

From: David Hall <davidjhall12@gmail.com>
Sent: 08 July 2026 15:51:45 UTC+01:00
To: "Hamish Evans" <Hamish.Evans@midsussex.gov.uk>; "planninginfo" <planning@midsussex.gov.uk>
Subject: Re: Acknowledgement Letter for Application No DM/26/1402 - The Naked Farm Warninglid Lane Warninglid Haywards Heath West Sussex RH17 5TG
Attachments: Delegated-Report-23-02-2024.pdf

Dear Mr Evans,

Thank you for your email yesterday. Thank you also for the opportunity to provide additional submissions for you to consider when determining this planning application.

When I was instructed to submit an application for the proposed development I first advised the client, having worked for four decades on matters relating to agricultural property, that there would be very few examples, if any, of similar development proposals that could be referred to. Before submitting the subject application the only other planning example I found was within the **Peak District National Park Planning Authority**, relating to a site address at Stanedge Grange, Unnamed Section of A515 From Main Road to Brundcliffe Farm, Newhaven, planning application reference number **NP/DDD/0124/0068**. The application can be found using the web page <https://portal.peakdistrict.gov.uk/01240068>

All other planning applications relating to slaughter houses referred to their closure and change of use of the land for alternative development, primarily housing.

Having studied **NP/DDD/0124/0068** it became very apparent that it was very similar to the applicant's situation, specifically the points I highlighted to you previously, they being:

1. The development is proposed on a large agricultural land holding.
2. The existing subject building was constructed for and is permitted to be used for livestock.
3. The proposed use is for the slaughtering of animals bred and reared on this large agricultural property.
4. Following slaughtering the carcasses will be butchered on the agricultural holding.
5. The whole process of rearing the livestock and then preparing the "meat for the table" is undertaken on this one agricultural property.

The example planning application detailed above was for a **Lawful Development Certificate for the proposed use - "Proposed Farm Abattoir And Extended Meat Processing Facility Located Within Existing Stone Building**. The application was granted and a Lawful Development Certificate was issued on 26th February 2024. I attach for your information a copy of the Planning Authority's Delegated Report. I believe that our Lawful Development Certificate application before you should be considered in exactly the same way as to how the Peak District National Park Planning Authority determined application **NP/DDD/0124/0068**.

In their Delegated Report - **copy attached**, it states in paragraph 5.17:
"Taking into account the case law cited above, and given the level of use of the proposed abattoir and the fact that it will only be used for livestock reared on the farm site, it is considered that this use would be ancillary to the main agricultural use..."

I would be grateful if you could place this email and the attached example Delegated Report onto your website in recognition that this additional submitted information is available for any third parties to read.

In the meantime my clients would welcome you onto the site for you to appreciate the workings of Naked Farm particularly how they are implementing their **Vision Statement** submitted with the application. I also draw your attention to their website detailed in my Planning Design and Access Statement.

If you require any further information please do not hesitate to contact me.

Kind regards
David Hall.

On Tue, Jul 7, 2026 at 1:44 PM Hamish Evans <Hamish.Evans@midsussex.gov.uk> wrote:

Dear David,

Thank you for your email.

I acknowledge that the decisions in Williams and Millington arise from English law. My concern is not their origin, but the extent to which they relate to the proposed development in this case.

As you note, there appears to be limited authority dealing specifically with on-farm slaughtering and butchery operations. In the absence of authority directly addressing such uses, the Council must carefully consider whether the proposed activities fall within the definition of agriculture, or whether they would be ancillary to the agricultural use.

The Council is not presently satisfied that the submitted authorities establish that the slaughtering, processing and butchery of livestock are activities that would be lawful as part

of, or ancillary to, the existing agricultural use of the holding such that no material change of use would occur.

The burden remains on the applicant to demonstrate, on the balance of probability, that the proposed use would be lawful. It is not for the Council to identify contrary case law before refusing a certificate.

Should you wish to provide any further legal authorities, appeal decisions or submissions in support of your position, they will be taken into account before the application is determined.

Thank you,

Kind regards,

Kind regards,

Hamish Evans

Planning Officer

Direct Line: 01444 477228

hamish.evans@midsussex.gov.uk

www.midsussex.gov.uk

Working Together for a Better Mid Sussex

From: David Hall <davidjhall12@gmail.com>

Sent: 07 July 2026 12:09

To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Cc: planninginfo <planninginfo@midsussex.gov.uk>

Subject: Re: Acknowledgement Letter for Application No DM/26/1402 - The Naked Farm
Warninglid Lane Warninglid Haywards Heath West Sussex RH17 5TG

Dear Mr Evans,

On the contrary. Two of the Law cases referred to are from English Law. The third an American case can still be considered as to how such a use operates.

The number of slaughterhouses have been on the decline over the last forty years. Correspondingly there is limited case law directly relating to slaughter houses, other than those relating to big industrial operations. This is not that type, it is an on-farm operation. Should you have anything to the contrary we look forward to reviewing this.

Kind regards

David Hall.

On Tue, Jul 7, 2026 at 11:49 AM Hamish Evans <Hamish.Evans@midsussex.gov.uk> wrote:

Dear David,

Thank you for the below email. I note the authorities referred to within the Planning Statement. However, the Council is not presently satisfied that the submitted information demonstrates that the proposed slaughtering and butchery activities would be lawful as part of the existing agricultural use of the holding.

In particular, I would welcome any further submissions identifying English planning case law, appeal decisions, or other relevant legal authorities that specifically address whether on-farm slaughtering and butchery operations constitute agriculture, or a use that is properly regarded as ancillary to agriculture for planning purposes.

The information submitted to date either does not relate directly to the proposed use or does not arise from English planning law.

Thank you,
Kind regards,

Hamish Evans

Planning Officer

Direct Line: 01444 477228

hamish.evans@midsussex.gov.uk

www.midsussex.gov.uk

Working Together for a Better Mid Sussex

From: David Hall <davidjhall12@gmail.com>

Sent: 07 July 2026 11:18

To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Cc: planninginfo <planning@midsussex.gov.uk>

Subject: Re: Acknowledgement Letter for Application No DM/26/1402 - The Naked Farm
Warninglid Lane Warninglid Haywards Heath West Sussex RH17 5TG

Dear Mr Evans,

Thank you for your email dated 2nd July 2026 regarding the above planning application.

To answer your immediate question, it is **NOT** our intention to withdraw this application because in our view the development described in the application is considered lawful and that a Lawful Development Certificate should be granted.

In considering your decision I draw your attention to five points:

1. The development is proposed on a large agricultural land holding.

2. The subject building was constructed for and is permitted to be used for livestock.
3. The proposed use is for the slaughtering of animals bred and reared on this large agricultural property.
4. Following slaughtering the carcasses will be butchered on the agricultural holding.
5. The whole process of rearing the livestock and then preparing the "meat for the table" is undertaken on this one agricultural property.

I appreciate that the proposed development may not be to the liking of some, as noted by comments made on this application. However this is a permitted development ancillary to agriculture undertaken on this agricultural holding.

I trust that when you consider this application you are mindful of the case law submitted with our application. Based upon this case law we consider the proposed development is ancillary to the agricultural operations and therefore lawful. Should you consider otherwise we would be interested to hear upon what case law you arrive at to reach a different conclusion.

We are now mindful that following a change in the rules, should the matter go to appeal no additional evidence will be considered by the Planning Inspectorate other than that submitted and that considered during the processing of the application.

If you require any further information on the working and operations of The Naked Farm please do not hesitate to ask and my clients will be more than happy to explain and discuss this with you.

Kind regards

David Hall.

On Thu, Jul 2, 2026 at 10:33 AM Hamish Evans <Hamish.Evans@midsussex.gov.uk> wrote:

Dear David,

I hope all is well.

Regarding the above application unfortunately I am unable to recommend granting the certificate of lawful development as I do not consider the proposal would be lawful. The definition of agriculture is set out within the TCPA 1990 Section 336, which in part includes the breeding and keeping of livestock and the use of land for grazing etc. It does not include the slaughtering or processing of livestock. As such it is my opinion that the proposed use in its own right does not constitute an agricultural use. The proposal represents a distinct non-agricultural use. In terms of whether the proposed use is ancillary or incidental to the existing agricultural use, whilst I note that there would be a functional relationship between the proposed abattoir and existing agricultural unit there is a clear distinction between agricultural production and the processing and manufacturing of agricultural products. I do not consider that a purpose-built abattoir with specialist equipment, waste handling, veterinary controls, refrigeration and food-processing functions would be ancillary to the wider agricultural unit and as such it is my opinion that formal planning permission would be required for the proposal. As such I will be looking to recommend refusal of the above application. If you wish to proceed with the proposal I would recommend submitting full planning application. If you wish to withdraw the application, please could you confirm this by 10.07.2026.

Whilst I appreciate the above is disappointing, I hope it is of use.

Thank you,
Kind regards,

Hamish Evans
Planning Officer
Direct Line: 01444 477228
hamish.evans@midsussex.gov.uk
www.midsussex.gov.uk
Working Together for a Better Mid Sussex

-----Original Message-----

From: mpc@midsussex.gov.uk <mpc@midsussex.gov.uk>

Sent: 08 June 2026 16:37

To: davidjhall12@gmail.com

Subject: Acknowledgement Letter for Application No DM/26/1402 - The Naked Farm
Warninglid Lane Warninglid Haywards Heath West Sussex RH17 5TG

Please find attached the acknowledgement letter for application reference DM/26/1402. This is sent from an unmonitored address. Please do not respond to this email.

Regards

Service Support Team, Mid Sussex District Council, Oaklands, Oaklands Road,
Haywards Heath, West Sussex, RH16 1SS

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