Our ref: DC/25/0093
Email: Hannah.darley@horsham.gov.uk
Direct: 01403 215538
Date: 9th September 2025

Dear Gemma Carey,

APP/Z3825/W/25/3369471 - Windacres Farm, Church Street, Rudgwick, West Sussex, RH12 3EG

Following the submission of the appeal against the refusal of the Prior Notification for Change of Use of Agricultural Building to a single dwellinghouse, the Local Planning Authority would refer the Inspector to the Delegated Report and would like to reiterate the reasons for refusal as follows.

Reason 1
"There is the potential for the future occupiers of the dwelling to be adversely impacted by the existing activities undertaken on the wider site by reason of noise, general disturbance and contamination associated with these activities. On the basis of the available information it is considered that the noise impacts of the development and siting of the building makes it undesirable to change to residential uses, contrary to the requirement of Class Q, Q.2 (1)(b) and Q.2 (1)(e) of Part 3 within Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended)."

Reason 2
"*It has not been demonstrated that the development under Class Q would be carried out more than 10 years after the insertion of glazed window openings to the building were carried out. The development would not therefore be permitted under Class Q, Q.1(g) of Part 3 within Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended)."*

The applicant has not submitted a Statement of case to the Local Planning Authority such that there is no new information submitted by the applicant for consideration under the appeal that was not present at the time of drafting the report. It is assumed in this instance, that the primary reason for the appeal would have been that the appellant would disagree with the conclusions drawn by the local planning Authority.

Given the above, the officer would like to refer the Inspector to the to the delegated report with the assessment now transferring to the Inspector to make. It is not the purpose of this report to reiterate in its entirety the reasoning within the delegated report. Included in this statement are pictures of the some of the domestic items kept within the barn in previous years.



Picture 1-4: Pictures in 2025 showing the double glazing installed. Pictures of glazing, view of kitchen when taken through smallest window shown on elevation and newly laid brick rubble









Officer site visit in 2018

Pictures 5 - 9 showing potential residential use of some of the land within the planning unit. Household items, cars and freezers containing food




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Conclusion

The Council remain of the view that the proposed development submission has not demonstrated that the proposed development would be in accordance to Class Q of) of Part 3 within Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Yours sincerely,

Hannah Darley
Senior Planning Officer

Other matters

It is noted that the appellant has included information pertaining to Water Neutrality and a negative screening direction. The council include information within their reports for the consideration of the applicant such that the applicant is reminded that, regardless of the outcome of a prior notification application, that the development cannot be commenced until water neutrality has been demonstrated. Please note that the application itself has not been considered in respect of the likely significant effects on the integrity of the Arun Valley Special Area of Conservation, the Special Protection Area and Ramsar sites. The appellant would still need to demonstrate water neutrality to carry out the proposed development. On this basis, an application under Section 77 of the Conservation of Habitats and Species Regulations 2017 would be required to be submitted, and development subject of this Prior Approval application could not be carried out until a decision of such application has been made. No demonstration is required at this stage, however if the appeal were to be granted, this would be required.

In the instance that the Inspector would grant this appeal, a list of recommended conditions below:

1. **Pre-Commencement Condition**: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site, including the identification and removal of asbestos containing materials, shall each be submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:
- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors;
- potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) Based on the site investigation results and the detailed risk assessment (b) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is appropriately addressed in accordance with the National Planning Policy Framework.