

Sam.Nye

Subject: FW: DC/26/0122 - Windacres Farm

From: Sam.Nye
Sent: 18 May 2026 14:05
To: 'GRAHAM ASLETT'
Subject: RE: DC/26/0122 - Windacres Farm

Good Afternoon Graham,

Thank you for your email, the contents of which are noted.

In relation to the point raised about the 'Conclusion' section of the Officer's Delegated Report for application reference DC/26/0093. I think it is evident from reviewing the report that this statement is an oversight, given the remainder of the report is clear in that the development would not accord with the conditions set out under Class Q and therefore could not be undertaken under permitted development.

In relation to the examples of other agricultural buildings that have not had similar conditions imposed, having looked into these examples, they were granted consent via the Prior Approval route. As per condition A.2 (5) of Class A, Part 6, Schedule 2 of the GDPO, agricultural buildings permitted under this Prior Approval Route, are constrained in such that if the agricultural use of the building stops within 10 years and no alternative use is secured by means of planning permission, the developer is required to remove the building (or extension) and restore the land to its original condition. With this in mind, no such regulatory condition is required in these instances.

For the reasons mentioned within my previous email, I am afraid that we would still not support including a C3 Use with this application. I have written my report and passed it over to my seniors for review. I appreciate that this isn't the news your client wishes to hear though, but at this time, our stance remains the same.

Kind Regards
Sam

Sam Nye
Planning Officer

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Email: Sam.Nye@horsham.gov.uk



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Please contact us in advance if your email, including any attachments, is going to exceed 30MB.

From: GRAHAM ASLETT
Sent: 18 May 2026 09:27

To: Sam.Nye

Subject: Re: DC/26/0122 - Windacres Farm

Good Morning Sam,

Thank you for your email and an opportunity to reply before you issue a decision.

I have now had an opportunity to review the application with the applicant and in reply to your email wish to comment as below.

The application site at Windacres Farm is part of a well-established agricultural unit which has been used for the purposes of agriculture for over a century. There has always been a dwelling located on the farmstead as part of the built-up core of the agricultural operation, rather than the surrounding open fields or pastures, which has been occupied by the applicant and his relatives.

The 'Conclusion' heading of the LPA's Delegated Applications – Assessment Sheet for Application number DC/25/0093 on the application site reads 'The proposal has been considered in relation to all relevant conditions, limitations, and restrictions of Class Q in Part 3. It is considered the proposal would comply with all relevant limitations in Class Q, with no individual considerations that would warrant the refusal of prior approval'. At no time during our previous consultations was any such restrictive "Regulatory Condition" relating to the previous application number DC/20/05/0549 mentioned as a consideration for the development proposed?

In her Appeal Decision dated 18 November 2025 the appointed Inspector stated:

'10. However, based on the details provided, it is apparent that the planning permission which approved the building to which this appeal proposal relates, **was subject to a condition which permitted the premises to be used for agricultural purposes only**, and for no other purposes whatsoever without express planning consent from the Council first being obtained. **It is not within the remit of the appeal before me to assess the reasonability or otherwise of this condition** in respect to the relevant tests within the National Planning Policy Framework (the Framework)'.

'11. Nothing in the Order permits development contrary to any condition imposed by any planning permission granted. **The building to which the appeal proposal relates is restricted by condition to be used for agricultural purposes only**. It cannot change use through Class Q. **I am therefore unable to conclude** that the proposal would constitute permitted development in respect of Class Q(a) of the Order'.

We note that several applications for the erection of agricultural buildings on other established agricultural units in similar rural locations within the Rudgwick Parish boundary **have been permitted without any restrictive regulatory condition being imposed** including; DC/25/1192 (Wattlebury Farm) and more recently DC/26/0273 (Havenhurst Farm)? Furthermore, permission has also been granted for a change of use of similar agricultural buildings to dwellinghouses (Use Class C3) within an established farmstead in the locality in a countryside location including as an example DC/25/0636 (Monks Farm)?

In view of the foregoing are you open for discussion relating to being supportive of including the proposed C3 element as previously stated?

Kind regards

Graham J Aslett

----- Original Message -----

From: Sam.Nye

To: Graham Aslett

Sent: Thursday, May 14th 2026, 16:41

Subject: DC/26/0122 - Windacres Farm

Good Afternoon Graham, Thank you for your email. Taking the Local Plan as a whole, commercial development is generally accepted in rural locations as it provides economic benefits for the wider rural economy. Policy 10 sets out that proposals for the conversion of rural buildings to business and commercial uses will be considered favourably over residential uses. Furthermore, the building would be in proximity to other Class B8 and E(g) uses and as such, it may be equitable for the agricultural use to be converted into one of these uses. Housing outside of the defined built-up area is more strictly controlled only where it is considered to be essential to its countryside location. It has not been demonstrated that this has been the case, and in taking the previous refusal and appeal dismissals into consideration, is considered to be contrary to the overarching spatial strategy. Do you wish for a further EOT, or do you think you will be in a position to provide an answer before Monday?

Kind Regards

Sam

Sam Nye

Planning Officer

From: Graham Aslett

Sent: 14 May 2026 09:41

To: Sam.Nye

Subject: Fwd: RE: RE: DC/26/0122 -Windacres Farm

Good Morning Sam, Further to my last email I have arranged to meet the applicant this week. Ahead of my meeting a reply to my

email would be very much appreciated explaining the reason for you not being supportive of including C3 in the condition you have proposed?

Thanks

Regards

Graham J Aslett

From: Graham Aslett

Date: 11 May 2026 09:44

Subject: RE: RE: DC/26/0122 -Windacres Farm

To: "Sam.Nye"

Good Morning Sam, I would appreciate more time and an EOT until say next Monday. In the meantime it would be very helpful to know your reason for not being supportive of the proposed C3 element of the revised scheme but willing to support a commercial use in this location? Thanks Kind regards Graham J Aslett

On 8 May 2026 17:01, "Sam.Nye" wrote:

Good Afternoon Graham, Following on from the emails below, I can confirm that we would not be supportive of including the Class C3 element of the revised scheme. With this in mind, and I do appreciate it is late notice, would you like us to proceed with issuing a decision in the application's current capacity? The decision is due on Monday, 11th, but if you would like more time, we could postpone and agree an EOT?

Regards

Sam

Sam Nye

Planning Officer

From: Graham Aslett

Sent: 23 April 2026 11:00

To: Sam.Nye

Subject: RE: RE: DC/26/0122 -Windacres Farm

Good Morning Sam, Thank you for your email. In reply I can confirm that an EOT to 11th May is agreeable.

Kind regards

Graham J Aslett

On 21 Apr 2026 11:41,

Sam.Nyewrote:

Good Morning Graham, Thank you for your response. I will seek advice on this and come back to you. Please could we agree an EOT in the meantime? Is Monday 11th May 2026 agreeable?

Kind Regards

Sam

Sam Nye
Planning Officer

From: GRAHAM ASLETT
Sent: 14 April 2026 10:22
To: Sam.Nye

Subject: Fwd: RE: DC/26/0122 -Windacres Farm

Hi Sam Further to my last email I have now had an opportunity to speak to my client regarding your proposal to vary the condition. My client is open to further discussion provided that the description in the proposed varied condition also includes that Class C3 under Class Q of part 3 of the Town and Country Planning (General Permitted Development etc.,) (England) (Amendment) Order 2024 the agricultural building can be converted into a single or multiple homes? I look forward to hearing from you further

Kind regards
Graham J Aslett

Original Message -----

From: GRAHAM ASLETT
To: Sam.Nye
Sent: Tuesday, April 7th 2026, 13:01
Subject: RE: DC/26/0122 -Windacres Farm
Hi Sam Thanks I'm also away this week but I'll contact my client upon my return next Monday regarding the proposal set out in your email and get back to you next week
Kind regards Graham J Aslett

On 4 Apr 2026 12:50,
"Sam.Nye":

Hi Graham, Thank you for your email, the contents of which are noted. In the applications current capacity, we would not be supportive of allowing the removal of condition 2. It is our stance that the condition still serves a planning purpose and is necessary in order to protect the countryside, in line with policy 26 of the HDPF. We would, however, be open for discussion relating to the allowance of some commercial uses, for example Class B8 and E(g). With this in mind, we would suggest the variation of this condition, to read as follows:

Regulatory Condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises hereby permitted shall be used for agricultural purposes only, as defined in Section 336(1) of the Town and Country Planning Act 1990 and/ or use classes B8 and/or, E(g) and for no other purposes whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: The site lies in an area where, in accordance with Policy 26 of the Horsham District Planning Framework (2015) development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted.

If your client is accepting of this stance, we could revise the description, agree an EOT and reconsult on the change of proposal. I am away on leave next week, but please could you confirm how your client intends to proceed, whether it is revising the proposal, or continuing with the application in its current form? If the decision is to revise, please could we agree on an EOT, to allow the revisions to take place, with a new date being Monday 11th May 2026? I look forward to hearing from you. Kind Regards

Sam

Sam Nye

Planning Officer

From: GRAHAM ASLETT

Sent: 20 March 2026 09:41

To: Planning <planning@horsham.gov.uk>Cc: Sam.Nye

Subject: DC/26/0122 -Windacres Farm

Hi Sam

I refer to our current application DC/26/0122 and the comments and representations received to date from consultees and others on the Councils website In reply I now wish to clarify matters and comment as follows: For the avoidance of doubt the current application proposal (DC/26/0122) is to remove Condition 2 which restricts the use of the agricultural storage building to agricultural purposes only from previously approved application DC/20/0549 to enable the Applicant to consider all alternative uses and options available to him under current planning legislation including Class R – agricultural barn conversion to a flexible commercial use As I'm sure you are aware Class R – agricultural barn conversion to flexible commercial use has been branded by the media as Clarkson's Law or Clarkson's Clause, when in reality Class R has been around for several years. It is found within Schedule 2, Part 3 of the General Permitted Development Order 2015 (as amended) (GPDO), and allows for change of use from an agricultural building (and land within its curtilage) in England to flexible commercial use – i.e. uses falling within the following use classes: Class B2 (general industrial) (raw goods, excluding livestock, which are produced on the site and are to be sold on the site) Class B8 (storage or distribution) Class C1 (hotels) Class E (commercial, business or service) Class F2(c) (outdoor sport & recreation) from 21st May 2024 The provision of agricultural training from 21st May 2024 At the end of April 2024 it was announced that the allowable floor space would be doubled to 1,000 square metres. This is in addition to the increased classes above.

Kind regards

Graham J Aslett

G J Associates Disclaimer

