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Your Ref: DC/24/1790
Our Ref: 10630-hc2

16 June 2025

For the attention of Halima Chowdhury
Horsham District Council
Parkside
Chart Way
Horsham
West Sussex
RH12 1RL

Dear Ms Chowdhury,

Site: **Chalk Farm Bungalow, Okehurst Lane, Billingshurst, West Sussex, RH14 9HR.**
Application: **DC/24/1790**
Proposal: **Removal of Condition 3 of previously approved application BL/128/99 (Erection of 1 agricultural bungalow) relating to the agricultural worker occupation restriction.**

Thank you for your letter dated 12 June 2025 requesting Reading Agricultural Consultants Ltd (RAC) additional comments on the above planning application.

In preparing this response I have had regard to the letter (dated 27 May 2025) produced by Claire Adcroft of H.J.Burt which provides further justification for the removal of the occupancy condition.

I have not visited the site or discussed the application with the applicant or their agent.

This is a planning application under s73 of the Town and Country Planning Act 1990 for the removal of Condition 3 of a previously approved planning application BL/128/99 which approved the erection of a bungalow on site at Chalk Farm.

Condition 3 of BL/128//99 states:

> *"The occupation of the dwelling shall be limited to a person solely employed or, retired and last employed in the locality in agriculture as defined in Section 336(1) of the Town and Country Planning Act 1990, or in forestry, including dependants od such a person residing with him or her or a widow or widower of such a person.*
>
> *Reason: The site lies in an area where, in accordance with the policies principally in the Structure Plan development unrelated to the essential needs of agriculture or forestry would not normally be permitted"*

Appraisal

1. The H.J.Burt Letter (May 2025) details that Chalk Farm Bungalow would have a value which would *'likely exceed £750,000'* taking into account a discount that reflects the occupancy condition.

2. Details of the average wages for an agricultural worker and average property values in West Sussex are noted, however there has been no assessment for the need for such a rural worker's dwelling in the local area.

3. No details or evidence of this valuation, or comparable valuations from other Estate and Land Agents or Valuers has been provided as part of the additional submission documents.

4. As such, RAC considers that the absence of demand for a continuing need for an occupancy condition before releasing a property into the open market has not been tested.

5. No assessment of any potential need in the locality has been submitted. Without a full and proper marketing campaign (sale or rental) of the property at the discounted rate it is difficult to conclude that there is no demand within the locality for such an agricultural property.

6. The Letter comments on the 6 acres of land available and acceptable stocking rates for livestock if it were all grassland. RAC accepts that the number of livestock the landholding could support would be unlikely to support a viable and sustainable rural business, however no evidence of the need in the local area has been provided by the applicant or agent.

7. The use of the remaining 6 acres is detailed to be mature deciduous woodland. It remains unknown at what point the applicant ceased agricultural activities on the land. It is unknown if there is an active woodland management plan for the land.

8. RAC considers that the applicant, as a retired agricultural worker, continues to live in compliance with the occupancy condition and therefore the condition is still appropriate.

9. RAC draws attention to application DC/20/2450 and the subsequent appeal APP/Z3835/W/22/3300830 for the removal of an occupancy condition where the Planning Inspectorate upheld the occupancy condition (albeit varied to reflect up-to-date wording) where the justification related to personal circumstances and wish to remove the condition, rather than market or locality testing.

Conclusion

10. There is no longer explicit relevant national planning policy relating to the removal of agricultural occupancy conditions, but Paragraph 57 of the NPPF states that conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

11. It is implicit that the absence of a continuing need for an occupancy condition should be tested before releasing a property into the open market.

12. RAC accepts and considers that the use of the holding has changed since the Applicant sold off 19 acres and converted the former agricultural buildings. As such, the holding is no longer solely in agricultural use. This effective change of use of the property has prejudiced its use for agricultural purposes and so limits the market for the dwelling.

13. No detailed valuation of the property has been submitted as part of this application and RAC is unable to comment in any detail on the marketing of the property.

14. In the absence of such detail, RAC is unable to conclude from the submitted documents and additional information provided whether Condition 3 of BL/128/99 is no longer appropriate for Chalk Farm Bungalow.

I trust these comments are helpful in your deliberations.

Yours sincerely,

Olivia Wojniak