

Appeal 6012076

Interested party comments

Appeal type	Planning
Appeal procedure	Written
Appeal site	Windacres Farm, Church Street, Rudgwick, RH12 3EG
Agent contact details	[REDACTED]
Local planning authority	Horsham District Council
Application number	DC/26/0122

Interested party 1

Comments

Dear Planning Officer,

I wish to register my strong objection to planning application DC/26/0122 (Reference 6012076) and respectfully request that Horsham District Council refuses this application.

My objection is based on sound planning grounds and the wider public interest.

1. The Planning History of the Site

The most concerning aspect of this application is its planning history.

The original proposal for this substantial structure was refused planning permission because it was considered inappropriate development within the countryside. Despite this refusal, the structure was nevertheless constructed and, as far as local residents are aware, has not been removed.

The applicant is now seeking to secure a commercial use for a building that should never have existed in the first place. Granting this application would effectively legitimise unauthorised development and undermine public confidence in the planning system. It would send a message that planning refusals can simply be ignored until retrospective or alternative permissions are eventually obtained.

The integrity of the planning process depends upon decisions being respected and enforced.

2. Unsustainable Development

The National Planning Policy Framework (NPPF) promotes

sustainable development in appropriate locations.

Rudgwick is a rural village with limited infrastructure and services. It has already experienced considerable housing growth, placing increasing pressure on local facilities.

There is little evidence that this proposal represents sustainable development. Instead, it introduces commercial activity into an area where infrastructure simply has not kept pace with recent expansion.

3. Highway Safety

One of the most significant concerns is the impact on highway safety.

The local road network surrounding the site consists of narrow rural lanes with limited visibility, few passing places and restricted opportunities for pedestrians and cyclists.

Traffic through Rudgwick has increased substantially over recent years due to ongoing residential development. Residents regularly experience congestion and safety concerns.

A commercial operation would inevitably generate additional vehicle movements, including deliveries, service vehicles, customers and employees.

This would increase risks for:

- * Pedestrians
- * Cyclists
- * Horse riders
- * School children
- * Residents using already constrained rural roads

The proposal appears contrary to the NPPF objective that development should only proceed where safe and suitable access can be achieved and where the residual cumulative impacts on the transport network are not severe.

4. Harm to the Character of the Countryside

The application site lies within attractive Sussex countryside which forms part of Rudgwick's valued rural landscape.

Commercial activity would introduce increased traffic, parking, lighting, noise and general disturbance that are wholly inconsistent with the established rural character.

The Horsham Local Plan places considerable importance on protecting the countryside from inappropriate development that harms its landscape character.

This proposal would urbanise what is currently a peaceful rural setting.

5. Impact on Biodiversity

The surrounding area supports valuable wildlife habitats.

Residents are aware of the presence of protected and important species including:

- * Great crested newts
- * Barn owls and tawny owls
- * Bats
- * Numerous native bird species
- * Hedgehogs and other mammals

The increase in vehicle movements, lighting, human activity and general disturbance would inevitably place further pressure on these habitats.

The NPPF requires planning authorities to secure measurable biodiversity gains wherever possible. It is difficult to see how introducing commercial activity into this rural location would achieve that objective.

6. Cumulative Impact

This application should not be considered in isolation.

Rudgwick has already absorbed significant residential development over recent years.

Residents are experiencing:

- * Increased traffic
- * Greater pressure on local services
- * More demand on healthcare facilities
- * Pressure on local schools
- * Loss of rural tranquillity

This proposal would add further cumulative pressure to a village whose infrastructure is already struggling to cope.

Conclusion

This application represents inappropriate and unsustainable development in a sensitive rural location.

It conflicts with the objectives of the National Planning Policy Framework and with the principles of the Horsham Local Plan by:

- * Rewarding development that was originally refused planning permission.
- * Increasing pressure on an already inadequate rural road network.
- * Introducing inappropriate commercial activity into the countryside.
- * Causing harm to biodiversity and protected wildlife.
- * Further eroding the rural character of Rudgwick.
- * Adding to the cumulative pressures already experienced by local residents.

For these reasons, I respectfully urge Horsham District Council to refuse planning application DC/26/0122.

The planning system must protect the countryside, respect previous

planning decisions and ensure that development takes place only where it is genuinely sustainable and in the public interest.

Yours faithfully,

One additional point could make this objection even stronger. If the original refusal was appealed and dismissed, or if the building was erected without permission after refusal, you can argue that approving a commercial use would create a dangerous planning precedent, effectively signalling that developers can ignore planning decisions and later seek to regularise unlawful development.

Planning committees are often very sensitive to this argument when it is supported by the site's planning history.

If you can send me either the planning officer's report on the original refusal or a link to application DC/26/0122, I can tailor this objection to quote the exact Horsham Local Plan policies and the reasons for the original refusal, making it considerably more persuasive. [Read more](#)

Supporting documents

No documents

Interested party 2

Comments

Further to my submission dated 8th March 2026, I would like to add the following points.

The email correspondence (now on file) between the Agent and HDC case officer is most illuminating in revealing the intent behind this application.

20/3/2026. Agent writes to HDC suggesting that without the strict agricultural use condition, permitted development potentially could reasonably allow 'flexible commercial uses'.

4/4/2026. HDC to Agent indicating that some of these could be acceptable, and proposing that the condition could be modified to also allow Class B8 (Storage or Distribution) &/or Class E(g) (business, research, industrial).

14/4/2026. Agent advises HDC that client is 'open to discussion' provided that Class C3 (residential) is included.

This correspondence makes it absolutely clear that the purpose in seeking to remove the Agricultural Use condition, is to then attempt to seek to secure Class C3 usage via permitted development, rather than via a full planning application.

This is not perhaps surprising since a Class Q prior approval application (DC/25/0093) was recently refused (conversion of part) and with subsequent appeal dismissed (APP/Z3825/W/25/3369471) citing the presence of this condition as one of the 2 reasons why the criteria for such permitted development was not satisfied.

Surely there is a correct approach here, and that is for the applicant to simply submit to HDC a full planning application (with plans etc.) to

request conversion of part or all of said building from Agricultural use to Residential use (or whatever, but C3 seems to be the intent). That would then be fully considered by HDC planning, with proper consultation, allowing a 'final' decision to be made. Instead, the applicant continues to seek a 'back-door' (permitted development) route, perhaps because he considers the likelihood otherwise of success, to be somewhat remote.

There are also some contextual factors that perhaps explain why the applicant is seeking to secure C3 usage via the permitted development route, rather than via a full application. I outline them below as they seem to me to be a material consideration to this appeal.

In June 2018 HDC refused permission (DC/17/2605) for a 'container home' (see attached elevations) to allow the applicant to live 'on site' for up to 3 years. This was dismissed at appeal APP/Z3825/W/18/3214026. Enforcement EN/18/0398 followed also with appeal dismissed APP/Z3825/C/18/3216424.

The enforcement was eventually complied with but only by moving the 'container home' to a different part of the agricultural unit thereby technically outside of the red line enforcement boundary.

So the cycle repeated itself with DC/21/1200 (temporary siting of 'container home') refused by HDC (September 2021) and with subsequent appeal dismissed APP/Z3825/W/22/3290509. Enforcement EN/22/0041 followed also with appeal dismissed APP/Z3825/C/22/3297703.

The final dismissed appeal was dated August 2024 and the enforcement notice (attached) remains in place on the land but it appears that HDC has decided not to pursue any prosecution. The HDC submission to the appeal is also attached as it contains much useful background information.

Separately, DC/21/0185 was submitted in 2021 for a 'Rural Workers Dwelling'. This was refused by HDC and again with appeal dismissed (APP/Z3825/W/18/3214026) predominantly as the case for an on-site rural worker was not established.

I attach my submission on this case mainly to show that the applicant is very fortunate to own a plot of land in the Cox Green settlement boundary where planning permission for a residential unit should readily be achievable and which immediately backs onto the site of the agricultural unit, giving access. This could very economically (NIL land cost) provide a very suitably located residence for the applicant and enable him to comply with the requirements of the o/s enforcement notice under section 179 of the Town & Country Planning Act 1990. But he obviously has not yet pursued that option. If it was it might also diminish the apparent desire to secure Class C3 usage in part of the agricultural building in question.

Regardless, any such usage change of this agricultural unit should be the subject of a full planning application involving statutory consultees and allowing local residents to submit their views.

Finally, can I also provide the Inspector with some background relating to the original construction of the overall structure (880m²)

which was eventually approved in 2 parts:
DC/20/0550 – Agricultural Storage Building 476m²- Approved 13th May 2020
DC/20/0449 – Lean-to Agricultural Storage Building 404m² - Approved 20th May 2020. (Subject of this appeal)
In September 2012 HDC sanctioned (DC/12/1339) as a prior approval ‘replacement’ of an existing Agricultural Store (458m²) of a similar size 464m². This was implemented just about within the 5 year requirement but at an overall size of 880m² i.e. approaching twice the permitted size. HDC rightly judged that that the building was unlawful and so the applicant submitted DC/17/2410 in order to seek approval for the 880m² structure.

This was recommended for refusal by officers as follows:

“The agricultural storage building, by reason of its overall scale, footprint and location, has introduced a large, obtrusive feature into a sensitive countryside location, to the detriment of the character and visual amenity of the surrounding landscape. The applicant has failed to demonstrate to the satisfaction of the Local Planning Authority that an agricultural storage building of this scale and impact is required to support the agricultural needs of the wider holding at Windacres Farm, therefore the development does not accord with the requirements of Policies 10, 25 and 26 of the Horsham District Planning Framework”.

..... and was due to go before planning committee on 10th April 2018 but the application was withdrawn (by the applicant) on the very day of the committee meeting.

So, enforcement followed (EN/18/0170) and an enforcement notice issued to clear the site (dated 25/10/2018). This was appealed under APP/Z3825/C/18/3216641 and the appeal was dismissed.

Subsequently, 2 separate planning applications were submitted (as noted above) dealing with the overall structure in 2 parts of roughly equal size.

I think that it is fair to say that there was some surprise in the local community that HDC eventually approved both of these, as they effectively permitted what was meant to be a replacement but at twice the size of the original (which was lost due to redevelopment mainly for housing).

However, a strict agricultural use condition was at least applied to both permissions, which was clearly totally justified in view of the uncertainty as to whether the agricultural activity required such an extensive storage facility.

This background surely reinforces the fact that should there be a desire to change the usage of all or any part of these structures away from agricultural, then it is necessary for that decision to be fully scrutinised as a full planning application, and not via any form of ‘permitted development’ with inherent limitations as to what factors can be considered.

Of itself, the condition does not stop a change of use to any non-agricultural use. Rather it simply acts to ensure that full consideration is given to any application requesting such a change, as it cannot be via permitted development.

Hopefully the above will assist the Inspector in understanding the

background to the condition imposition and therefore why I feel very strongly that it is justified and should be retained. [Read more](#)

Supporting documents

[WindacresCabin2017.pdf \(/published-document/a8475e7d-fe2d-4b21-9c60-0146c8be9160\)](#)
[DC-21-0185 Cox Green Plot.pdf \(/published-document/fd31e625-c6c1-4ca9-9864-0755c61507e4\)](#)
[EN-22-0041 HDC Statement.pdf \(/published-document/5b696604-f9a6-4f2c-93c1-6e6ebb61701f\)](#)
[EN-22-0041 Enforcement Notice.pdf \(/published-document/c7dcd71b-1aa0-4e53-ab39-f7a76e163b1f\)](#)
