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The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/Z3825/W/25/3369471

DETAILS OF THE CASE

Appeal Reference	APP/Z3825/W/25/3369471
Appeal By	MR JOHN BAILEY
Site Address	Windacres Farm Church Street Rudgwick WEst Sussex RH12 3EG

SENDER DETAILS

Name	[redacted]
Address	Medecroft Cox Green Rudgwick HORSHAM RH12 3DD

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence
- ☐ Other

YOUR COMMENTS ON THE CASE

Please note that I am submitting these comments now as it is only recently that the Local Authority has loaded the full appeal papers onto its website.
In March 2025 Horsham District Council (HDC) refused this prior approval (DC/25/0093) citing 2 reasons.

In the following month, the applicant commenced the build of a 'Tractor Shed' (on the same agricultural unit having secured prior approval under DC/20/1071) in July 2020, presumably because of the 5 year limit. It is understood that the build is now complete but the exact date is not known. An enforcement case EN/25/0117 was raised by HDC on 3rd April due to concerns raised by neighbours, but was investigated and subsequently closed on 18th June.
In the Planning Statement for DC/20/1071 submitted by White & Sons dated June 2020 (attached) it was stated at 4.1:
"The proposed development is assessed against the applicable criteria under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Class A allows for: "A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of – (a) works for the erection, extension or alteration of a building; or (b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit".

Turning now to this application under DC/25/0093, the Agent has helpfully submitted the 'rules' for Class Q development and commented against each clause therein in a document entitled 'Planning Statement'.

The following rule is correctly stated: "Q1. Development is not permitted by Class Q if: (g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins".
Since the 'Tractor Shed' under DC/20/1071 has been constructed in 2025 (under the relevant permitted development rights Class A(a)) then presumably this means that for the next 10 years this Class Q rule would be breached?

The Agents summary statement that 'the proposal would comply with all relevant limitations of Class Q' is consequently incorrect.

I would therefore expect that failure to comply with this rule would be an additional reason for the appeal to be dismissed.

It is worth noting that in March 2025 when HDC put forward its 2 reasons for refusal, it could not have added this 3rd reason as construction of the Tractor Shed (under agricultural prior approval) commenced shortly afterwards. It is however disappointing that the HDC statement to the appeal dated 9th September 2025 did not pick up this point, albeit it was probably not helped by the failure of the Local Authority (HDC) to properly load all of the Appellants appeal papers onto its website. The enforcement case should however have been a pointer to the erection of a new building under GPDO Agricultural A(a) on the same established agricultural unit.

Thank you for accepting and reading my submission.

COMMENT DOCUMENTS

The documents listed below were uploaded with this form:

Relates to Section: REPRESENTATION
Document Description: Your comments on the appeal.
File name: DC-20-1071 Whites Planning Statement.pdf

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US

Supporting Statement

Prior Notification under
Town and Country Planning (General Permitted Development) Order 2015
(As amended), Schedule 2, Part 6, Class A
Erection of agricultural tractors and implements shed with hardstanding
at
Windacres Farm, Church Street, Rudgwick,
West Sussex, RH12 3EG
on behalf of
Mr J Bailey

June 2020

Planning & Development

3 Massetts Road
Horley
Surrey RH6 7PR
[redacted]

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RTPI
Chartered Town Planners

1. Introduction

1.1. This is a prior notification application for the erection of an agricultural tractors and implements shed with hardstanding on land at Windacres Farm, Church Street, Rudgwick, West Sussex, RH12 3EG.

1.2. This application is made under the terms of the Town and Country Planning (General Permitted Development) Order 2015 (as amended 2018) (GPDO). It seeks to confirm that the erection of the building complies with the relevant provisions within this Order, specifically in Schedule 2, Part 6, Class A and that it is reasonably necessary for the holding.

2. Site Description and Proposals

2.1. The proposal concerns the erection of a detached agricultural tractors and implements shed at Windacres Farm which lies off Church Street, Rudgwick in countryside between the towns of Guildford and Horsham. The application site lies in a rural location within 1 mile of Rudgwick village and 7 miles of Horsham town; the nearest large settlement. Church Street extends through Rudgwick village forming part of the B2128 road which runs south between the large towns of Guildford, via the neighbouring village of Cranleigh, and Horsham, and has good links into the wider highway network which include the A24, A281 and A264 roads.

2.2. The land is actively farmed and comprises extensive fields where arable crops including cereals and oil seeds are grown and permanent pasture from which hay is taken, with the barn being principally required as a store for machinery/equipment including tractors, ploughs, trailers, croppers. The shed would serve a substantial area of land (140 acres, with more rented or likely to be purchased); being sited to the south of the main building on the farm. In appearance, the barn is typical of others on agricultural units, featuring external steel box profile sheet cladding to the walls and monopitch roof.

2.3. As proposed, the new structure would be located south of the main farm complex and accessible from an existing access road. The site lies in an Area

Outside Built Up Area Boundary according to the Local Plan Proposals Map and the development would be sympathetically scaled and the same colour in comparison to other built form adjacent.

2.4. The proposed shed would be located away from the existing dwellings to ensure that the operational requirements do not adversely impact on the amenities of residential properties. The proposed building would not be visible from a wide area due to the siting on a southerly slope within the landscape off a lengthy access lane from Church Street, which runs to the west, and is lined by mature trees and housing meaning there is little visual impact from the buildings upon the immediately surrounding countryside to passing traffic. The shed would be situated near an existing line of mature trees just off the main farm access and internal tracks running nearby along the eastern boundary, restricting the building's visibility from the wider surroundings.

2.5. In appearance, the new shed would be rectangular in shape and reflect other steel frame agricultural buildings in the vicinity. In dimensions, it would measure 30.5m in length, 12.2m in width and 5.9m in height to the top of the monopitch roof (4.6m height to eaves). It would be built as a steel frame with box profile steel cladding and roofing (coloured olive green). It would have 5 enclosed bays (each bay being 6.1m width). Its height is the minimum necessary for large agricultural machinery (eg tractor, trailers, combine) to gain access.

2.6. Vehicular access is gained by a lane leading to the main built complex and onwards to Church Street (B2128 road). As with other buildings on the farm, traffic is safely handled between to and from the surrounding fields shown in the plans accompanying this application, with no change to vehicular movements on and around the site likely to arise from this proposal.

2.7. For agricultural justification, please see the separate Agricultural Appraisal accompanying this application undertaken by J A Farquhar FAAV (rtd).

3. Planning History

3.1. Relevant applications for the site are listed as below:

Application Number:	Description:	Decision:
DC/20/550	Retention of an agricultural storage building (Corn store)	Permitted
DC/20/0549	Retention of a lean-to agricultural storage building	Permitted
DC/20/0596	Erection of a tractor shed	Prior approval 19/05/20
DC/18/1563	Erection of a side extension to existing agricultural building for storage of agricultural machinery and animal feed	Appeal dismissed 01/03/2020; Not determined 13/03/2019
DC/18/1520	Provision of new road to enable access to proposed development of 57 houses at land at Windacres Farm (all proposed dwellings within Waverley Borough Council boundary)	Permitted 27/06/2019
DC/18/0256	Prior notification for the creation of a new agricultural access track and re-surfacing of existing track	Prior Approval Not Required 02/03/2018
NC/18/0040	Outline application for the erection of up to 57 houses with access to be determined (scale, design, layout and landscaping to form reserved matters) to include open space, parking, infrastructure and landscaping	Objection to consultation 26/10/2018
DC/17/2605	Proposed siting of a container as temporary residential accommodation for a 36 month period	Appeal dismissed 01/03/2019; Refused 16/08/2018
DC/17/2410	Retrospective application for the erection of an agricultural storage building	Withdrawn 10/04/2018

DC/16/2917 (and subsequent applications for conditions discharge address: Rudgwick Metals)	Demolition of 2 x existing dwellings, industrial and agricultural outbuildings and erection of 55 dwellings, 3 x offices (B1 Use Class) and industrial building extension (B2 Use Class) with associated access, drainage and landscape works	Permitted 05/04/2017
DISC/15/0412	Discharge of condition 18 on DC/09/1623	Refused 27/01/2016
DC/13/1926	Roof extension and alterations to existing agricultural building together with the construction of an access road	Permitted 28/01/2014
DC/12/1339	Demolition of existing building and erection of replacement agricultural building	Prior Approval Permitted 19/09/2012
DC/09/1623	Redevelopment of site with mixed use scheme including demolition of existing 2 dwellings, derelict farm buildings and workshops and erection of 36 dwellings, parking barns, 3 x B1 office units and 3 x B1 shed units, a community facility (meeting rooms, coffee shop) and extension to existing industrial unit	Permitted 08/08/2013
DC/09/1231	Relocation of Agricultural Building and demolition of existing building – Prior Notification	Prior Approval Permitted 22/09/2009
DC/04/1900	Prior Notification to erect frame building for storage, hay, fodder and machinery	Refused 20/09/2004
RW/72/00	Extension to workshop/warehouse and relocation of office within building	Permitted 19/07/2001
RW/94/99	Demolition of poultry house and erection of agricultural building for storage and office use	Permitted 12/01/2000
RW/51/99	Erection of a workshop/warehouse	Withdrawn 28/06/2000

4. Assessment

4.1. The proposed development is assessed against the applicable criteria under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Class A allows for:
"A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of – (a) works for the erection, extension or alteration of a building; or (b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit".

Reasonably necessary

4.2. The proposal is to erect a building of the dimension stated at Paragraph 2.4 above meaning an internal floor area of 372m^2 as shown on the attached location/block plans. The holding is over 5 hectares.

4.3. A fundamental aspect of the legislation is that the development must be reasonable necessary for the purposes of agriculture. The accompanying agricultural appraisal provides further detail on why the building is reasonably required. Essentially it is necessary for the machinery to be kept under cover so it does not deteriorate and ideally within a secure building as it is of high value. The proposed building will fulfil this need and provide sufficient space for the listed equipment and necessary manoeuvring space.

4.4. The existing corn store cannot accommodate machinery due to the risk of contamination in the food chain and the impracticalities of having to move machinery out to get to the corn. The lean to is required for storing hay and straw and is therefore not available for storing machinery. This also cannot be stored within the corn store due to the risk of fragments mixing with corn and the lack of ventilation. The building is therefore reasonably required.

4.5. Under Class A the development is permitted subject to the following:

GPDO	**Assessment**
A.1 Development is not permitted by Class A if—	
(a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;	The proposed barn would not be erected on a separate parcel of land forming part of the unit which is less than 1 hectare in area.
(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;	The site has been in continuous agricultural use for many years with no development under Classes Q or S.
(c) it would consist of, or include, the erection, extension or alteration of a dwelling;	It would not involve the erection, extension or alteration of a dwelling.
(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;	The proposed building is designed for agricultural purposes.
(e) the ground area which would be covered by—	
(i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or	
(ii) any building erected or extended or altered by virtue of Class A,	
would exceed 1000 square metres, calculated as described in paragraph D.1(2)(a) of this Part;	The building is proposed under Class A and its ground area would be 372m^2.
(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;	The building would not be within 3km of an aerodrome.
(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;	The building would be below 12m in height.
(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;	The building would not be within 25m of a classified road.

(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;	The proposed building would not be for the accommodation of livestock nor for storage of slurry or sewage sludge within 400 metres of a protected building.
(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or	N/a
(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—	N/a
(i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or	
(ii) is or would be within 400 metres of the curtilage of a protected building.	

Conditions (Class A)

4.6. **A.2**—(1) Development is permitted by Class A subject to the following conditions:

(a) where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development are not used for the accommodation of livestock except in the circumstances described in paragraph D.1(3) of this Part or for the storage of slurry or sewage sludge, for housing a biomass boiler or an anaerobic digestion system, for storage of fuel or waste from that boiler or system, or for housing a hydro-turbine;

Not applicable.

(b) & (c)…*Not applicable.*

(2) Subject to sub-paragraph (3), development consisting of—

(a) the erection, extension or alteration of a building;

(b) the formation or alteration of a private way;

(c) the carrying out of excavations or the deposit of waste material (where the relevant area, as defined in paragraph D.1(4) of this Part, exceeds 0.5 hectares); or

(d) the placing or assembly of a tank in any waters

is permitted by Class A subject to the following conditions—(i)-(vi)…

Complies as demonstrated by application documents.

(3) The conditions in sub-paragraph (2) do not apply to the extension or alteration of a building if the building is not on article 2(4) land except in the case of a significant extension or a significant alteration.

Not applicable.

(4) Development consisting of the significant extension or the significant alteration of a building may only be carried out once by virtue of Class A(a).

Not applicable.

(5) (6) & (7) *Can comply/not applicable.*

5. Conclusion

5.1. This prior notification application is for the erection of an agricultural storage shed for securely storing machinery/equipment including tractors and farm implements on land at Windacres Farm, Church Street, Rudgwick, West Sussex, RH12 3EG under Class A, Part 6, Schedule 2 of the GPDO 2015 (as amended 2018).

5.2. It has been demonstrated that the building would be erected within a farm holding of more than 5 hectares, complies with Class A and its supporting conditions/paragraphs and is reasonably required.

5.3. It is therefore considered that Prior Approval should be assessed as either not required or granted.

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