



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/1686
Johnsons Farm , Juggs Lane, West Chiltington, West Sussex, RH20 2JS

DESCRIPTION:

Erection of storage building (retrospective)

RELEVANT PLANNING HISTORY:

DC/20/0852	Demolition of existing dwelling and erection of a replacement single storey dwelling	Application Permitted on 07.09.2020
DC/20/0362	Demolition of existing dwelling and erection of a replacement single storey dwelling	on
DC/23/0679	Variation of Condition 1 of previously approved application DC/20/0852 (Demolition of existing dwelling and erection of a replacement single storey dwelling) to allow for amendments to the floor plan design and external appearance of the dwelling.	Application Permitted on 15.06.2023
DISC/23/0144	Approval of details reserved by conditions 3,4 and 9 to approved application DC/23/0679	Application Permitted on 16.08.2023

DESCRIPTION OF THE SITE

The application site is located on the southern side of Juggs Lane. The parcel of land forms part of Johnsons Farm, a smallholding measuring approximately 0.6 ha in area. The farm was previously owned by the applicant's grandfather who had historically used the site for keeping pigs and poultry, before allowing the site to become gradually dilapidated in older age. During this period, the site was used for the dumping of various waste – to the extent that much of the site was inaccessible and a public health issue. The applicant has recently undertaken land restoration including clearing the site of waste, maintaining hedges and trees to the site boundaries and reseeded for grass.

The north, eastern and southern boundaries comprise of tall hedges. The western boundary is shared with a recently constructed single storey dwelling known as Lune Cottage, which is bounded by a 2m high close boarded fence.

The application is situated within the rural countryside setting. However, the site does not fall within a conservation area nor within the setting of a listed building.

DESCRIPTION OF THE APPLICATION

This application seeks retrospective planning permission for the erection of storage building which is located to the north-western corner of the site adjacent to the vehicular access. The building is single storey measuring approximately 10 x 10m and 4m to the ridge. The building is clad in dark green metal sheet cladding, with dark grey metal sheet cladding featuring rooflights to the roof. The southern elevation features a roller shutter door and adjacent personnel door.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 10 - Rural Economic Development

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

West Chiltington Neighbourhood Plan

There is No Made Plan for West Chiltington Neighbourhood Parish

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

Strategic Policy 13: The Natural Environment and Landscape Character

Strategic Policy 14: Countryside Protection

Strategic Policy 19: Development Quality

Strategic Policy 20: Development Principles

Policy 31: Rural Economic Development

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:

Agricultural consultant: The storage building has not been justified in size or design to meet the needs of any limited agricultural activity on the applicant's small holding. The storage building is not compliant with national or local planning policy.

HDC Arboricultural officer: *It is challenging to ascertain what impact the works may or may not have had on the trees and hedging in the area.*

Representations:

1 no. letters of Objection have been received from 1 no. address, objecting to the application on the following grounds:

- Workshop still operating as a car repair facility, possibly with spray booth.
- Ongoing issues noise, fumes, unknown visitors, and vehicle drop-offs/pick-ups (example: one at 23:45).
- Applicant's photo (page 13 of 14, Oct 25) showing vehicles being repaired.
- Site clearance done on a minimal budget over a year, involving constant burning fires.
- Concern that site may be contaminated.
- Applicant's photo (page 9 of 14, Oct 25) showing two stacks of old corrugated asbestos sheets with tyres.
- Questions about suitability of storing haylage and silage
- Haylage should be in a cool, dry, ventilated area, away from machinery and fuel.
- Silage should be stored outside on a concrete base with runoff catchment.
- Site size 0.6 hectares (approx. 0.5 hectares for hay). Estimated yield 6 tonnes dry hay/year.
- If workshop remains without conditions, same problems may recur.

Parish Comments:

Parish Council: Objection

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

Background:

A Planning Compliance investigation took place in respect of the building subject of this application. At the time of this investigation the building was being used for Car Body Repairs and Resprays in the main, with the internal layout featuring all the necessary equipment to carry out such activities. This application has been submitted following the investigation and seeks to regularise the building works. In contrast to the preceding activities taking place in the building, the application states that the building is linked to the agricultural use of the land, and is necessary to allow the secure storage of various machinery and tools associated with the upkeep of the land.

Principle of Development:

Policy 26 of the HDPF sets out other circumstances in which development outside of defined settlements could be supported. It states that proposals must be essential to their countryside location; and they must also meet one of four other criteria. Those criteria include that the development would support the needs of agriculture or forestry; provide for quiet informal recreational use; or enable the sustainable development of rural areas. In addition, and amongst other things, the policy requires that development must not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside.

The effective management and maintenance of the land would enable it to contribute positively to the rural character of the area, and it is noted that the submission sets out improvements to the land have been made in the recent past. It has not though been demonstrated that the maintenance of the land and any related activities would necessitate a development of the scale proposed.

The size of the smallholding is unlikely to support a viable farming enterprise and while there is understood to be an intention to produce hay no details have been provided on the quantities involved. Whilst a general list of the type of machinery to be stored has been provided this does not justify a the 100 sq m storage building, with the design unsuited to the storage of hay which requires adequate ventilation to prevent overheating, with separation between machinery and hay also recommended to prevent possible fire risk(s). On the basis of the submitted details, it has not been demonstrated that the building would be essential to its countryside location or support the needs of agriculture or forestry. The retention of the building would therefore conflict with the above policy.

Policy 10 of the HDPF provides support for rural economic development proposals, including where it would contribute to farming enterprises or the wider rural economy. Whilst Policy 10 does not preclude new buildings for rural economic development proposals, it expects consideration to first be given to sites with buildings that are capable for conversion or are located within existing industrial estates and where new buildings are proposed that they result in a substantial environmental enhancement.

There is no evidence within the submission to suggest regard has been given to repurposing an existing building on the site, which although in need of repair would potentially meet any storage needs derived from the maintenance and use of the land. Further, the removal of previously deposited waste

material from the site would not represent a substantial enhancement and instead amounts to the unrelated removal of material for which there was no apparent consent to dispose of on the site. The retention of the building would conflict with the above policy.

It is noted that the building has been previously used for vehicle repairs and it appears possible that this was the original purpose for its construction. The erection of a new building for vehicle repairs would not necessitate a countryside location and, as set out above, there is no evidence to suggest existing buildings have been explored first. The use of the building for commercial purposes would not be supported by Policies 10 and 26 of the HDPF.

The submission does though set out that there is no intention to carry out car repairs or any other business operation from the building. While this is clearly at odds with the historical use of the building, if the application were acceptable in all other respects, it may be possible to restrict use to agricultural storage and for no other purpose(s). It is though the case that the building has not been demonstrated as being necessary for agriculture, and in the absence of any essential need for the building it would not be considered appropriate to impose such a condition.

The National Planning Policy Framework supports sustainable economic growth within rural areas. However, insufficient evidence has been provided to demonstrate that the scale of the building is reasonably necessary for the agricultural activities taking place on the holding. Whilst national policy supports rural enterprises, that support is dependent upon development being appropriately justified and sustainable. In the absence of a demonstrated operational requirement, limited weight can be attributed to any agricultural benefits derived from the proposal.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that is of a high-quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

The proposal would introduce a sizeable element of built form at the site along with a new area of hardstanding, altering the previous largely undeveloped appearance of the site. However, the building has a utilitarian appearance, clad in dark green materials such that it would appear as an agricultural building, not unexpected in the rural context of the site and surrounds, with public views limited by the extensive screening present along Juggs Lane.

It is apparent that the building is constructed on a predominantly above-ground slab foundation. In the absence of any information on whether excavations were undertaken, and to what depth during the construction of the foundations, it is very challenging to ascertain what impact the works may or may not have had on the trees and hedging in the area. If necessary, details of a landscaping scheme could be secured through condition.

For the above reasons, the building has not therefore resulted in harm to the character and appearance of the area and accords with the above policies.

Residential Amenity:

Policy 33 of the HDPF states that development should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development.

It is acknowledged that concerns have been raised with regards to the use of the storage building for car body repairs and resprays with all the paraphernalia associated with this use set up inside the barn. However, this application has been submitted on the basis that the outbuilding would be used for agricultural purposes and use in such a manner would not be expected to result in unacceptable harm.

Water Neutrality:

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG) unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024. The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG as the application is retrospective.

Conclusions:

Whilst national planning policy supports economic activity in rural areas, the applicant has not adequately demonstrated that the building is necessary for the agricultural management of the holding or that its scale is proportionate to the activities undertaken. The proposal therefore fails to attract significant support from national policy and conflicts with the objectives of the development plan relating to countryside protection and rural development.

The application is therefore recommended for refusal as the building has not been demonstrated as being essential to its countryside location, with insufficient justification provided that it would support the needs of agriculture taking place on the site. Further, there is insufficient information to demonstrate that the use could not be provided in suitably located existing buildings which are appropriate for conversion, and the development has not result in substantial environmental improvement(s). The development is therefore contrary to Policies 10 and 26 of the Horsham District Planning Framework (2015).

Recommendation: Application Refused

Reason(s) for Refusal:

1. The building has not been demonstrated as being essential to its countryside location, with insufficient justification provided that it would support the needs of agriculture taking place on the site. Further, there is insufficient information to demonstrate that the use could not be provided in suitably located existing buildings which are appropriate for conversion, and the development has not result in substantial environmental improvement(s). The development is therefore contrary to Policies 10 and 26 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework (2026).

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/25/1686

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents not approved:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement		NONE	09.01.2026
Location plan		2518_EX_001_B	20.10.2025
Site plan	Existing	2518_EX_010_B	20.10.2025
Site plan	Proposed	2518_EX_010_B	20.10.2025
Elevation & Floor plan	Proposed	2518_PR_100_A	30.10.2025
Supporting Statement	planning	NONE	02.01.2025

DELEGATED

Authorising Officer sign/initial Guy Everest

Date: 24.09.2026