Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/26/1386
Sumners Pond Fishery and Campsite, Chapel Road, Barns Green, West Sussex, RH13 0PR

DESCRIPTION:
Application to confirm the continuous use of land as a mixed-use fishery, caravan and camping site, and dog walking (Lawful Development Certificate - Existing).

RELEVANT PLANNING HISTORY:

I/34/93	Construction of pond for commercial fishing.	Application Permitted on 11.01.1994
I/5/02	Change of use from agricultural land to camping & caravaning site.	Application Permitted on 28.08.2002
I/7/02	Construction of a fishing lake.	Application Permitted on 28.08.2002
DC/05/0060	Stationing of mobile home for warden for all year round occupation, variation of Condition 02 of planning permission I/5/02 to allow a maximum of 5 caravans to be stationed on the land for a maximum of 6 months between the months of April and September and variation of Condition 03 of planning permission I/5/02 to allow the total number of caravans to be 34.	Application Permitted on 10.06.2005
DC/06/0177	Continued use of land as camping and caravan site (Certificate of Lawful Development – Existing)	Application Permitted on 14.03.2006
DC/07/0717	Construction of new fishing lake.	Application Permitted on 13.07.2007
DC/09/0579	Change of use of camping field to touring site for 25 pitches and warden accommodation, re-routing of public bridleways, erection of 2 log cabins for holiday use and 1 log cabin as wardens accommodation.	Application Permitted on 15.06.2009
DC/13/1696	Change of use of agricultural land, creation of lake for recreational fishing, access and additional car parking.	Application Permitted on 16.01.2024
DC/20/0281	Erection of 2 holiday lodge cabins.	Application Permitted 08.04.2020
DC/23/0242	Change of use of agricultural land for the exercising of dogs, including the installation of perimeter fence and pathway and associated parking (Retrospective)	Application Permitted 14.12.2023
DC/24/0587	The stationing of up to 29 static or touring caravans for an unlimited period, occupied for holiday purposes only (Lawful Development Certificate – Proposed)	Application Permitted on 13.06.2024

SITE LOCATION & APPLICATION DESCRIPTION

The application concerns a large area of land known as Sumners Pond Fishery and Campsite, which is accessible from Chapel Road in Ichingfield Parish. The site is located adjacent to the built-up area boundary of Barns Green. It does not contain any heritage designations, although it is noted that the Grade II listed Little Slaughterford Farmhouse is located adjacent to the eastern boundary of the site. Parcels of ancient woodland are located both within and immediately adjacent to the site. There are no Article 4 or Enforcement Notices covering the site.

The application seeks a Certificate of Lawful Development to confirm the continued use of land as a mixed-use fishery, caravan and camping site.

REPRESENTATIONS AND CONSULTATION 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

PUBLIC CONSULTATIONS:
Representations
Four representations were received from nearby properties providing answers to specific questions following a request by the Council. These responses are available in full on the Council website and have been used to inform the decision made by Officers.

Parish Comments:
Ichingfield Parish Council: No additional information to add.

PLANNING ASSESSMENT

Section 191(4) of the Town and Country Planning Act 1990 states that:

'If, on an application under this section, the local planning authority are provided with information satisfying them of the lawfulness at the time of the application of the use, operations or other matter described in the application…they shall issue a certificate to that effect; and in any other case they shall refuse the application'

The Court held in F W Gabbitas v SSE and Newham LBC [1985] JPL 630 that the applicant's own evidence does not need to be corroborated by 'independent' evidence in order to be accepted. If the LPA have no evidence of their own, or from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate 'on the balance of probability'.

Applicant's Evidence

Statutory Declaration of Simon Smith:
A Statutory Declaration has been submitted by Simon Smith who is the owner of Slaughterford Farm of which Sumners Ponds Fishery and Campsite is part of. The declaration provides an in-depth history of the site, including planning approvals, as well as a catalogue of evidence of the site in use.

Declaration signed and dated 31st July 2026.

Statements of Truth:
The application is accompanied by six Statement of Truth documents from individuals who have worked at and/or visited the site over the last 25-30 years. Each of the statements confirms that various parts of the site have been used for camping, caravaning and fishing as well as general access for walking and recreation. All statements refer to the ongoing development at the site and how it has improved the offer for visitors over the years.

Each of the statements have been signed and are dated May/June 2026.

Aerial Imagery:
Aerial images have been provided of the site from December 2001 through to May 2025. These show how the site has changed over the last 25 years and the different uses on the site.

Maps:
The applicant has provided various maps from Sumners Ponds that have been used over the years. The earliest available map is from 2007 and shows the area around Sumners Lake used as a lakeside camping area. Subsequent maps show the site in its entirety including fishing ponds and camping areas.

Site Photos:
A number of photographs of the site over the years have been submitted showing various areas being used for camping and fishing.

Council's Evidence
- Site's Planning History
- Dated Aerial Photographs
- HDC Benefits and Revenues Consultation Response
- HDC Democratic Services Consultation Response
- Parish Council Consultation Response
- Neighbour Representations

Assessment of Evidence

The applicant details within their Planning Statement that the application site as defined in red on the Site Location Plan (ref. 8801-G 01) has been in use as a fishery, caravan and camp site from 2002 onwards. It has therefore been in existence for well over the 10-year period required by the provisions of Section 171B(3) of the Town and Country Planning Act (1990) and is therefore lawful and immune from enforcement action. Evidence has been provided by the applicant which has been considered by Officers below, along with other information available to the Council. Given the mixed-use nature of the application, the size of the site and the amount of evidence submitted each use applied for has been considered independently.

Recreational Fishing:

There are a total of five lakes across the site, all of which have been proven to be used for recreational fishing. Sumners Lake, Match Lake, Ribbon Lake and Betty's Lake have all been the subject of planning applications (ref. I/34/93, I/7/02, DC/07/0717, DC/13/1696) and are therefore already considered lawful. The use of Farm Pond for recreational fishing has never formally been applied for however the submitted Statutory Declaration states that 'day passes' to fish in this pond began to be issued in 1993. Farm Pond is included in the 'fishing lakes' section of the Sumners Ponds Brochure (2003) and is shown on each aerial photograph submitted. It is therefore determined that sufficient evidence has been provided to demonstrate that Farm Pond has been in use as a recreational fishery for at least 10 years.

Officers note that overnight fishing takes place at the site and the applicant has stated it is commonplace for those participating to camp adjacent to where they are fishing at the lake. The applicant has therefore requested that this is acknowledged within the Lawful Development Certificate, with permission effectively given for camping around each lake. While Officers acknowledge that some night fishing participants camp around the lakes, this is considered incidental to the recreational fishing use. No evidence has been submitted to show that non-fishing related camping takes place around Match and Betty's Lake and it should therefore not be included in the LDC. In addition, no evidence has been provided demonstrating that recreational fishing takes place anywhere else within the red line boundary.

Camping:

According to the Sumners Ponds website there are four camping areas across the Sumners Pond site: Ribbon Park, Sumners Park, Rally Field and Family Field. A recent Camping Area Map for the Ribbon Park/Sumners Park area shows a total of 45 pitches, as well as 6 camping pods, 5 lakeside lodges, 2 bell tents, 2 safari tents and 4 shepherd huts. A similar map for Rally Field and Family Field is not available online, likely because these do not contain permanent pitches.

Both Ribbon and Sumners Park have been the subject of several planning applications over the years to regularise their use. In 2006, a Certificate of Lawful Development was issued which primarily covered Sumners Park (ref. DC/06/0177) confirming that the area could continue to be used for caravanning by short stay touring caravans and camping. In 2009, a planning application was granted (ref. DC/09/0579) for 25 touring pitches and 3x log cabins. Two additional log cabins were granted permission in 2020 (ref. DC/20/0281). With the exception of the warden's cabin, all accommodation was to be occupied for holiday purposes only. Officers note that the latest Sumners Ponds Campsite Map shows a total of 46 pitches (family, lakeside, grass and hardstanding) in the Ribbon and Sumners Park area which is far greater than the 25 touring pitches granted under DC/09/0579. It is however noted that aerial photography from 2015 clearly shows a total of 46 pitches evidencing that these have been available for >10 years.

There is nothing to suggest that planning permission has been sought for the 6 camping pods, 2 bell tents, 2 safari tents and 4 shepherd huts located on this part of the site, nor for the additional 20 pitches. Evidence has been submitted however that supports the presence of the camping pods on the site since 2003 (Sumners Ponds Brochure 2003) and the increased number of pitches for a period of >10 years (Historical aerial photography – 2015 onwards). However, no evidence has been submitted pertaining to the bell tents, safari tents and shepherd huts. Officers have undertaken a review of historical aerial photography with reference to the latest Sumners Ponds Campsite Map and surmise the following:

- Bell Tents – erected in 2024/25
- Safari Tent (Swallows Hide) – built before September 2015
- Safari Tent (Willow's Hide) – built in 2021/22
- Shepherd Hut (Old George) – unclear
- Shepherd Hut (Gabriel) – situated in 2018
- Shepherd Hut (Bathsheba) – unclear
- Shepherds Hut (Boldwood) – situated in the last 12 months

It is therefore determined that only the Swallows Hide Safari Tent has been in place for the requisite 10 years and is to be included under this LDC.

With regard to other areas of the site, no planning permissions exist on the land known as Rally Field and Family Field however evidence has been submitted by the applicant that camping has taken place since around 2012. Historical aerial imagery shows Rally Field occupied in September 2012, June 2013 and May 2021 while in other years the field is shown as being maintained for camping (i.e. grass mown, pitches mapped out etc.). A number of photographs have also been provided of Rally Field in use and the 2011 Sumners Ponds Site Map lists the field as a camping area. Similarly, historical aerial imagery shows Family Field in use as a camping area in September 2015 and site photos provided from 2013, 2015 and 2016. The number of pitches available on Rally Field has fluctuated over the years, with layouts submitted from 2013 and 2014 showing a total of 61 pitches respectively. These layouts are supported by historical aerial photography which shows between 55-66 pitches each year. No information has been provided as to the number of pitches available on Family Field.

It is therefore considered that sufficient evidence has been submitted confirming that the areas above have been in use as camping areas for at least 10 years. It should however be made clear that the submitted evidence only confirms the temporary siting of tents, touring caravans and motor homes in certain numbers. No evidence has been submitted that confirms the stationing of static caravans nor bell tents, safari tents (other than Swallows Hide) or shepherd huts on a permanent basis. Likewise, while the Statutory Declaration of Simon Smith references the temporary siting of tents and/or touring

caravans across the site through the provision of 'Seasonal Pitches' this evidence is not considered sufficiently precise or unambiguous to enable a certificate to be issued for this use.

Permanent Caravans:

Bluebell Park is located to the east of the site and has been the subject of various planning applications since 2002, when it was first permitted as a camping and caravanning site (ref. I/5/02). A subsequent application was submitted in 2005 (ref. DC/05/0060) to vary two conditions thereby increasing the number of caravans stationed to 34 and for 5 of these to be stationed for a period of 6 months (as opposed to the originally permitted 28 nights). Finally in 2024, a Certificate of Lawfulness was granted to allow the permanent stationing of 29 caravans (static or touring) so long as it was for holiday purposes.

It is therefore considered that the appropriate permissions exist for the permanent stationing of caravans (static and touring) on the land known as Bluebell Park. No evidence has been submitted demonstrating that this use has taken place elsewhere on site.

Conclusions:

Officers have considered the information available to them, including the evidence submitted by the applicant, and while there is no dispute that certain parts of the site have been used for recreational fishing, camping and caravanning and formalised dog walking over the last 25 years, Officers do not consider there to be sufficient evidence to confirm mixed-use across the entire red line boundary. In fact, permissions exist that would be incompatible with this use for example the permitted dog walking areas (ref. DC/23/0242) to the south and north of the site. It is therefore considered necessary to produce a Site Use Plan (see Appendix A of this report) to accurately describe the lawful uses occurring on site. Attributed colours are as follows:

- Green – recreational fishing
- Orange – temporary siting of tents, touring caravans and motor homes (holiday use).
- Blue – permanent siting of caravans (touring and static) (holiday use)
- Purple – formalised dog walking areas.

The remaining areas included within the red line boundary have not been demonstrated to the satisfaction of the local planning authority to fall under any of the uses above, whether this be via planning permission or via the submission of evidence that this has been occurring for >10 years. Therefore, these areas should not be used for recreational fishing, camping, caravanning or formalised dog walking without a planning application being submitted and approved by the Council.

Recommendation: Application Permitted

Reasons:

1 It has been demonstrated on the balance of probability that:

- the land shaded in green on the attached plan has been used for recreational fishing;
- the land shaded in orange on the attached plan has been used for the temporary siting of tents, touring caravans and motor homes (holiday use only) in the following numbers:
  - Ribbon and Sumners Park – 46 pitches + 1 Safari Tent + 6 Camping Pods
  - Rally Field – 61 pitches
  - Family Field – 10 pitches
- the land shaded in blue has been used for the permanent siting of 29 caravans (touring and static - holiday use only),
- the land shaded purple has been used for formalised dog walking

for a continuous period in excess of 10 continuous years.

All other land that remains white within the red line boundary on the attached plan is deemed to comprise ancillary land that is not in use for either recreational fishing, camping, the stationing of static or touring caravans or formalised dog walking.

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/26/1386

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

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	28.08.2026
Supporting Docs	Supporting Planning Statement	NONE	28.08.2026
Supporting Docs	Statutory Declaration	NONE	28.08.2026
Supporting Docs	Statement of Truth (1 of 6)	NONE	28.08.2026
Supporting Docs	Statement of Truth (2 of 6)	NONE	28.08.2026
Supporting Docs	Statement of Truth (3 of 6)	NONE	28.08.2026
Supporting Docs	Statement of Truth (4 of 6)	NONE	28.08.2026
Supporting Docs	Statement of Truth (5 of 6)	NONE	28.08.2026
Supporting Docs	Statement of Truth (6 of 6)	NONE	28.08.2026
Supporting Docs	Sumners Ponds Site Plan	NONE	28.08.2026
Supporting Docs	Aerial Image from 2001	NONE	28.08.2026
Supporting Docs	2003 Brochure	NONE	28.08.2026
Supporting Docs	Aerial Image from 2006	NONE	28.08.2026
Supporting Docs	Sumners Ponds Large Lake Camping Map (2006)	NONE	28.08.2026
Supporting Docs	Site Photos (2007)	NONE	28.08.2026
Supporting Docs	Caravan Club Rally Letter (18th November 2007)	NONE	28.08.2026
Supporting Docs	Sumners Ponds Map (2007)	NONE	28.08.2026
Supporting Docs	Visit Britain Photograph	NONE	28.08.2026
Supporting Docs	Site Map (2011)	NONE	28.08.2026
Supporting Docs	Ribbon Lake Photos (2011)	NONE	28.08.2026
Supporting Docs	Site Photos (2011)	NONE	28.08.2026
Supporting Docs	Aerial Image (2012)	NONE	28.08.2026
Supporting Docs	Plot Occupancy Data (2012)	NONE	28.08.2026
Supporting Docs	Aerial Image (September 2012)	NONE	28.08.2026
Supporting Docs	Aerial Image (June 2013)	NONE	28.08.2026

Supporting Docs	Aerial Image (August 2013)	NONE	28.08.2026
Supporting Docs	Rally Field Layout (2013)	NONE	28.08.2026
Supporting Docs	Rally Field Photo (June 2013)	NONE	28.08.2026
Supporting Docs	Family Field Photos (June 2013)	NONE	28.08.2026
Supporting Docs	Family Field Photos	NONE	28.08.2026
Supporting Docs	Rally Field Layout	NONE	28.08.2026
Supporting Docs	Aerial Image (September 2014)	NONE	28.08.2026
Supporting Docs	Aerial Image (April 2015)	NONE	28.08.2026
Supporting Docs	Rally Field Photo (June 2015)	NONE	28.08.2026
Supporting Docs	Aerial Image (September 2015)	NONE	28.08.2026
Supporting Docs	Family Field Photo (June 2015)	NONE	28.08.2026
Supporting Docs	Family Field Photo (June 2016)	NONE	28.08.2026
Supporting Docs	Rally Field Images (June 2016)	NONE	28.08.2026
Supporting Docs	Aerial Imagine (August 2018)	NONE	28.08.2026
Supporting Docs	Betty's Lake Photo	NONE	28.08.2026
Supporting Docs	Aerial Image (April 2020)	NONE	28.08.2026
Supporting Docs	Aerial Image (May 2021)	NONE	28.08.2026
Supporting Docs	Aerial Imagine (April 2022)	NONE	28.08.2026
Supporting Docs	Image of Family Field	NONE	28.08.2026
Supporting Docs	Aerial Image (July 2022)	NONE	28.08.2026
Supporting Docs	Rally Field Layout (2022)	NONE	28.08.2026
Supporting Docs	Aerial Image (March 2025)	NONE	28.08.2026
Supporting Docs	Aerial Image (2025)	NONE	28.08.2026

DELEGATED

Case Officer sign/initial Sophie Moore Date: 12/11/2026

Authorising Officer sign/initial Adrian Smith Date: 16/11/2026

Appendix A – Site Use Plan- numbers refer to the number of pitches within each field

