STEPHEN JUPP
BA(Hons), LLM, MRTPI

CHARTERED TOWN PLANNER

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PARTNERS:

STEPHEN JUPP
BA(Hons), LLM, MRTPI

LYNN JUPP

PO BOX 839
CHICHESTER
WEST SUSSEX
PO19 9XQ

Mobile: 07777-618886

E-Mail:
steve@planning-solutions.co.uk

Web Site:
www.planning-solutions.co.uk

Member of the
Royal Town Planning Institute.

Development and Building Control Division
Horsham District Council,
Parkside, Chart Way,
Horsham,
West Sussex RH12 1RL

Wednesday, 23 July 2025

Dear Sir/Madam:

Re: The Apple Barn, Rock Lane, Pulborough, RH20 3BL

Subject: DC/25/0924 - Retention of two temporary structures, 1x yurt tent and 1x movable shepherds hut/caravan, for use as holiday accommodation and the erection of shower and toilet facilities (Retrospective).

I am instructed by [redacted] to object to the aforementioned retrospective planning application.

Clarification

The first point I would make is one seeking clarification. I am aware that a yoga class use of the yurt has been taking place for a number of years and that has now combined into a mixed use of the yurt for AirBnB and to hold group yoga classes. As this is a a retrospective application then surely it should seek permission for the yoga classes as well?

Sustainability

A central theme of planning is to ensure that all development is sustainably located. This is set out both within the NPPF and also through Local Plan policies 1 and 40. The site is within an isolated small grouping of dwellings away from any local facilities. Whist there is a bus service along the A24, the southbound stop requires crossing the busy A24 and the northbound stop is a 730m walk away. Whilst this distance is just within the 800m 'walkable' distance set out in the National Design Guide, this ignores the fact that people using the airBNB accommodation with have overnight bags so there preference to walk any distance with their luggage will be diminished.

I also note that emphasise is placed on the structures not containing any cooking facilities but instead guest will use local facilities – but those are likely to involve additional travel by car.

The submitted planning statement makes no reference at all to sustainable modes of travel and I conclude that the site is not sustainably located and that ALL movements will be by private car – this includes the yoga classes. It is therefore in conflict with the NPPF and LP policies 1 and 40.

Rural Economic Development

Policy 10 seeks to encourage rural economic development with an emphasise to using existing buildings. In this case criteria 1a cannot be satisfied as there were no pre-existing lawful buildings. This means that compliance with 10b is necessary and that requires new development to result in 'substantial environmental improvement and reduce the impact on the countryside'. Clearly neither are achieved in this scheme. Therefore, there is conflict with Policy 10, criteria 1b.

Moreover, Policy 10(2) as well as Policy 41(2) require the applicant to demonstrate that car parking requirements can be accommodated on site. Speaking to my client it appears to be the case that one of the major issues that residents in Rock Lane have is that the applicants' do not make their courtyard available for parking. It is essential that they demonstrate a cleared courtyard area and with specific parking spaces to be exclusively used by the yoga classes and AirBnB noting that the maximum use would be a yoga class in the yurt and the shepherds hut being used for overnight accommodation.

Residential Amenity

Whist the two structures available to holiday accommodation are within a wider area of woodland, there are no enclosures to restrict the land on which holiday makers can use for their own enjoyment. Thus, noise and disturbance can occur right up to the application site boundaries. It is for this reason that my client, whose land backs onto the application site and despite a high hedgerow incurs noise disturbance. Therefore it is essential that the area available to outside enjoyment needs to be demarked and limited to the immediate environs of the two structures to be used for AirBnB purposes.

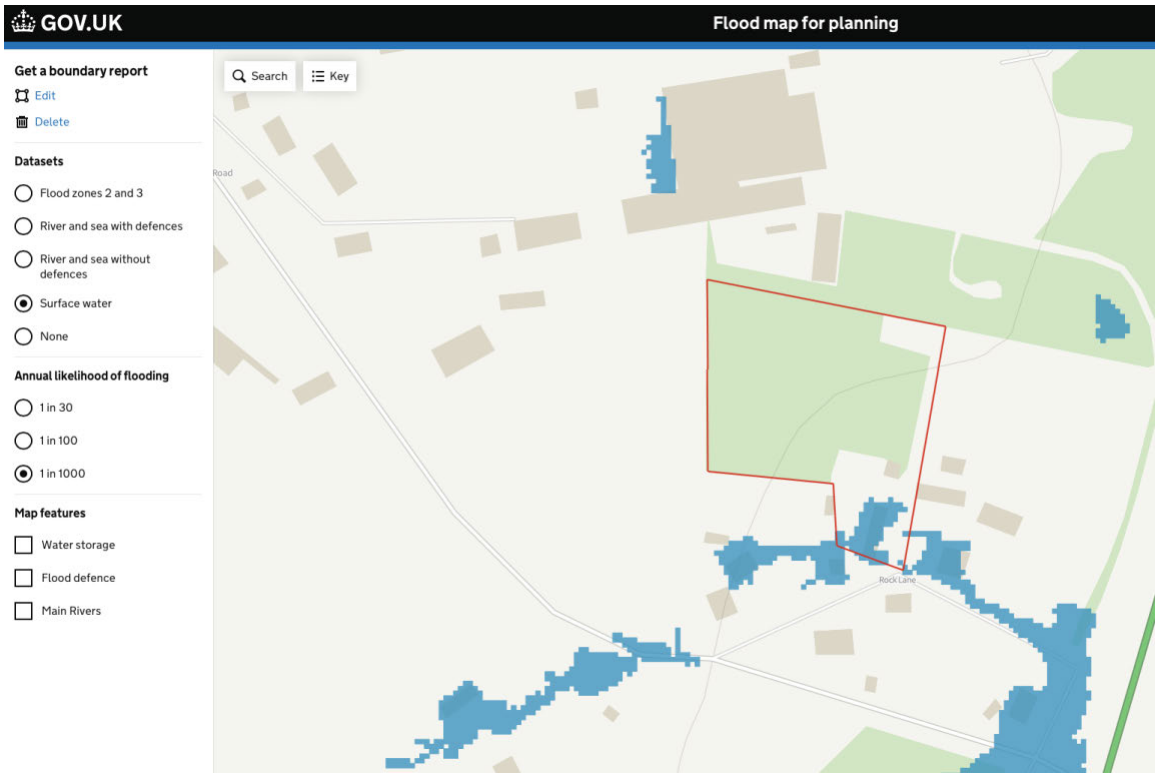
In addition, the absence of any cooking facilities means that BBQs are used. Therse are obviously used outside, there is no restriction on their location ad they give rise to additional noise and disturbance. If permission were to be granted then the area for such use should be restricted and ideally located on the north side of the yurt, facing away from immediate neighbours.

Moreover, it would appear – through their AirBNB advert - that guests can use their swimming pool. This is closer to my client's boundary than the yurt and shepherds hut and increased use of the pool, especially during the summer and at weekends results in additional increased noise and disturbance than that which previously arose when it was used solely by the applicants'.

Flood Risk

I note that submitted drawing 2 shows flood zones 2 and 3 being located to the east of the property on the opposite side of the A24. However, the NPPF makes clear at 173 that *"A sequential risk-based approach should also be taken to*

individual applications in areas known to be at risk now or in the future from any form of flooding".



As illustrated in the Flood Map for Planning the front of the site, included access, is identified as being subject to surface water flooding. Therefore, a sequential test is necessary. One has not been submitted and I contend that there will be more sequentially preferable sites elsewhere in the district which are not at risk from flooding and could provide the small scale holiday lets that this site provides.

The failure to undertake a sequential test, results is clear conflict with the NPPF and with Local Plan policy 38.

<u>Conclusions</u>

Based upon my analysis above I conclude that this retrospective application gives rise to the following material harms:

- Unsustainable location;
- Noise and disturbance to neighbours;
- Insufficient parking provision; and,
- Flood risk.

There is, as a result, clear conflict with the NPPF, the PPG and with LP Policies 1, 10, 38, 40 and 41.

Accordingly, s38(6) dictates that planning permission MUST be refused as there are no other material considerations to outweigh the primacy of the Development Plan.

Yours sincerely,



STEPHEN JUPP
BA(Hons), LLM, MRTPI
Chartered Town Planner