-XX-00-DR-L-0012 REV P04	10.06.2024
Supporting Statement	Landscape Stage 3 Report	0209-LIC-XX-XX-RP-L-5002 REV	03.06.2024

		P03	
Elevation & Floor plan	Proposed layout 6 x UK123 Ultima Modular Building	HD/13729/01 REV D	20.06.2024
Supporting Statement	Preliminary Ecological Appraisal	J21352 REV A	03.06.2024
Supporting Statement	Arboricultural Impact Assessment and Method Statement	J21352 REV P2	03.06.2024
Supporting Statement	Biodiversity Net Gain Assessment	J21352 REV P3	03.06.2024
Supporting Statement	Planning	3398	03.06.2024
Elevation & Floor plan	Proposed Polytunnels	PVP 0001	03.06.2024
Location plan		0209-LIC-XX-00-DR-L-0000 REV P02	03.06.2024
Site plan	Landscaping	0209-LIC-XX-00-DR-L-0001 REV P06	03.06.2024
Supporting Statement	Water Neutrality	NONE	10.06.2024
Supporting Statement	Statutory Biodiversity Metric	NONE	10.06.2024
Supporting Statement	Conditions Assessment	NONE	10.06.2024
Supporting Statement	HMMP	NONE	24.07.2024

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: 18/06/2025

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.