



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0099

The Coach House, Broadwater Lane, Copsale, West Sussex, RH13 6QW

DESCRIPTION:

Removal of Condition 7 of previously approved application DC/12/0689 (Conversion of coach house to holiday let unit accommodation and provision of parking for 1 No. car) Relating to holiday-let occupation.

RELEVANT PLANNING HISTORY:

DC/25/1512	Application to confirm the continuous use of building in non-compliance with the holiday let occupancy condition (no. 7) on planning permission ref: DC/12/0689 (Lawful Development Certificate - Existing).	Application	Permitted	on
		15.01.2026		
DC/12/0689	Conversion of coach house to holiday let unit accommodation and provision of parking for 1 No. car.	Application	Permitted	on
		29.05.2012		

DESCRIPTION OF THE SITE

The application site comprises a detached single-storey residential property known as The Coach House, located to the west of Broadwater Lane. The site is situated outside of the built-up area boundary and is therefore within the countryside, for planning policy purposes. The site is not within a conservation area, and there are no Article 4 Directions or enforcement notices covering the site.

DESCRIPTION OF THE APPLICATION

The application seeks the removal of Condition 7 of the approved application, reference DC/12/0689 which states:

‘The accommodation hereby permitted shall be used for holiday accommodation only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order).

Reason: Planning permission would not normally be granted for residential accommodation in this location however it is considered reasonable to make an exception in this instance to allow for holiday accommodation in accordance with policy DC39 of the Horsham District Council Local Development Framework: General Development Control Policies (2007)’.

The Supporting Statement outlines that the condition is no longer necessary given the recently approved Lawful Development Certificate, reference DC/25/1512, which confirmed the continuous use of the building in non-compliance with condition 7.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 10 - Rural Economic Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 40 - Sustainable Transport
Policy 41 - Parking

Nuthurst Parish Neighbourhood Plan 2015 – 2031

Policy 1: A Spatial Plan

Nuthurst Parish Design Statement

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 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 9: Water Neutrality
Strategic Policy 14: Countryside Protection
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 31: Rural Economic Development
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs

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:

None

Representations:

None received

Parish 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

The main consideration material to this application is whether the condition still serves a planning purpose and is reasonable and necessary.

Condition 7 of planning approval DC/12/0689 states:

'The accommodation hereby permitted shall be used for holiday accommodation only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order).'

The reason for imposing the condition was because the site lies in an area where planning permission would not normally be granted for residential accommodation and it was considered reasonable to make an exception to allow for holiday accommodation, in accordance with the Local Development Framework.

The site now benefits from a Lawful Development Certificate granted under planning reference DC/25/1512, where it was demonstrated that the dwelling had been occupied in breach of the condition for a period in excess of 10 years. Given the granting of this Certificate, the occupier of the dwelling would not be subject of enforcement action, and the dwelling could be lawfully occupied without compliance with the holiday accommodation condition. This is of significant weight in the consideration of the current application.

While the condition was originally necessary to address the location of the site within the countryside, the existence of the Certificate has the effect of making the condition unenforceable for all practical purposes. It is not therefore considered reasonable or necessary to retain the condition imposed.

On this basis, there is considered to be no planning reason to resist the removal of the condition, which would essentially regularise the arrangement that has existed for a prolonged period of time without apparent harm.

Water Neutrality:

The proposed development will not result in any increase in mains water demand, due to solely seeking the removal of the holiday accommodation occupation condition. As such, it will not lead to adverse effects on the integrity of the Arun Valley SAC, SPA or Ramsar sites, either alone or in

combination. The proposal can therefore be screened out at the HRA Stage 1 Screening and does not require progression to Appropriate Assessment. On this basis, the development is considered acceptable in ecological terms and compliant with Policy 31 of the HDPF and relevant national policy.

Recommendation: Application Permitted

NOTE TO APPLICANT

The applicant is advised that this decision relates solely to the removal of condition 7 from planning permission DC/12/0689. It does not seek to vary or remove any of the remaining conditions which form this permission.

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/26/0099

(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
Supporting Statement	Planning Statement	NONE	22.01.2026
Location plan	Location Plan	NONE	22.01.2026

DELEGATED

Case Officer sign/initial Sam Nye Date: 16/03/2026

Authorising Officer sign/initial Guy Everest Date: 19.03.2026