



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/1962 Sixacre Farm, Stane Street, Adversane, West Sussex, RH14 9JR

DESCRIPTION:

Removal of Condition 2 of previously approved application BL/5/85 (Erection of farm bungalow to replace mobile home) relating to the agricultural occupation of the dwelling.

RELEVANT PLANNING HISTORY:

BL/5/85	Erection of farm bungalow to replace mobile home (From old Planning History)	Application Permitted on 08.03.1985
DC/25/0584	Application to confirm the continuous use of dwellinghouse for residential (Class C3) purposes for a period in excess of ten years (Lawful Development Certificate Existing)	Application Permitted on 01.08.2025

DESCRIPTION OF THE SITE

The application site is located to the east of Stane Street, outside of any designated built-up area boundary, and therefore within a countryside location in policy terms. The site comprises a single storey residential dwelling approved under planning permission BL/5/85 and subject of an agricultural occupancy condition. Most recently, the site has been subject of a Lawful Development Certificate under reference DC/25/0584, where it was demonstrated to the satisfaction of the Local Planning Authority that the occupier had been living in breach of this condition for a period in excess of 10 years.

DESCRIPTION OF THE APPLICATION

The application seeks the removal of Condition 2 of planning approval reference RW/20/62 which states:

"The occupation of the dwelling shall be limited to a person solely or mainly employed or, having ceased employment, last employed in the locality in agriculture as defined in Section 290(1) of the Town and County Planning Act 1971, or in forestry (including any dependants of such a person residing with him or her) or a widow or widower of such a person".

The Supporting Statement outlines that the condition is no longer necessary given the recently approved Lawful Development Certificate.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 20 - Rural Workers Accommodation
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 - Parking

Billingshurst Parish Neighbourhood Plan 2019-2031

Policy Bill 1: Billingshurst Built-up Area Boundary

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 1 year. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 9: Water Neutrality
Strategic Policy 14: Countryside Protection
Strategic Policy 15: Settlement Coalescence
Strategic Policy 16: protected Landscapes
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 44: Rural Workers Accommodation

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Billingshurst Parish Design Statement

Planning Advice Notes:

Shaping Development in Horsham District
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

None

PUBLIC CONSULTATIONS:

Representations:

None received

Parish Comments:

Billingshurst Parish Council: No response received

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

The main consideration material to this application is whether the condition still serves a planning purpose and is reasonable and necessary.

Condition 2 of planning approval BL/5/85 states:

"The occupation of the dwelling shall be limited to a person solely or mainly employed or, having ceased employment, last employed in the locality in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971, or in forestry (including any dependants of such a person residing with him or her) or a widow or widower of such a person".

The reasons for imposing the condition was to comply with Section 41 of the Town and Country Planning Act 1971, because the site lay in an area where, in accordance with Structure Plan policy, development unrelated to the essential need of agriculture and forestry would not normally be permitted.

Most recently, the site has been subject of a Lawful Development Certificate under planning reference DC/25/0584, where it was demonstrated that the dwelling had been occupied in breach of the condition for a period in excess of 10 years. Given the granting of this Certificate, the occupier of the dwelling would not be subject of enforcement action and the extensions to the dwelling could be lawfully occupied without compliance with the occupancy condition. This is of significant weight in the consideration of the current application.

While the condition was originally necessary to address the location of the site within the countryside, the existence of the Certificate has the effect of making the condition unenforceable for all practical purposes. It is not therefore considered reasonable or necessary to retain the condition imposed.

On this basis, there is considered to be no planning reason to resist the removal of the condition, which would essentially regularise the arrangement that has existed for a prolonged period of time without apparent harm.

Water Neutrality:

The proposed development will not result in any increase in mains water demand, due to solely seeking the removal of the agricultural occupation condition attached to a former agricultural worker's dwelling. As such, it will not lead to adverse effects on the integrity of the Arun Valley SAC, SPA or Ramsar sites, either alone or in combination. The proposal can therefore be screened out at the HRA Stage 1 Screening and does not require progression to Appropriate Assessment. On this basis, the development is considered acceptable in ecological terms and compliant with Policy 31 of the HDPF and relevant national policy.

Recommendation: Application Permitted

POSITIVE AND PROACTIVE STATEMENT

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.

Plans list for: DC/25/1962

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Plans	Existing Plans	25566 / P100	28.11.2025
Elevation plan	Existing Elevations	25566 / P101	28.11.2025

DELEGATED

Case Officer sign/initial Sam Nye Date: 02/02/2026

Authorising Officer sign/initial RHERMITAGE Date: 03.02.2026