



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0648

Jendens Farm, Smithers Hill Lane, Shipley, West Sussex, RH13 8PP

DESCRIPTION:

Retention and completion of partially constructed cabin (in place of a mobile home now removed) to be used as groom / farm workers accommodation.

RELEVANT PLANNING HISTORY:

None directly relevant to this application.

DESCRIPTION OF THE SITE

The application site itself lies within Jendens Farm whose primary operation appears at the time of the officer's site visit to be equestrian purposes. Jendens Farm is set within a substantial site with an access drive leading from Smithers Hill Lane to the east of the site. Jendens Farmhouse is a Grade II listed building.

DESCRIPTION OF THE APPLICATION

The application seeks permission for a permanent groom/farm workers accommodation with two bedrooms to the east of an existing mobile home set within Jendens farm. The description of the application relates to a cabin which it was noted during the Officer's site visit was partially constructed, although it is noted that the elevations shown on the submitted plans indicate a mobile home. It is noted that there are some inconsistencies between the description of the application and the mobile home described within the submitted plans.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 7 - Strategic Policy: Economic Growth

Policy 9 - Employment Development

Policy 10 - Rural Economic Development

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 29 - Equestrian Development

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 35 - Strategic Policy: Climate Change
Policy 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 43 - Community Facilities, Leisure and Recreation

Shipley Neighbourhood Plan 2019-2031

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 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 31: Rural Economic Development
Policy 33: Equestrian Development
Policy 41: Rural Exception Homes
Policy 44: Rural Workers accommodation

Planning Advice Notes:

Shaping Development in Horsham District

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:

HDC Arboricultural officer: No outstanding arboricultural concerns following pre-emptive works to implement development to date. The mature hedgerow oak affected is an intrinsic feature of the Low Weald rural landscape setting and would have potentially been a design constraint on development, prior to lopping and excavations for new foundations already undertaken. The area of construction is

relatively close to a field hedgerow and oak tree within it. The tree has been lopped back hard to reduce the crown extent overhanging the area of proposed residential development. Where within the key rooting environment of the tree (circa 12m recommended minimum root protection area) some root disturbance/dysfunction of the rooting area is likely to have occurred, even if the extent of foundations undertaken is restricted to concrete supporting pads and utility trenching/connections have been undertaken in a sensitive manner. Future health of the tree may foreseeably have been impacted upon by the development.

HDC Environmental Health: Object. When a new site is being proposed has no connection to mains drainage, full information is required about the type and capacity of the proposed system and means of disposal of the large volumes of treated effluent created from a residence. This treated effluent needs to be discharged to a ditch which ultimately flows to a river, or it will need to be absorbed by a soakaway system on the site. Some soils do not have the capacity to absorb the volumes of run-off expected from new occupation. Percolation tests are required for any scheme which involves discharge of effluent to the ground, and the full results of these must be made available to the Council as well as the detail of the proposed treatment system before approval is given to ensure that the disposal of sewage does not have a detrimental impact on the immediate environment and to satisfy the Environment Agency requirement for discharges.

WSCC Highways: No Objection. The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

Representations:

None received.

Parish Comments:

Parish Council: Support

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

Principle of Development:

Policy 20 of the HDPF states that outside the defined built-up area, new housing for rural workers will be supported provided that: there is a functional need for the dwelling and the occupation of the dwelling is to support the established business use; and evidence is submitted to demonstrate the viability of the rural business for which the housing is required.

Policy 26 of the HDPF states that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location and meet one of the identified criteria, including

supporting the needs of agriculture or enabling the sustainable development of rural areas. Development must also be of a scale appropriate to its countryside setting and should not result in a significant increase in activity or harm to landscape character.

Policy 10 of the HDPF supports sustainable rural economic development where it contributes to local employment and maintains the character of the countryside. Policy 29 supports equestrian development where it is appropriate in scale, well-related to existing buildings, and compatible with its surroundings.

At a national level, paragraph 84 of the National Planning Policy Framework (NPPF) seeks to avoid isolated homes in the countryside unless there is an essential need for a rural worker to live permanently at or near their place of work.

The primary test, as set out in the NPPF and Policy 20 of the HDPF, is whether there is a clearly established essential need for a rural worker to reside on the site. This requires consideration of the nature and scale of the enterprise, the functional demands arising from livestock and equine management (including cattle as previously referenced within the agricultural appraisal), and whether those demands necessitate a continuous on-site presence.

The site benefits from a historic permission (ref: DC/10/0723) which granted the siting of the mobile home known as 'Cabin 1' which required the removal of the mobile home by 15 September 2011. This cabin was not removed and has remained on site in excess of 10 years. A condition attached to the original planning permission restricted occupation of the caravan to '*a groom employed at Jendens Farm only*'.

It is understood that a second mobile home was also previously present on the site but has since been removed. There is no planning history for this mobile home, with the Design & Access Statement suggesting it had been present for a period in excess of 10 years. The accommodation proposed by this current application is on the site of the removed second mobile home and is submitted on the basis of the accommodation being occupied by a groom / farm worker, with the submission considering the scheme as representing replacement accommodation.

The Design & Access Statement considers there is an essential need for a rural worker to live on the site. This assertion is not though supported by any substantive evidence relating to the activities taking place at Jendens Farm and the related labour requirements and need for a permanent on-site presence. In addition, if there is a need for a permanent on-site presence it has not been set out why this would not be met by the existing caravan or other dwellings within the wider holding.

While Jendens Farm is part of a large farm complex, other than the presence of historic farm buildings at the time of a site visit it did not appear that agricultural or equestrian related activities were being undertaken. Without further information it is not possible for RAC to conclude on whether the application meets the essential need tests as set out in the NPPF and Local Plan Policy 20. Similarly, no information of the applicants' business has been submitted, and it is not possible to reach a conclusion on the financial sustainability of the enterprise.

It is acknowledged that the submission partly seeks to justify the proposal as being a replacement of a pre-existing mobile home. This is not though now present on the site (having been removed) and there is no evidence to demonstrate it was lawful, and if so whether lawfulness would have encompassed its siting as well as its use for residential purposes (which may or may not have been linked to Jendens Farm). It is not therefore considered that significant weight can be given to the former presence of a mobile home on the site of the proposed cabin.

The submission also seeks to clarify that the accommodation would be seasonal and that occupation would be dependent upon the equestrian / agricultural need at that given time. This argument has not though been fully developed, and it is not clear what seasonal activities take place across the holding and how this relates to employment and the need for a full-time presence at the site. It is also noted that permitted development rights exist for the temporary siting of caravans in connection with seasonal agricultural needs.

The application site is located in a rural location remote from neighbouring settlements and services. Future occupants of the dwellinghouse would be highly reliant on private vehicles to meet daily needs, with little opportunity to make use of more sustainable modes of transport and undeveloped walking infrastructure in the immediate vicinity. The application site is not therefore considered to be a suitable location for a dwelling which is not essential to its countryside location, where it has not been demonstrated that there is a requirement for full time on-site groom / rural worker. The proposal is therefore contrary to Policies 3, 4, 20 and 26 of the HDPF and paragraph 84 of the NPPF.

Design and Appearance:

Policy 32 and 33 of the HDPF seeks to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

The submitted elevations indicate a modest two-bedroom caravan type structure, although it is not apparent from the works undertaken on site thus far are consistent with the submitted details. In any case, modest temporary mobile homes would not as a matter of course be unexpected within the context of agricultural / equestrian complexes. The siting from Smithers Hill Lane would ensure the cabin did not appear overly prominent with some screening present from the right of way to the west of the site. The cabin would be viewed alongside and in conjunction with existing buildings, with the siting sufficient to ensure it did not appear detached or harmfully encroach into the surrounding countryside.

For these reasons, why the cabin is of no particular merit it would not result in a level of harm which would warrant a refusal of planning permission.

Residential Amenity:

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

The siting, scale and use would not be expected to result in unacceptable harm to neighbouring properties and land, in accordance with the above policy.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

The current access arrangements would be maintained and there would be no material intensification of the use of the existing access point. There appears to be sufficient space for parking and turning arrangements. Overall, there would be no unacceptable impacts on highway safety or 'severe' cumulative impacts on the operation of the highway network such that the application would be in accordance with policies 40 and 41 of the HDPF.

Ecology:

Whilst it is acknowledged that the application site is within an amber zone for the Great Crested Newt and in close proximity to a pond, the cabin structure has been partially constructed within the site and it is considered that if there had been potential harm to protected species on site as part of the siting of the cabin, this would have already occurred. At the time of a site visit there was no apparent evidence of harm arising from the works carried out, and no conflict with policy 31 of the HDPF has been identified.

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 development has commenced with the cabin structure partly erected. As a part retrospective development it is considered to be exempt from the requirements of BNG.

Conclusions:

The application seeks planning permission for the erection of a permanent rural worker's accommodation at Jendens Farm. The principle of providing residential accommodation in the countryside to support a rural enterprise is acknowledged in national and local planning policy, including Paragraph 84 of the National Planning Policy Framework (NPPF) and Policy 20 of the Horsham District Planning Framework (HDPF). It has not though been demonstrated to the satisfaction of the Local Planning Authority that the development is essential to its countryside location and that there is an essential and functional need for a rural worker to live on-site.

Notwithstanding the above, the Council cannot currently demonstrate a 5-year housing land supply, where the most relevant policies directing growth across the District are out of date. The tilted balance as outlined within paragraph 11(d) of the NPPF is therefore engaged, where it is outlined that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason

for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places, and providing affordable homes, individually or in combination.

The Council have published a guidance document titled “Shaping Development in the Horsham District” where it is recognised that there are likely to be applications submitted outside of defined built-up area boundaries and on unallocated sites. Given the lack of a 5-year housing land supply, and the principles behind Policy 4 of the HDPF, the guidance document outlines that applications which meet the following criteria will be considered positively:

- The site adjoins the existing settlement edge as defined by the built-up area boundary;
- The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;
- The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;
- The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and
- The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.

The application site does not adjoin a settlement edge as defined by the built-up area boundary, and the development would not therefore meet all of the above criteria. The proposed development would not therefore be fully compliant with the guidance document, and no weight would be attributed to this.

Future occupiers would be reliant on private vehicles to access everyday services, amenities and facilities. The site is therefore considered to be located within an inappropriate location for residential development not necessary for agriculture or equestrian related activities. As the site would not be easily accessible by sustainable means and given this the proposal would not accord with the Framework’s objectives. It is therefore considered that the adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. As such, having regard to Paragraph 11 (d)(ii), the proposal would not benefit from the presumption in favour of sustainable development set out within the Framework.

It is therefore recommended that planning permission be refused for the reason set out below.

Recommendation: Application Refused

Reason for Refusal:

1. The development would be sited within an unsustainable location in the countryside, outside of a defined built-up area boundary, and on a site not allocated for housing development within the Horsham District Planning Framework or a Made Neighbourhood Plan. It has not been demonstrated to the satisfaction of the Local Planning Authority that the development is essential to its countryside location and that there is an essential and functional need for a rural worker to live on-site. Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2023) at paragraph 11(d), it is not considered that there are any material considerations which would outweigh harm arising from conflict with Policies 1, 3, 4, 20 and 26 of the Horsham District Planning Framework (2015).

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/26/0648

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Historic decision notice	DC/10/0723	22.04.2026
Supporting Docs	Google Earth images	NONE	22.04.2026
Supporting Docs	Covering letter	25/247	22.04.2026
Site plan		01	22.04.2026
Block plan		02	22.04.2026
Elevation & Floor plan	Existing	03	22.04.2026
Floor plan	Proposed ground	04	22.04.2026
Elevation & Floor plan	Proposed roof	05	22.04.2026
Design & Access Statement		NONE	22.04.2026
Supporting Docs	Roof materials	NONE	22.04.2026
Supporting Docs	Elevation materials	NONE	22.04.2026

DELEGATED

Case Officer sign/initial Hannah Darley Date: 17th June 2026

Authorising Officer sign/initial Guy Everest Date: 24.06.2026