

PLANNING STATEMENT

APPLICATION UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990

Variation of Condition 13 of Planning Permission DC/23/0589

Site: Palaceland Farm, Hooklands Lane, Shipley, West Sussex RH13 8PX

Applicant: Roger Sheridan

1. Introduction

This Planning Statement has been prepared in support of an application under Section 73 of the Town and Country Planning Act 1990 seeking to vary Condition 13 attached to planning permission DC/23/0589.

Planning permission was granted on 6 March 2024 for the conversion and change of use of an agricultural barn to holiday let accommodation (Class C1).

The proposal seeks only to vary the occupancy restriction imposed by Condition 13 to allow the approved accommodation to be occupied as a dwellinghouse within Use Class C3.

No physical alterations are proposed to the approved development.

The proposal relates solely to the occupation of the completed building.

2. Site Description

Palaceland Farm is situated on Hooklands Lane, Shipley, within a rural location outside any defined built-up area.

The application building forms part of an established group of agricultural and residential buildings served from an existing private access.

Planning permission has already confirmed that the conversion of the existing agricultural building is acceptable in visual, environmental and functional terms.

3. Planning History

The site benefits from planning permission DC/23/0589 for:

Conversion and change of use of agricultural barn to holiday let accommodation (Class C1).

The Officer's Report concluded that:

- the proposal would not harm neighbouring amenity;
- there would be no unacceptable highway impacts;
- ecology could be satisfactorily mitigated;
- drainage could be accommodated;
- the proposal complied with the Council's water neutrality requirements;
- the design was appropriate to its rural surroundings; and
- the proposal complied with national and local planning policy.

Those conclusions remain unchanged.

4. The Proposed Development

No operational development is proposed.

There are:

- no changes to the building;
- no changes to access;
- no changes to parking;
- no changes to drainage;
- no changes to landscaping;
- no changes to ecology mitigation;
- no increase in floor area;
- no increase in bedrooms.

The only amendment sought is the variation of Condition 13 to permit occupation as an unrestricted Class C3 dwelling.

5. Condition 13

Condition 13 currently restricts occupation to holiday accommodation only.

The stated reason is:

"To maintain the availability of the site as short-term holiday tourist accommodation in accordance with Policies 10, 11 and 26 of the Horsham District Planning Framework (2015)."

Importantly, the reason for the condition does **not** state that unrestricted residential occupation would result in unacceptable planning harm.

Neither the Decision Notice nor the Officer's Report concludes that the building is unsuitable for permanent residential occupation.

6. Principle of the Proposed Variation

The principle of converting the agricultural building has already been accepted.

The Local Planning Authority has already concluded that:

- the building is suitable for residential accommodation;
- the access arrangements are safe;
- parking provision is acceptable;
- neighbouring amenity is protected;
- ecological impacts can be mitigated;
- drainage is satisfactory;
- water neutrality can be achieved.

These conclusions are unaffected by the proposed variation.

The proposal therefore raises no new physical planning issues.

7. Planning Assessment

Design

No alterations are proposed.

The appearance of the development remains exactly as approved.

There are therefore no additional visual impacts.

Residential Amenity

Permanent occupation would not result in any greater impact upon neighbouring occupiers.

Indeed, a permanent dwelling would be expected to generate a more predictable and settled pattern of occupation than short-term holiday accommodation.

Holiday accommodation typically results in:

- more frequent arrivals and departures;
- regular changeover traffic;
- servicing and cleaning visits;
- occupation by numerous unrelated parties.

Permanent occupation generally results in fewer vehicle movements and a more consistent level of activity.

Accordingly, the proposal would not adversely affect residential amenity.

Highways

The approved access remains unchanged.

No additional parking is required.

The Highway Authority previously concluded that the development would not have an unacceptable impact upon highway safety.

That conclusion remains valid.

Ecology

All ecological mitigation approved under the original permission will remain in place.

The proposal has no effect upon protected species or biodiversity enhancement measures.

Drainage

The approved drainage strategy remains unchanged.

Water Neutrality

The approved Water Neutrality Strategy remains unchanged.

The approved rainwater harvesting system and water efficiency measures will continue to operate exactly as approved.

Accordingly, there would be no increase in water demand beyond that already assessed.

8. National Planning Policy Framework

Paragraph 58 of the National Planning Policy Framework states that planning conditions should only be imposed where they are:

- necessary;
- relevant to planning;
- relevant to the development;
- enforceable;
- precise; and
- reasonable.

The applicant respectfully submits that continued restriction of occupation is no longer necessary to make the development acceptable in planning terms.

All environmental impacts have already been assessed and accepted.

Permanent occupation would not materially alter those impacts.

9. Horsham Development Plan Policies

The Officer's Report identified the proposal as complying with Policies 10, 11 and 26 because it would contribute to rural tourism and farm diversification.

The applicant acknowledges those policy objectives.

However, the proposed variation does not undermine the planning conclusions reached regarding:

- design;
- landscape;
- highways;
- drainage;
- ecology;
- residential amenity;
- water neutrality.

The proposal simply seeks to alter the occupancy of an already approved residential building.

The planning consequences remain materially the same.

Furthermore, the Officer's Report acknowledged that, at the time of determination, Horsham District Council could not demonstrate a five-year supply of deliverable housing sites. Whilst the current position will be for the Local Planning Authority to assess, the provision of an additional permanent dwelling remains a material consideration.

10. Planning Balance

The proposed variation offers several planning benefits:

- provision of an additional permanent home;
- efficient use of an existing converted building;
- no additional land take;
- no increase in built form;
- no increase in environmental impacts;
- continued compliance with approved ecological mitigation;
- continued compliance with water neutrality requirements.

Balanced against these benefits is the reduction of one unit of visitor accommodation.

The applicant considers that this change does not result in planning harm sufficient to justify retaining the existing occupancy restriction.

11. Conclusion

This application seeks only to vary Condition 13 attached to planning permission DC/23/0589.

No physical changes are proposed.

All matters relating to design, ecology, highways, drainage, landscape impact, residential amenity and water neutrality have already been assessed by the Local Planning Authority and found to be acceptable.

The proposal would not give rise to any additional planning harm.

For these reasons, it is respectfully requested that the Local Planning Authority grants planning permission under Section 73 to vary Condition 13 to permit occupation of the approved dwelling as a Class C3 dwellinghouse.

The applicant considers that the proposal represents sustainable development, makes efficient use of an existing converted building, and complies with the overarching objectives of the National Planning Policy Framework when considered as a whole.