

Horsham District Council

Ref: 172/2026
Date: 27 July 2026

Dear Sir or Madam,

Re: Planning Application- DC/2026/1012 – Kerves Farm Cottage, Kerves Lane, Horsham, RH13 6RJ

I write on behalf of the adjoining occupiers in respect of the above planning application and wish to formally object to the proposed retrospective change of use of the shepherd's hut to short-term holiday accommodation.

Having carefully reviewed the submitted application, Planning Statement, drawings and supporting documentation, it is considered that the proposal fails to demonstrate compliance with the Development Plan or the National Planning Policy Framework ("NPPF"). Furthermore, the conclusions reached within the Planning Statement are founded upon a number of unsupported assertions, factual inaccuracies and misinterpretations of planning policy which substantially diminish the weight that should properly be attached to the document.

Whilst the applicant seeks to present the proposal as a modest and sustainable form of rural diversification, this is a misleading characterisation of the development. The proposal does not comprise the diversification of an established agricultural or rural enterprise, nor does it involve the sympathetic re-use of an existing rural building. Instead, the application seeks retrospective planning permission for the commercial use of a newly installed shepherd's hut located within the domestic residential curtilage of Kerves Farm Cottage. The planning issues therefore extend well beyond the physical size of the structure and relate principally to the introduction of a commercial tourism use into what

has historically been a private residential garden, together with the consequential impacts upon neighbouring amenity, the character of the countryside and the intensification of a shared private access.

Throughout the Planning Statement, considerable emphasis is placed upon the modest dimensions of the shepherd's hut, the limited number of occupants and the perceived economic benefits associated with tourism. However, these matters do not in themselves demonstrate compliance with planning policy. The relevant planning assessment must consider the proposal as a commercial change of use, the cumulative effects of that use and whether the applicant has satisfactorily demonstrated that the proposal can be accommodated without giving rise to unacceptable planning harm.

Of particular concern is the fact that several statements made within the Planning Statement appear inconsistent with the planning history of the site, publicly available information and the application itself. For example, the application form states that the commercial holiday use commenced in January 2026, whereas publicly available Airbnb reviews indicate that paying guests were occupying the shepherd's hut during November 2025. Likewise, the Planning Statement repeatedly refers to the site historically operating as a commercial equestrian enterprise, despite the planning history demonstrating that the existing ménage was approved for private equestrian use rather than a commercial riding school or livery. These inconsistencies are material because they undermine the factual basis upon which the applicant's planning conclusions are founded.

In addition, the Planning Statement repeatedly describes the proposal as a form of rural diversification. This is a fundamental misapplication of both national and local planning policy. Policies supporting rural diversification are intended to encourage the diversification of existing agricultural and rural businesses, the re-use of existing rural buildings or proposals that assist in maintaining the long-term viability of the rural economy. The current proposal does none of these things. It simply introduces a new commercial holiday letting business within the domestic garden of an existing dwelling.

Describing the proposal as rural diversification does not make it so, nor does it create policy support where none otherwise exists.

The Local Planning Authority is therefore respectfully requested to consider the proposal on the basis of its actual planning effects rather than the description adopted by the applicant. When properly assessed, the proposal represents the commercialisation of part of a domestic residential curtilage through the introduction of an unrestricted short-term holiday letting use. That change of use has planning consequences which have not been properly assessed within the submitted Planning Statement.

For the reasons set out below, it is respectfully submitted that the proposal conflicts with the objectives of the National Planning Policy Framework together with Policies 1, 2, 10, 11, 33, 40 and 41 of the Horsham District Planning Framework and planning permission should therefore be refused.

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Consequently, whilst the Planning Statement refers extensively to national planning policy supporting tourism and economic growth, those policies must be considered alongside the adopted Development Plan and should not be viewed in isolation.

The applicant places particular reliance upon the provisions of the National Planning Policy Framework that seek to support a prosperous rural economy. However, those policies are not intended to provide unconditional support for every tourism proposal within the countryside. Paragraph 88 of the NPPF encourages sustainable rural tourism only where proposals are appropriate to their location, respect the intrinsic character and beauty of the countryside and do not give rise to unacceptable environmental, residential or highway impacts. The emphasis is therefore upon sustainable and appropriate development rather than tourism for its own sake.

Similarly, Section 12 of the NPPF places significant emphasis upon achieving well-designed places and creating development that functions well over its lifetime whilst providing a high standard of amenity for existing and future occupiers. Paragraph 135 requires planning decisions to ensure that development is sympathetic to local character and landscape setting, establishes a strong sense of place and safeguards the living conditions enjoyed by neighbouring occupiers. These are fundamental planning objectives which apply equally to tourism development as they do to any other form of development.

At the local level, Policies 10 and 11 of the Horsham District Planning Framework support appropriate forms of rural economic development where proposals contribute positively towards the rural economy without causing unacceptable harm to the countryside or neighbouring occupiers. Those policies should not be interpreted as providing blanket support for any commercial activity located outside the built-up area. Rather, proposals must demonstrate that they genuinely contribute towards the rural economy, respect their surroundings and do not erode the intrinsic character of the countryside.

Policy 33 requires all forms of development to protect the amenities enjoyed by neighbouring occupiers, having particular regard to noise, disturbance, overlooking, activity and other forms of environmental impact. Policies 40 and 41 require proposals to demonstrate that safe and suitable access arrangements exist and that development does not prejudice the operation of the local highway network.

The applicant concludes that the proposal satisfies these policy requirements. However, as explained throughout this representation, those conclusions are largely unsupported by objective evidence and frequently rely upon assumption rather than analysis. It is therefore considered that the Planning Statement substantially overstates the degree of policy support available to the proposal and fails to undertake the balanced assessment required by the Development Plan and the National Planning Policy Framework.

Response to the Planning Statement – The Planning Context

The Planning Statement begins by seeking to establish that the proposal forms part of a long-standing pattern of commercial activity at the site. In doing so, it repeatedly refers to the former operation of a commercial livery, riding activities and equestrian training events. This narrative is clearly intended to create the impression that the proposal simply represents another stage in the diversification of an established rural business.

However, no substantive evidence has been submitted to support these assertions.

More importantly, the planning history indicates that the existing ménage benefits from planning permission for private equestrian purposes. It was not approved as a commercial riding school, commercial livery or equestrian training establishment. The distinction is significant. A private equestrian facility serving the occupants of a dwelling is materially different in planning terms from a commercial equestrian enterprise attracting customers, employees and regular vehicle movements.

The Planning Statement therefore seeks to rely upon a commercial planning history that has not been demonstrated through the planning record. The Local Planning Authority should be cautious in attaching weight to this narrative without clear evidence that such commercial activities were both lawful and of sufficient scale to establish the commercial character described by the applicant.

This distinction is particularly important because much of the applicant's planning case relies upon the proposition that the shepherd's hut represents a logical extension of an existing commercial rural enterprise. If that premise is incorrect, the policy basis upon which the proposal is advanced becomes significantly weaker.

Rather than diversifying an existing rural business, the application more accurately represents the introduction of a new commercial tourism use within the residential curtilage of Kerves Farm Cottage. That is an entirely different planning proposition and should be assessed accordingly.

Response to the Planning Statement – Description of the Proposal

The Planning Statement seeks to portray the proposal as a modest and low-impact development through repeated references to the physical size of the shepherd's hut, its limited occupancy and its ability to be relocated. However, this approach fails to address the principal planning issue before the Local Planning Authority, namely the introduction of a commercial short-term holiday letting business within the residential curtilage of an existing dwelling in the open countryside.

The determination of this application should not turn upon whether the shepherd's hut measures approximately nine square metres or whether it retains wheels beneath its chassis. The relevant planning consideration is the commercial use of the land and the planning consequences that arise from that use. The Planning Statement repeatedly conflates the physical characteristics of the structure with the planning implications of introducing a permanent commercial tourism use. These are fundamentally different matters and should not be confused.

The proposal seeks retrospective planning permission for the commercial occupation of the shepherd's hut by paying guests throughout the year. Such occupation inevitably generates a pattern of activity that differs materially from that associated with private domestic use. Regular guest arrivals and departures, servicing, cleaning, maintenance visits, refuse collection, linen deliveries and the continual turnover of visitors are all characteristics of commercial holiday accommodation. These matters are almost entirely absent from the applicant's assessment.

Instead, the Planning Statement repeatedly concludes that the proposal will have little impact because only two guests can occupy the accommodation at any one time. This is a simplistic assessment that fails to consider the frequency of occupation and the nature of short-term holiday accommodation. A single dwelling occupied by one household may generate relatively predictable patterns of activity. A commercial holiday let, by contrast, generates repeated changes in occupation and a continual cycle of arrivals and

departures throughout the year. The planning consequences therefore arise from the intensity and pattern of the use rather than simply the maximum number of occupants.

The applicant has not submitted any management plan, occupancy strategy or operational statement explaining how the holiday accommodation would be managed. There is no information regarding arrival and departure times, arrangements for guest parking, cleaning schedules, waste collection, maintenance visits or procedures for managing noise and disturbance. The Planning Statement simply assumes that these matters will not give rise to harm, yet provides no objective evidence to support that conclusion. The Local Planning Authority should therefore attach limited weight to these unsupported assertions.

Incorrect Information Regarding the Commencement of the Use

A significant concern relates to the accuracy of the factual information contained within the application.

The application form states that the commercial use of the shepherd's hut commenced during January 2026. However, publicly available information on the applicant's Airbnb listing demonstrates that guests were occupying the accommodation considerably earlier. Reviews published on the Airbnb platform date back to November 2025, confirming that the shepherd's hut was already being used as commercial holiday accommodation several months before the commencement date stated within the application.

This discrepancy is not a minor administrative matter. The commencement date of a use forms part of the factual basis upon which a planning application is determined. Where publicly available evidence directly contradicts information contained within the application form, the Local Planning Authority should seek clarification before determining the application.

The inconsistency inevitably raises questions regarding the reliability of the wider information contained within the Planning Statement. If the commencement date has

been incorrectly stated, the Council should carefully scrutinise the remaining factual assertions made by the applicant before attaching significant weight to the conclusions reached.

Operational Development Has Been Significantly Understated

Throughout the Planning Statement, considerable emphasis is placed upon the suggestion that the shepherd's hut remains a movable structure because it retains wheels and could theoretically be relocated elsewhere.

This is a misleading characterisation of the development.

Publicly available photographs published by the contractor responsible for installing the shepherd's hut clearly demonstrate that substantial operational works were undertaken prior to the occupation of the accommodation. These photographs show the construction of a substantial sleeper base, excavation of trenches, installation of drainage and utility services, engineering works associated with the preparation of the site and the relocation of the shepherd's hut onto its permanent position.

The development therefore extends considerably beyond the simple placing of a movable object within a domestic garden.

The Planning Statement largely ignores these engineering works and instead repeatedly relies upon the presence of wheels beneath the structure as evidence that the proposal is temporary or easily reversible. That argument is afforded very little weight.

The application before the Council seeks planning permission for the permanent commercial use of the shepherd's hut in its current position. Whether the structure could theoretically be removed at some point in the future is not the issue before the Local Planning Authority. The planning assessment should instead consider the operational development that has already taken place together with the permanent commercial use now proposed.

The cumulative effect of the engineered base, service connections, associated infrastructure and ongoing commercial occupation demonstrates that the proposal is far more substantial than the Planning Statement seeks to portray.

Rural Diversification

Perhaps the most significant weakness within the Planning Statement is its repeated reliance upon the concept of rural diversification.

The applicant repeatedly concludes that the proposal should be supported because it represents an appropriate form of rural diversification under both the National Planning Policy Framework and the Horsham District Planning Framework. That conclusion is fundamentally flawed.

Planning policies supporting rural diversification exist primarily to encourage the diversification of agricultural holdings, support the long-term viability of farming enterprises and facilitate the re-use of existing rural buildings where appropriate. They are intended to strengthen the rural economy by allowing landowners and farmers to adapt existing businesses in response to changing economic circumstances.

That is not the situation before the Council.

- The proposal does not involve the diversification of an agricultural holding.
- It does not involve the diversification of an established farming enterprise.
- It does not involve the re-use of an existing agricultural building.
- Nor does it involve the adaptation of an existing rural business.

Instead, the proposal comprises the installation and commercial operation of a new shepherd's hut within the domestic residential garden of Kerves Farm Cottage for use as holiday accommodation.

Simply locating a commercial development within the countryside does not amount to rural diversification.

The applicant appears to equate tourism with diversification. That is an incorrect interpretation of planning policy.

Whilst tourism can undoubtedly contribute to the rural economy, proposals must still satisfy the policy tests relating to landscape character, sustainability, residential amenity and the overall appropriateness of the development. Those policy requirements are not displaced merely because a proposal is capable of generating some economic activity.

The Planning Statement therefore substantially overstates the support available under Policies 10 and 11 of the Horsham District Planning Framework.

The Economic Benefits Have Been Overstated

The Planning Statement repeatedly refers to the economic benefits arising from the proposal, suggesting that it will contribute positively towards the rural economy by attracting visitors to the Horsham area.

Whilst any additional visitor expenditure is acknowledged, the economic benefits associated with a single shepherd's hut are inevitably limited.

The application relates to one unit capable of accommodating only two guests. No economic assessment has been submitted to quantify anticipated expenditure, demonstrate any measurable benefit to local businesses or establish that there is an unmet need for this form of accommodation within this particular location.

Instead, the Planning Statement relies upon broad references to tourism policy and a general assertion that visitors contribute to the local economy.

Such statements may be true in principle but they provide little assistance in determining the planning merits of this specific proposal.

The Local Planning Authority must weigh the actual and identifiable benefits arising from one holiday letting unit against the permanent introduction of a commercial use into the

domestic curtilage of an existing dwelling. In this instance, the claimed economic benefits are modest and should attract only limited weight within the overall planning balance.

Sustainable Tourism

The applicant repeatedly describes the proposal as sustainable tourism. However, no evidence has been submitted to demonstrate that the proposal satisfies the sustainability objectives of the National Planning Policy Framework.

The application site occupies an isolated countryside location where virtually all visitors are likely to arrive by private motor vehicle.

- No transport assessment has been undertaken.
- No accessibility assessment accompanies the application.
- No evidence has been provided demonstrating realistic access to services by walking, cycling or public transport.
- Nor has the applicant demonstrated that there is any locational need for holiday accommodation at this particular site.

The Planning Statement therefore relies upon broad policy aspirations without demonstrating that the proposal itself represents genuinely sustainable development.

Simply providing tourist accommodation within the countryside does not automatically satisfy the sustainability objectives of the Development Plan.

Residential Amenity

One of the fundamental objectives of the planning system is to ensure that new development safeguards the amenities enjoyed by existing occupiers. This principle is embedded throughout the National Planning Policy Framework and the Horsham District Planning Framework and should be afforded significant weight in the determination of this application.

Paragraph 135(f) of the National Planning Policy Framework requires planning decisions to create places that provide a high standard of amenity for existing and future users. Likewise, Policy 33 of the Horsham District Planning Framework requires development to protect neighbouring occupiers from unacceptable impacts arising from noise, disturbance, activity, overlooking and other environmental effects associated with new development.

The Planning Statement concludes that the proposal will not adversely affect neighbouring amenity. However, that conclusion is reached without any meaningful assessment of the operational characteristics of short-term holiday accommodation and is unsupported by any technical evidence.

The assessment contained within the Planning Statement largely relies upon the physical size of the shepherd's hut and the assertion that it accommodates only two guests. This is not an appropriate planning assessment. The planning implications arise not from the size of the accommodation but from its commercial operation and the continual turnover of guests that accompanies short-term holiday accommodation.

Unlike a permanent dwelling occupied by a single household, holiday accommodation generates repeated arrivals and departures throughout the year. Every booking results in vehicle movements, unloading of luggage, external activity, guest orientation, servicing, cleaning visits, refuse management and maintenance. Whilst each individual stay may appear relatively modest, the cumulative effect of continual guest turnover represents a materially different pattern of activity from that associated with a private dwelling.

The proposal also includes an external seating area intended specifically for the enjoyment of paying guests. The Planning Statement assumes that this area will not generate disturbance, yet no evidence has been submitted to support that conclusion. External seating associated with holiday accommodation naturally encourages outdoor eating, conversation and recreation during evenings and weekends, precisely the periods

when neighbouring occupiers reasonably expect to enjoy the greatest degree of peace and quiet within their own gardens.

- The applicant has submitted no acoustic assessment.
- No management plan has been prepared.
- No guest code of conduct accompanies the application.
- No restrictions have been proposed regarding external activity.
- No details have been provided regarding check-in or check-out times.
- No information has been submitted explaining how complaints would be managed or how inappropriate guest behaviour would be controlled.

The Planning Statement simply assumes that these matters will not create planning harm.

Such assumptions should attract very limited weight.

The Local Planning Authority should determine the application on the basis of evidence rather than optimistic expectation.

The Planning Statement also fails to recognise that short-term holiday accommodation is occupied by a constantly changing succession of unrelated visitors. Unlike permanent residents, holiday guests have no established relationship with neighbouring occupiers and no long-term interest in preserving the quiet enjoyment of adjoining properties. Whilst it is accepted that the vast majority of visitors behave responsibly, the planning assessment must consider the nature of the use being proposed rather than assuming ideal circumstances.

The proposal therefore introduces an ongoing commercial activity into what has historically been a private residential garden. That change alone materially alters the character and pattern of occupation of the site.

Accordingly, it has not been demonstrated that the proposal satisfies the requirements of Policy 33 of the Horsham District Planning Framework or Paragraph 135 of the National Planning Policy Framework.

Character of the Countryside

The Planning Statement repeatedly seeks to minimise the proposal by emphasising that the shepherd's hut is relatively small, visually attractive and screened by existing vegetation.

Whilst the visual appearance of the structure is a material consideration, the planning assessment extends considerably further than simply considering whether the hut is attractive in appearance.

The application site lies within the open countryside where planning policy seeks to protect rural character from incremental commercialisation and inappropriate forms of development.

The Planning Statement repeatedly describes the proposal as sustainable rural tourism and rural diversification.

- However, neither description accurately reflects the development proposed.
- The application does not involve the reuse of an existing agricultural building.
- It does not diversify an agricultural holding.
- It does not support an existing farming enterprise.
- It does not represent the continuation of an established commercial equestrian business.

Instead, the proposal introduces a new commercial holiday accommodation business within the domestic curtilage of an existing dwelling.

This distinction is important.

The planning system has long recognised that residential gardens occupy a different planning status from agricultural land or established commercial premises. Whilst domestic gardens can accommodate incidental residential structures, they do not automatically provide appropriate locations for independent commercial enterprises.

The proposal therefore represents the commercialisation of part of a residential garden. That commercialisation changes the character of the land from one of private residential enjoyment to one involving continual occupation by paying guests. The Planning Statement fails to acknowledge this fundamental change.

The proposal should therefore be considered as a new commercial tourism use rather than simply another incidental garden structure. The commercial operation inevitably introduces increased activity, servicing requirements, external occupation and visitor turnover into a location that has historically remained private in character.

Whilst individually these changes may appear relatively modest, planning decisions must assess cumulative effects. Incremental commercialisation often occurs through a series of individually small developments that collectively transform the character of rural sites.

The Local Planning Authority should therefore exercise considerable caution before establishing the principle of commercial visitor accommodation within the domestic curtilage of Kerves Farm Cottage.

Commercialisation and Intensification of the Site

The applicant repeatedly seeks to isolate the shepherd's hut from the wider planning context.

However, planning decisions should consider the cumulative implications arising from the proposed commercial use.

The proposal introduces a permanent commercial enterprise operating from a residential property.

Unlike ancillary domestic accommodation, the shepherd's hut functions as an entirely independent commercial unit capable of operating throughout the year.

The Planning Statement gives very little consideration to the operational consequences of this change.

The commercial activity extends beyond the occupation of the shepherd's hut itself.

It includes online marketing, guest communications, servicing arrangements, maintenance activities, linen changes, refuse management and the continual administration associated with holiday accommodation. Each of these matters contributes towards the commercialisation of the site.

The Local Planning Authority should therefore assess the proposal as a commercial tourism business rather than simply a shepherd's hut within a garden. Furthermore, approval would establish the planning principle that commercial visitor accommodation is acceptable within the residential curtilage of Kerves Farm Cottage.

Once established, it becomes significantly more difficult to resist future proposals for additional tourism-related development relying upon the same planning justification. Whilst every application must be determined on its own merits, precedent remains a material planning consideration where it establishes the principle of a new land use. The Planning Statement fails entirely to address this issue.

Character and Appearance

The Planning Statement places considerable emphasis upon the appearance of the shepherd's hut and concludes that it integrates successfully into the surrounding landscape.

This assessment is overly simplistic.

Character is not determined solely by the physical appearance of a structure. Planning authorities are equally concerned with the character of land use. The introduction of a commercial tourism use within what has historically been a private residential curtilage inevitably alters the character of the site.

The proposal changes the relationship between the dwelling and its surroundings by introducing continual visitor occupation, commercial activity and associated operational requirements. Whilst the shepherd's hut may appear visually acceptable in isolation, planning decisions must consider the development as a whole.

The visual effect of the structure, together with its commercial use, associated parking, servicing activity and external occupation, collectively contribute towards a more intensive and commercial character than presently exists.

Accordingly, the proposal fails to preserve the existing rural character of the site and conflicts with the objectives of Policies 10 and 11 of the Horsham District Planning Framework.

Independent Planning Unit and Commercial Use

A fundamental issue that is largely overlooked throughout the Planning Statement is the planning status of the proposed development.

The applicant repeatedly seeks to present the shepherd's hut as a relatively modest structure located within the residential curtilage of Kerves Farm Cottage. Whilst that description may be physically accurate, it fails to recognise the planning consequences arising from the proposed use.

The application does not seek permission for ancillary residential accommodation associated with the occupation of Kerves Farm Cottage. Nor does it seek permission for occasional guest accommodation incidental to the enjoyment of the dwelling.

Instead, the application seeks retrospective planning permission for the independent commercial occupation of the shepherd's hut as short-term holiday accommodation available to paying guests throughout the year.

In planning terms, this represents a materially different form of development.

The shepherd's hut functions independently of the main dwelling. It is separately advertised, separately booked, separately occupied and operated as a commercial business through online booking platforms. Guests have exclusive occupation of the accommodation and are entirely independent from the occupiers of Kerves Farm Cottage. The accommodation is not reliant upon the dwelling for its day-to-day occupation, nor is it occupied by family members or guests incidental to the enjoyment of the main residence.

The proposal therefore establishes an independent commercial planning unit operating from within what was formerly a private residential garden.

This distinction is significant because the Planning Statement repeatedly relies upon the domestic character of the site when seeking to minimise the planning implications arising from the proposal. However, the proposal ceases to be simply a domestic garden once part of that land is occupied by an independent commercial enterprise.

The introduction of an independent planning unit fundamentally changes the planning character of the site.

The commercial occupation generates its own pattern of activity, visitor movements, servicing requirements, management arrangements and operational characteristics entirely separate from those associated with the residential occupation of Kerves Farm Cottage.

These activities include guest arrivals and departures, cleaning and housekeeping visits, maintenance contractors, refuse management, online booking administration, inspections and general business operations. None of these activities are incidental to

the residential occupation of the dwelling. They arise solely because the shepherd's hut operates as an independent commercial business.

Despite this, the Planning Statement repeatedly assesses the proposal as though it were simply another incidental structure within the domestic curtilage.

That approach materially understates the planning implications of the development.

The Local Planning Authority should instead assess the proposal as the creation of a separate commercial planning unit operating within the countryside. Once considered in those terms, the proposal can no longer reasonably be described as a minor domestic addition or a simple form of rural diversification.

Furthermore, the establishment of an independent commercial planning unit creates a lasting planning precedent. Approval would establish the principle that commercial holiday accommodation is acceptable within the residential curtilage of Kerves Farm Cottage, making it considerably more difficult for the Local Planning Authority to resist future proposals for additional visitor accommodation or other tourism-related development based upon the same planning justification.

This cumulative effect has not been acknowledged within the Planning Statement.

Accordingly, the proposal should be assessed on the basis that it establishes a new commercial planning unit within the open countryside, rather than as an incidental feature associated with the existing dwelling. The Planning Statement's failure to recognise this distinction further diminishes the weight that should be attached to its conclusions.

Highways, Shared Access and Ownership

The Planning Statement concludes that the proposal will not give rise to any highway concerns because a single parking space is provided within the application site and because the shepherd's hut accommodates only two guests. Whilst this conclusion appears straightforward, it significantly oversimplifies the planning issues that arise from

the proposal and fails to properly assess the operational implications of introducing a commercial tourism use over a privately owned shared access.

The proposal should not be assessed solely by reference to parking provision. The planning issue is whether the proposed commercial use can be accommodated without giving rise to unacceptable impacts upon the operation of the shared access, neighbouring occupiers and the wider highway network.

The application site is accessed via a private drive from Kerves Lane. Importantly, this access does not serve the application property alone. It provides access to both Kerves Farm Cottage and Kerves Barn and forms a shared means of access between the two residential properties.

The Planning Statement makes little reference to this shared arrangement and instead presents the access as though it falls wholly within the applicant's control.

That is not the case.

The submitted Location Plan identifies the access within the applicant's blue line ownership. However, this is factually incorrect. Part of the access is owned by the owners of Kerves Barn and is therefore outside the applicant's ownership or control.

The blue line submitted with the application therefore fails to accurately represent the ownership position.

This is a significant matter.

The purpose of the blue line plan is to identify all land owned or controlled by the applicant that is associated with the application. Where ownership information is incorrect, the Local Planning Authority cannot simply disregard the discrepancy, particularly where the land in question forms the sole means of access to the proposed development.

Furthermore, if the ownership information is inaccurate, the Council should satisfy itself that the appropriate Ownership Certificate has been completed correctly and that all persons with an ownership interest in the access have been properly identified and notified in accordance with Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Whilst the Local Planning Authority will determine whether the statutory requirements have been satisfied, the discrepancy within the submitted ownership plan is nevertheless a material consideration which should be clarified before the application is determined.

The shared ownership of the access is also directly relevant to the planning merits of the proposal. The access currently serves two private dwellings. The proposal seeks to introduce a commercial holiday accommodation business which will utilise that same shared access. The Planning Statement repeatedly seeks to minimise the implications by stating that only two guests can occupy the shepherd's hut at any one time.

Again, this misunderstands the planning issue.

The relevant consideration is not the maximum number of guests present on any one occasion but the pattern of activity associated with commercial holiday accommodation. Unlike a private dwelling occupied by one household, a holiday let generates continual changes in occupation.

- Each booking gives rise to an arrival.
- Each departure is followed by cleaning.
- Cleaning is followed by servicing.
- Servicing is followed by maintenance and deliveries.
- The cycle then repeats itself throughout the year.

Consequently, the proposal introduces a materially different pattern of traffic movements from that associated with a conventional dwelling.

The Planning Statement contains no assessment whatsoever of likely trip generation.

- There is no estimate of annual bookings.
- No estimate of vehicle movements.
- No consideration of servicing traffic.
- No assessment of refuse collection.
- No assessment of deliveries.
- No assessment of cleaning contractors.
- No assessment of maintenance visits.
- No cumulative assessment of activity associated with the commercial operation.

Instead, the applicant merely concludes that one parking space is sufficient. Parking provision is only one aspect of transport planning. The more significant issue is the continual commercial use of a privately shared access that presently serves two independent residential properties. The proposal therefore represents an intensification of the use of that access.

This intensification should not be underestimated.

Unlike residential occupation, holiday accommodation generates a significantly higher turnover of users.

- Visitors are unfamiliar with the site.
- They often arrive during evenings or weekends.
- They frequently require additional manoeuvring whilst locating the accommodation.
- Taxi services, delivery drivers and maintenance contractors are similarly unfamiliar with the access arrangements.

All of these matters contribute towards a greater level of activity than would ordinarily be associated with a single residential dwelling.

The Planning Statement gives no consideration whatsoever to these operational characteristics. Nor does it consider the effect of introducing continual commercial traffic over an access that is partly owned by another residential property. This omission is particularly significant because the access is shared. Every additional movement generated by the holiday accommodation directly affects the occupiers of Kerves Barn. The Planning Statement fails entirely to acknowledge this relationship.

The Local Planning Authority should therefore be cautious in accepting the conclusion that the proposal gives rise to no highway implications simply because adequate parking exists within the application site.

The planning assessment must consider the wider operational consequences of introducing a commercial enterprise onto a shared residential access. It is also noteworthy that the Planning Statement repeatedly refers to the proposal as representing only a modest level of activity. However, no evidence has been submitted to substantiate this conclusion.

The application is not accompanied by a Transport Statement.

- No Transport Technical Note has been provided.
- No assessment of traffic generation has been undertaken.
- No swept path analysis has been prepared.
- No evidence has been submitted demonstrating that the shared access can comfortably accommodate the proposed commercial use alongside the lawful residential use of both dwellings.

The applicant has therefore failed to demonstrate compliance with Policies 40 and 41 of the Horsham District Planning Framework. Those policies require development to provide safe and suitable access arrangements and ensure that proposals do not adversely affect the operation of the transport network.

In the absence of any meaningful assessment of the operational consequences arising from the commercial use of the shared access, it cannot reasonably be concluded that those policy requirements have been satisfied.

The proposal therefore represents not merely the use of an existing access, but the commercial intensification of that access to serve a new tourism business. That distinction is important and has not been properly addressed within the Planning Statement.

Weight to be Attached to the Planning Statement

Throughout this representation, numerous inconsistencies and inaccuracies within the applicant's Planning Statement have been identified.

These include:

- the incorrect characterisation of the site as an established commercial equestrian enterprise despite the planning history indicating that the ménage was approved for private equestrian use;
- the inaccurate description of the proposal as rural diversification when it more properly constitutes the introduction of commercial holiday accommodation within a domestic residential curtilage;
- the discrepancy between the commencement date stated within the application form and publicly available Airbnb reviews demonstrating occupation from November 2025;
- the failure to acknowledge the extent of the operational development associated with installing the shepherd's hut, including the engineered base, excavations and service infrastructure;
- the incorrect blue line ownership plan which includes land not wholly within the applicant's ownership or control;
- the failure to assess the commercial intensification of the shared private access serving Kerves Farm Cottage and Kerves Barn; and

- the repeated reliance upon unsupported assertions rather than objective evidence.
- Taken individually, each of these matters raises concern.
- Taken collectively, they significantly undermine the credibility of the Planning Statement.

Planning decisions must be based upon robust planning evidence rather than general assertions. Where a Planning Statement contains factual inconsistencies and unsupported conclusions, the Local Planning Authority is entitled to afford it reduced weight. It is respectfully submitted that this is such a case.

Planning Balance

The applicant places considerable reliance upon the economic benefits associated with attracting visitors to the Horsham area. Whilst any additional visitor expenditure is acknowledged, the economic benefits arising from a single shepherd's hut are inevitably modest. Against those limited benefits must be weighed the planning harm identified throughout this representation.

The proposal introduces a permanent commercial tourism use within the domestic curtilage of an existing dwelling.

- It relies upon an inaccurate interpretation of the planning history.
- It incorrectly characterises the proposal as rural diversification.
- It contains inconsistencies regarding the commencement of the commercial use.
- It fails to properly assess the implications of introducing commercial activity over a privately shared access serving two residential properties.
- It provides no objective evidence demonstrating that neighbouring amenity will remain unaffected.
- It fails to properly assess the operational characteristics of short-term holiday accommodation.

Collectively, these matters attract significantly greater weight than the modest economic benefits associated with a single holiday letting unit.

The proposal therefore fails to achieve the balanced approach required by Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Conclusion

The application should not be viewed as simply the retention of a modest shepherd's hut. The proposal seeks retrospective planning permission for the introduction of a permanent commercial holiday accommodation business within the residential curtilage of Kerves Farm Cottage.

The Planning Statement repeatedly attempts to justify the proposal by describing it as rural diversification and sustainable tourism. However, those conclusions are not supported by the planning history of the site or by the evidence accompanying the application.

The proposal does not diversify an agricultural enterprise, nor does it involve the re-use of an existing rural building. Rather, it introduces a new commercial use within a domestic garden, resulting in the commercialisation of the site and the intensification of a privately shared access serving two independent residential properties.

The Planning Statement also contains a number of factual inconsistencies, including the incorrect commencement date of the commercial use, an inaccurate description of the site's planning history, an incorrect blue line ownership plan and a failure to properly acknowledge the operational development associated with the installation of the shepherd's hut. These matters substantially reduce the weight that should be attached to the applicant's evidence.

Furthermore, the application fails to demonstrate that the proposal would preserve neighbouring residential amenity, protect the character of the countryside or avoid the

Kerves Farm Cottage

adverse consequences associated with the commercial intensification of the shared access.

Accordingly, the proposal conflicts with the objectives of the National Planning Policy Framework and with Policies 1, 2, 10, 11, 33, 40 and 41 of the Horsham District Planning Framework.

For the reasons set out above, it is respectfully requested that Horsham District Council affords limited weight to the submitted Planning Statement and refuses planning permission for the proposed retrospective change of use.

Your faithfully



Doug Wright

WPS Planning