



**Horsham
District
Council**

Rhiannon Jones
Neame Sutton Limited
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Coles Yard Barn
North Lane
Clanfield
PO8 0RN

Application Number: DC/20/0695

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

On behalf of: Catesby Strategic Land Limited

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 application for the erection of up to 100 residential units with all matters reserved except access (excluding internal estates roads)

Rascals Farm Shipley Road Southwater Horsham

as shown on Plan and Application Number DC/20/0695 submitted to the Council on 08/04/2020. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1. The development, due to its location outside of the Built up Area Boundary and on a site not allocated for development within the Horsham District Planning Framework (2015), or an adopted Neighbourhood Plan, is unacceptable. The provision of up to 100 residential units in this location, would conflict with the overarching strategy and hierarchical approach of concentrating development to the main settlements, as set out in Policies 2, 3, 4 and 15 of the Horsham District Planning Framework (2015). The proposed development is not essential to its countryside location and does not support the needs of agriculture or forestry. As such, the proposed development would be contrary to Policies 26 and 27 of the Horsham District Planning Framework (2015).
2. The proposed development, by reason of the size and scale of its outward extension of the settlement edge of Southwater outside of the continuity of existing buildings, would have an urbanising influence in the countryside beyond Southwater resulting in harm to the countryside character of the area contrary to policies 25, 26, and 27 of the Horsham District Planning Framework (2015).
3. Policy 16 requires 35% affordable housing provision on developments of this size. Policy 39 requires new development to meet additional infrastructure requirements arising from the new development. Both the provision of affordable housing and contributions to infrastructure and off-site improvements including sustainable transport commitments, PRow upgrades, and air quality mitigation measures must be secured by way of a Legal Agreement. No completed

Agreement is in place and therefore there is no means by which to secure these Policy requirements. As such, the proposal is contrary to Policies 16 and 39 of the Horsham District Planning Framework (2015).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	443940-01(01) Air Quality Assessment Rascals Farm, Shipley Road by Catesby Estates Ltd dated 10th June 2020		19.06.2020
Supporting Docs	Southwater Committed Flows drawings C82946-F-011 to F-022 inclusive		09.06.2020
Supporting Docs	21007-04a Road Safety Audit Response Report (RSA1) by david tucker associates dated 2nd June		04.06.2020
Supporting Docs	ECOLOGY CONSULTATION RESPONSE AND POSITION STATEMENT - 1ST JUNE 2020 by ACD Environmental		03.06.2020
Supporting Docs	DN/JA/21007-03a Technical Note 13th May 2020 by david tucker associates Land Off Shipley Road, Southwater		21.05.2020
Supporting Docs	19-368 Flood Risk Assessment and Drainage Strategy - addendum No. 2 by Odyssey Date May 2020		15.05.2020
Supporting Docs	19-368 Flood Risk Assessment and Drainage Strategy - addendum No. 1 by Odyssey Date May 2020		15.05.2020
Supporting Docs	The Town and County Planning (Environmental Impact Assessment) Regulations 2017 Screening Matrix 31 March 2020 by Neame Sutton		14.04.2020
Supporting Docs	Request for EIA screening opinion by Neame Sutton		14.04.2020
Supporting Docs	P9249 Phase I Site Appraisal for Catesby Estate PLC by GRM Development Solutions date: February, 2020		08.04.2020
Supporting Docs	CATE22471 ECOLOGICAL IMPACT ASSESSMENT (EcIA) FINAL 19.02.20 by ACD Environmental		06.04.2020
Supporting Docs	STATEMENT OF COMMUNITY INVOLVEMENT March 2020 by Catesby Estates plc		06.04.2020
Supporting Docs	PLANNING SUPPORTING STATEMENT March 2020 by Neame Sutton and Catesby Estates plc		06.04.2020
Supporting Docs	CATE22471 via LANDSCAPE AND VISUAL IMPACT ASSESSMENT Date: Feb 2020 by ACD Environmental		06.04.2020

Supporting Docs	CATE22471-AHA ARCHAEOLOGY AND HERITAGE ASSESSMENT Date January 2020 by ACD Environmental		06.04.2020
Supporting Docs	TRANSPORT ASSESSMENT - Appendix B Traffic Count Data		06.04.2020
Supporting Docs	TRANSPORT ASSESSMENT - Figures		06.04.2020
Supporting Docs	DN/JA/RT/21007-02c Transport Assessment Land off Shipley Road, Southwater 26th February 2020 by David Tucker Associates		06.04.2020
Supporting Docs	19-368 FLOOD RISK ASSESSMENT and Drainage Strategy on Behalf of Catesby Estates Land Off Shipley Road, Southwater REV A March 2020 by Odyssey		06.04.2020
Plans	Proposed site access arrangement vehicles tracking (refuse vehicle)	21007-03-01 REV B	08.04.2020
Supporting Docs	Mineral Resource Assessment - Appendix 3 West Sussex Map		01.07.2020
Supporting Docs	Minerals Resource Assessment Appendix 2 BGS Rascals Farm		01.07.2020
Supporting Docs	Mineral Resource Assessment Appendix 1		01.07.2020
Supporting Docs	Mineral Resource Assessment 01 July 2020 by Neame Sutton		01.07.2020
Supporting Docs	Agent email exchanges for the file		26.06.2020
Supporting Docs	FLAC Instruction ref. SC39-1039 RESPONSE TO LANDSCAPE COMMENTS		19.06.2020
Supporting Docs	SC39-1039 PLANNING SUBMISSION (ARBORICULTURE) TREE SURVEY TO BS5837;2012 - PROPOSED TREE RETENTION AND REMOVAL - OUTLINE TREE PROTECTION PLAN Issued June 2020 by FLAC		19.06.2020
Supporting Docs	ECOLOGY STATEMENT - 18th June 2020 by ACD Environmental		19.06.2020
Supporting Docs	PLANNING RESPONSE NOTE DEALING WITH LANDSCAPE CONSULTATION RESPONSE 19 June 2020 by Neame Sutton		19.06.2020
Supporting Docs	19-368 FLOOD RISK ASSESSMENT AND DRAINAGE STRATEGY - ADDENDUM NO 3 June 2020 by Obyssey		19.06.2020
Plans	Proposed Site Access Arrangement	21007-03-3 REV B	08.04.2020
Plans	Existing 30/40 mph SPEED LIMIT change	21007-04	08.04.2020
Plans	Proposed 30/60 mph SPEED LIMIT Change	21007-04-1	08.04.2020

Plans	Potential Footway Improvements	21007-05	08.04.2020
Plans	Site Location	SLP-03 REV P1	14.04.2020
Plans	Proposed Site Access Arrangement Vehicle Tracking (Internal Section)	21007-03-2 REV B	08.04.2020
Plans	LANDSCAPE MASTER PLAN	CATE22471 10 A	06.04.2020
Plans	Masterplan	MP-01 REV 04	19.06.2020
Plans	PARAMETER PLAN Development Area	PAR 01	06.04.2020
Plans	Proposed Site Access - General Arrangement	21007-03-3 REV B	08.04.2020
Plans	Proposed Site Access - Visibility Splays	21007-03-4 REV B	08.04.2020

Note to Applicant

The reason for refusal (above) in respect of affordable housing provision and infrastructure improvements could be addressed by the completion of a Legal Agreement. If the Applicant is minded to appeal the refusal of this application, you are advised to liaise with the Local Planning Authority prior to the submission of an appeal with a view to finalising an acceptable Agreement.

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.**

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.

Barbara Childs
Director of Place

Date: 07/07/2020

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>.