

**From:** Planning@horsham.gov.uk <Planning@horsham.gov.uk>  
**Sent:** 08 March 2026 17:54:17 UTC+00:00  
**To:** "Planning" <planning@horsham.gov.uk>  
**Subject:** Comments for Planning Application DC/26/0122  
**Categories:** Comments Received

## Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 08/03/2026 5:54 PM.

### Application Summary

|               |                                                                                                                                                                                                                              |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address:      | Windacres Farm Church Street Rudgwick West Sussex RH12 3EG                                                                                                                                                                   |
| Proposal:     | Removal of Condition 2 of previously approved application DC/20/0549 (Retrospective application for the retention of a lean-to agricultural storage building) which restricts use of building to agricultural purposes only. |
| Case Officer: | Sam Nye                                                                                                                                                                                                                      |

[Click for further information](#)

### Customer Details

Address: Medecroft Cox Green Rudgwick Horsham West Sussex

### Comments Details

|                      |                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Commenter Type:      | Member of the Public                                                                                                                                                                                                                                                                                                                                                                   |
| Stance:              | Customer objects to the Planning Application                                                                                                                                                                                                                                                                                                                                           |
| Reasons for comment: | - Other                                                                                                                                                                                                                                                                                                                                                                                |
| Comments:            | <p>There is absolutely no merit in this attempt to make a case to justify the removal of the Condition applied under DC/20/0549 in the submitted Planning Statement.</p> <p>Reference is made to an 'alternative' Policy 32 in the 'emerging' HDLP. But the fact is that this is an 'additional' policy, with HDPF Policy 26 (Countryside Protection) becoming Policy 14 under the</p> |

HDLP, and with the same restrictions.

Reference to 'permitted development rights' only to be restricted 'exceptionally' (as noted by national planning policy/guidance) does not of course mean that such rights cannot be restricted, merely that there must be strong justification.

There was/is strong justification as when DC/20/0549 (retrospective) was finally approved there was significant concern over compliance with HDPF Policy 26 (eventually to be HDLP Policy 14) with such concerns only overcome with strict Agricultural use conditioned.

In other words, should there be a wish to change the permitted use, the express consent of the Planning Authority would be required in order to reassess the planning balance of the different proposed use and the ongoing need to protect the countryside.

The applicant's agent makes reference to the case officer's views in the delegated report dated 14th March 2025) relating to DC/25/0093 (Prior Notification for Class Q permitted development conversion to residential). Of course the relevant view is that stated in the planning inspectors appeal decision report dated 18th November.

The Inspector noted: 'The appellant has confirmed that the erection of an agricultural building for a tractor and implements shed has recently been completed. This would constitute development under Part 6 of the Schedule and therefore the proposal would fail to satisfy paragraph Q1 of the Order'. The case officer could not have referenced this clear contravention of paragraph Q1 in the delegated report as the construction of the 'tractor shed' only commenced afterwards, but was completed by July i.e. in advance of the planning inspector's decision to dismiss the appeal.

Finally it is stated that the prior approval for the Tractor Shed (DC/20/1071) does not have a similar condition to that imposed under DC/20/0549. This is unsurprising as DC/20/0549 was a full (albeit) retrospective application, whereas DC/20/1071 was a Prior Approval submission under permitted development rights.

The decision notice for DC/20/1071 had the following additional wording:

The applicant is advised that this decision relates solely to whether the prior approval of the Local Planning Authority was required as to the siting, design and external appearance of the proposed building. In order to satisfy the requirements of the GPDO you should ensure that the works proposed are "reasonably necessary" for the purposes of agriculture within the unit, as defined in the Planning Acts. In order to receive confirmation that the proposed development falls within the

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relevant defined class of the GPDO 2015, the applicant is advised to apply for a Certificate of Lawfulness Development (proposed) under Section 192 of the Town & Country Planning Act 1990. The applicant is reminded that the Council's Agricultural Consultant has previously advised (under DC/20/0596) that the proposed tractor shed is not 'reasonably necessary' for the purposes of agriculture under Class A, Part 6 of the GPDO based on the information to hand, in particular given the size and function of the agricultural holding and the presence of the nearby grain store which was granted retrospective consent in May 2020 (DC/20/0549 and DC/20/0550).

So, as it stands, there is no definitive acceptance by the planning authority that the 'Tractor Shed' is 'Lawful Development' since (despite the clear advice given) there appears to have been no such certificate applied for.

This is unlike the structure approved under full (retrospective) planning application DC/20/0549 which the planning authority accepted, subject to the justified and reasonable condition that any change of usage (i.e. from agricultural) must be subject to a full planning application i.e. no change of use under any permitted development right.

In summary, there is no valid case to remove the condition.

It is right and proper, and in the public interest, that if a change of use is to be considered:

**\*\*that use should be declared**

**\*\*it should be subject to a full planning application**

I therefore object to this application to try to remove an obstacle to achieving a change of use via the 'back door' of permitted development.

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Kind regards

**Telephone:**

**Email:** [planning@horsham.gov.uk](mailto:planning@horsham.gov.uk)



**Horsham  
District  
Council**

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