Horsham District Council

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: DC/26/0122
Your ref: APP/6012076
Email: Sam.Nye@horsham.gov.uk

Dear Sir/Madam,

6012076 – Windacres Farm, Church Street, Rudgwick, West Sussex, RH12 3EG, United Kingdom

This statement is in response to the Inspector's request for comments relating to revised NPPF 2026 and its relevance to this proposal.

Refusal Reason 1: -

Condition 2 of planning permission reference DC/20/0549 continues to serve a necessary planning purpose, where its removal would allow uncontrolled and unjustified activities within the countryside, which have the potential to lead to non-essential development and an unacceptable increase in the level of activity within the countryside. The removal of the condition would therefore be contrary to Policy 26 of the Horsham District Planning Framework (2015).

Policy E2(1) of the NPPF states that to support business growth, substantial weight should be given to benefits for domestic food production, animal welfare and/or the environment which can be demonstrated through proposals for development for farm and agricultural modernisation (1)(b).

Policy E4, Rural Business Development, continues, stating:

'1. In applying Policy E2, the sustainable growth of business in rural areas should be supported, including through:

a) *The conversion of existing buildings and well-designed new buildings;*
b) *The development and diversification of agricultural and other land-based businesses;*
c) *Facilities to support rural leisure and tourism and measures to retain and expand accessible local shops and services; and*
d) *Development to maintain and enhance farm viability and sustainability and support domestic food production, such as improved accommodation for livestock, on-farm reservoirs, greenhouses, polytunnels, farm shops and temporary accommodation for seasonal workers (where this accommodation is ancillary to the agricultural use and not for permanent occupation). Development proposals to meet business needs in rural areas may need to be located outside settlements, and in locations that are not well served by public transport. In these circumstances:*

2. Development proposals to meet business needs in rural areas may need to be located outside settlements, and in locations that are not well served by public transport. In these circumstances:

a) Development proposals should take opportunities, where they exist, to use previously developed land, and sites that are physically well-related to existing development; and
b) The siting and design of development should be appropriate having regard to the character of its surroundings.

In line with Policies E2(1)(b) and E4(1)(d), substantial weight should be given to the benefits of agriculture, farm viability and the sustainable growth of rural businesses. In this case, the building is less than 6 years old and was originally justified and permitted as it was demonstrated to be reasonably required to serve the operational needs of the agricultural holding. As set out in the Council's delegated report and appeal statement, the building was justified as providing storage associated with the workshop and farm office, together with machinery and hay/straw storage, replacing facilities that were to be lost as part of the adjoining residential development. The scale and form of the building were therefore accepted on the basis of an identified agricultural need. No evidence was submitted to demonstrate that the agricultural activities have ceased, that the operational need for the building no longer exists, or that an alternative planning purpose now justifies its unrestricted use. Given that there was no evidence before the Council that suggested this arrangement was no longer the case nor that there was no longer a need, it was concluded that this condition still serves a planning purpose. The removal of the condition, with no further defined alternative use, would result in a building with a 'nil' use, without a planning purpose.

Policy S3 of the NPPF states that development proposals should apply a presumption in favour of sustainable development. This means that outside settlements, policy S5 should be applied.

Policy S5 of the NPPF states that only certain forms of development should be approved outside settlements. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework. Development that should be approved includes, among others, the redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential); limited infilling within groups of houses; and development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test, and where the development would: be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure.

Paragraph 2 of Policy S5 states that in applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

It is acknowledged that the proposal may accord with Policy S5 (1)(c), in that the development would involve the reuse of the existing building. However, as previously detailed, the appellant has not provided sufficient details relating to the proposed use/s of the building and the Council

therefore considers that limited weight can be afforded to the reuse provisions of Policy S5, as no defined alternative use has been proposed, justified or assessed.

Conclusion

The appeal before the Inspector today, relates solely to the removal of condition 2 of DC/20/0549 and not to vary the condition. Having reviewed the revised NPPF (2026), the Council does not consider that the revised NPPF materially alters the planning considerations relevant to this appeal. The provisions of Policies E2 and E4 continue to support agricultural operations and rural businesses, which were the basis upon which the appeal building was originally justified and permitted. Furthermore, Policy S5 continues to require development outside settlements to be justified on its planning merits and in accordance with the relevant provisions of the Framework. The Council therefore remains of the view that Condition 2 continues to serve a necessary planning purpose and that its removal would conflict with both local and national planning policy.

Yours sincerely,

Sam Nye
Planning Officer
Horsham District Council