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L/EB/260604/JB

Your Ref: _____

DC/26/0766

Project No: _____

JP/2093

16th June 2026

Dear Mr Burrowes

**Construction of dwelling and conversion of existing barn to home office
Town Barn, Dragons Green Road, Shipley, RH13 8GQ
Planning application reference DC/26/0766**

I am writing to formally object to the above application on behalf of my client, resident of Netherwood, approximately 200m north east of the proposed new dwelling.

The application site lies within open countryside, outside the Built-Up Area Boundary. Policy 26 of the adopted Horsham District Planning Framework (HDPF) seeks to protect the rural character and undeveloped nature of the countryside from inappropriate development. Acceptable development within the countryside includes that which supports the needs of agriculture or forestry, enables the extraction of minerals or the disposal of waste, provides for quiet informal recreational use or enables the sustainable development of rural areas. The application proposal does not meet any of these criteria and is therefore contrary to Policy 26.

The site is in an inherently unsustainable location with the closest settlement being Brooks Green, which is defined in Policy 3 of the HDPF as an unclassified settlement with few or no facilities or social networks and limited accessibility. The closest local facilities are on Fairbank Road in Southwater some 3.5km by road (a 45 minute walk) from the application site. The site is not accessible by public transport.

Paragraph 84 of the NPPF makes it clear that planning decisions should avoid the development of 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 in the countryside, the development would represent the optimal viable use of a heritage asset, it would re-use redundant or disused buildings, would involve the subdivision of an existing residential building or the design is of exceptional quality. The application proposals do not meet any of these criteria and are therefore contrary to the NPPF.

The applicant refers to the definition of an isolated dwelling with reference to the 2017 Braintree District Council v SSCLG judgement. The Judge concluded that paragraph 55 (as it was in 2017 and which has subsequently evolved into paragraph 84) sought to distinguish between rural communities i.e. settlements and villages on the one hand, and the countryside on the other. This suggests that isolated homes in the countryside are not in communities and settlements and so the distinction between the two is primarily spatial/physical.

At the Court of Appeal, Lord Justice Lindblom held that in the context of the NPPF, the word 'isolated' in the phrase 'isolated homes in the countryside' simply connotes a dwelling that is physically separate or remote from a settlement. It is clear that a new dwelling on the application site would be exactly that, physically separate and remote from a settlement i.e. an isolated dwelling in the countryside.

The application site is not part of a community or settlement and therefore can only be considered to be an isolated site within the countryside. It is clearly separate from and not part of the small hamlet of Dragon's Green, approximately 1.5km to the south, which contains a ribbon of development along Dragons Lane. It is similarly separate and distinct from development at Brooks Green.

In the Court of Appeal judgement handed down in March 2021 between City & Country Bramshill Limited v Secretary of State for Communities and Local Government & Others, Sir Keith Lindblom held that: -

"33... To adopt remoteness from other dwellings, instead of remoteness from a settlement, as the test for "isolated homes in the countryside" would seem inconsistent with the Government's evident intention in producing the policy in paragraph 79. It would mean, presumably, that the policy would not apply to a development of housing in the countryside – large or small – on land next to an individual dwelling remote from the nearest settlement, because although the new homes might be "isolated" from the settlement, they would not be "isolated" from existing development. It would prevent the policy from applying to the development of additional dwellings, one or two at a time, on sites next to other sporadic rural housing, again on the basis that they would not then be "isolated". It might even prevent the policy from applying to a proposal for two or more dwellings on a single, undeveloped site in the countryside, because none of them would itself be "isolated" from another dwelling, and the development as a whole would therefore not be "isolated". If this were so, only the development of a single dwelling, on its own, separate from any other dwelling already built or proposed nearby, would engage the policy. This would be hard to reconcile with the Government's aim, as policy-maker, to "promote sustainable development in rural areas".

Note reference to paragraph numbers in the above judgement are to the NPPF in as it was in 2021, the tenet of which is contained within paragraph 84 of the current NPPF.

The Applicant's interpretation of the Court of Appeal's judgement at paragraph 5.60 of the Design and Access Statement as providing support for the application proposals is clearly misconceived. As set out in Bramshill Limited above, in dismissing the appeal, the judge concluded that the proposed new housing when added to the remaining buildings on site would not form a settlement. The same is true of the application proposals. A house on the application site, largely surrounded by open fields free from development would without doubt constitute an isolated dwelling in the countryside, contrary to paragraph 84 of the NPPF and wider Government policy seeking to deliver sustainable forms of development.

It is acknowledged that the Council are unable to demonstrate five years supply of deliverable housing sites and therefore the tilted balance set out within paragraph 11 of the NPPF is engaged. Whilst policies such as Policy 26 above may be considered to be out of date on this basis, this does not imply that all planning applications for residential development should be approved. Paragraph 11(d)(ii) makes it clear that permission should not be granted if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole having particular regard to key policies (footnote 9 makes it clear that this includes paragraph 84) for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually and in combination.

The Council produced a Planning Advice Note called 'Shaping Development in Horsham District' (SDPAN) which was endorsed at Cabinet in September 2025 to set out the weight that can be given to current policy given the housing land supply shortfall. It makes it clear that just because the 'tilted balance' may be in effect, it does not mean that planning applications will automatically be approved.

Policies 3 and 4 of the HDPF set out the Council's development hierarchy to settlement expansion. The policies collectively seek to ensure that development is located in the most sustainable locations, whilst retaining the character and function of the District. Policy 3 categorises the primary settlements of the district into different settlement types based on the characteristics and function of each town and village.

Settlements categorised within the development hierarchy (other than unclassified settlements) have a Built-up Area Boundary (BUAB). Policy 4 relates to settlement expansion where there is a defined BUAB. The application site is not within a defined BUAB.

Paragraph 5.11 of the SDPAN states that Policies 3 and 4 are still relevant and relate well to the current settlement form of the district and to that extent carry weight in the determination of this application.

The Council recognises that it is likely to receive applications outside of defined BUABs and on unallocated sites as it is unable to demonstrate a five-year housing land supply. Given this position and the principles behind HDPF Policy 4, paragraph 5.12 of the SDPAN states that it will consider positively applications that meet all of the criteria below:

- The site adjoins the existing settlement edge as defined by the BUAB;
- 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 proposals do not adjoin a settlement edge and are a considerable distance from the closest BUAB at Southwater. They do not relate to a settlement and so cannot be considered to be appropriate to scale and function, they will not assist with the retention and enhancement of community facilities and services and the development is not contained within an existing defensible boundary and will not maintain or enhance landscape features.

The proposed development is contrary to adopted Local Plan Policies 3, 4 and 26. Even if Policy 26 is considered out of date, Policies 3 and 4 remain relevant and reflect policy in the NPPF which seeks to direct development to the most sustainable locations, avoiding the development of isolated dwellings in the countryside. The Council recognise the need to look beyond the BUAB given the housing land supply shortfall and have provided a clear policy on how such applications will be considered in the SDPAN. To be considered acceptable an application for development would need to comply with each of the criteria set out in the SDPAN; the application proposals fail to comply with any of them.

The Applicant suggests that the previous consent for the change of use of the barn to a dwelling implies that the Council consider that this is an appropriate location for residential development. This is not the case. The Officer's report describes the barn as being located in an isolated position to the south of Dragons Green Road with open fields to the north. Notwithstanding this, the change of use which was granted in 2010 (not 2020 as suggested in the Design and Access Statement), was consistent with the policies in force at that time (DC9 and DC25 of the LDF General Development Control Policies adopted in 2007) on the basis that the conversion would not affect the character of the existing barn and the fenestration would not detract from its rural charm. These policies no longer apply.

The HDPF does include a policy for replacement dwellings and ancillary accommodation in the countryside (Policy 28). Whilst not directly relevant as what is proposed is not a replacement dwelling, it does require any new outbuilding to be grouped with the house to minimise the impact on its countryside setting. The barn, which is proposed as a home office, is located over 150m from the proposed new dwelling. With a footprint of 105sqm, it is also significantly in excess of what would typically be required for a home office.

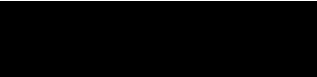
Policy 20 of the HDPF allows for rural workers accommodation in the countryside where there is a functional need for the dwelling and its occupation would support the established business use. The proposed development is not intended to meet the needs of a rural worker and is therefore there is no support for the development in the HDPF.

With a gross external area of 440sqm, the proposed new dwelling is substantial, more than 4.5 times larger than a standard family home. It has a principal elevation of 26m and a ridge height of 8.5m. The building

has not been located to minimise its impact on the landscape and is largely unscreened and as a result it has a deleterious impact on the wider countryside contrary to objective 10 of the HDPF.

In line with paragraph 11(d)(ii) the adverse impacts of granting permission for this isolated dwelling in the countryside would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole having particular regard to paragraph 84 and the need to direct development to sustainable locations. The application should therefore be refused

Yours sincerely



Emma Barnett
Director