



Planning & Building Control
Mid-Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Date 8 October 2025
Your ref
Our ref 1902/413749.3

Planning Portal Ref: PP-14393535

Dear Sirs,

Town and Country Planning Act 1990 (as amended)
Application to remove agricultural workers condition
Site at The Haven, Wickham Hill, Hurstpierpoint, BN6 9NP

DMH Stallard LLP are appointed by the applicant, Mrs Sandra Payne to make this application to remove a planning condition attached to the original planning permission for her house, The Haven in Wickham Hill.

Outline planning permission was granted by the former Cuckfield Rural District Council under reference F/67/251 by notice dated 24 November 1967 for "bungalow on approximately 1 ¼ acres, for bee-keeping and honey production, land adjoining Bentley Cottage, off Wickham Hill, Hurstpierpoint".

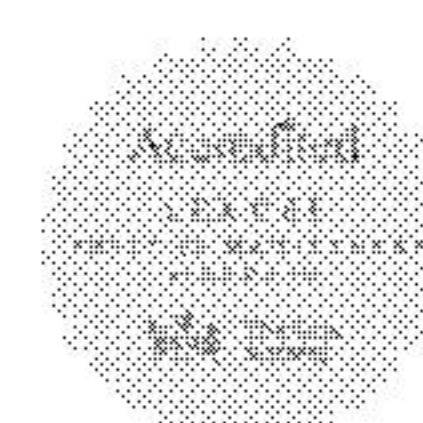
Condition no 1 of the planning permission notice states: "The occupation of the dwelling shall be limited to a person employed or last employed locally in agriculture as defined in section 221(1) of the Town and Country Planning Act 1962, or forestry, or a dependant of such a person residing with him (but including a widow or widower of such a person)".

The reason for the imposition of the condition is given as: "The site is in an area where the policy is to restrict development primarily to that required for agriculture and forestry".

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It will be noted that the outline planning permission for the dwelling was required in relation honey production.

The original planning permission was applied for by our client and her husband on land that was owned by her Mr Payne's parents who lived at Bentley Cottage, next door to what is now The Haven.

Mrs Payne's husband worked in the family business of bee keeping at the former agricultural unit but sadly, Mrs Payne's husband died last year, and the business closed at the end of 2024.

Whilst Mrs Payne acknowledges that she is able to continue to occupy The Haven given the wording of the condition that permits widows to occupy residential properties with such a planning condition, as there is no longer an agricultural business associated with the property, she wishes to seek the condition removed.

Justification for seeking the removal of the agricultural workers condition

As is made clear in the reason for the imposition of the condition, at the time that the outline planning permission was originally granted in 1967, the site was located in a rural area where planning policy then, as generally now, seeks to restrict development primarily to that required for agriculture or forestry.

We acknowledge that Policy DP15 of the Mid-Sussex Adopted District Plan that deals with new homes in the countryside includes specific policy requirements for applications for the removal of agricultural occupancy conditions which states:

"Applications for the removal of agricultural occupancy conditions will only be permitted where it can be proven that there is no longer any need for the dwelling for someone solely, mainly or last working in agriculture or forestry or other rural based enterprise. This will be based on an up-to-date assessment of the demand for farm (or other occupational) dwellings in the area as a whole, and not just on a particular holding".

Notwithstanding the above requirement, we consider that an exception should be made in this case given that the location of The Haven, as shown on the adopted Policies Map Inset 15a for Hurstpierpoint is within the defined built-up area boundary of Hurstpierpoint and therefore by definition no longer lies within the designated countryside. A screenshot of the relevant part of the Policies Map is attached for reference.



As the District Council will be aware, the countryside is defined in Policy DP12 which states "Development will be permitted in the countryside defined as the area outside of built-up area boundaries on the Policies Map....."

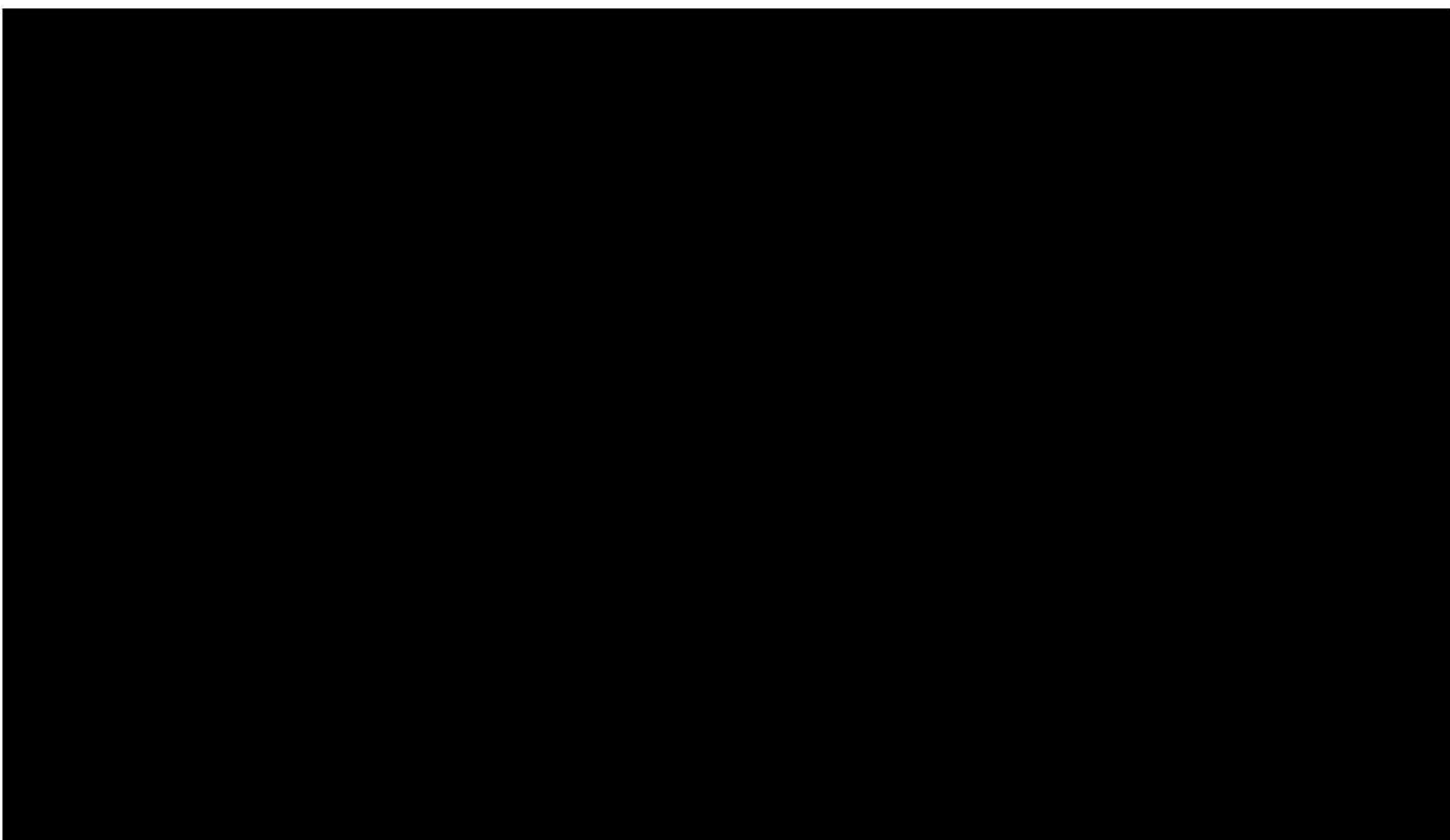
It would make no sense and indeed unfair to refuse to grant the removal of the agricultural occupancy condition on a property that were it to be subject to a planning application for redevelopment for a replacement dwelling for example would not be subject to such a condition given the property lies within the defined built-up area boundary rather than the defined countryside.

In addition, as is made clear above, the original bee keeping enterprise where the applicant's husband worked has now ceased to exist following his passing last year and so there is no need agricultural need. Furthermore, given the location of the property within the defined built-up area boundary, we do not consider that it would be reasonable to require the applicant to demonstrate through an assessment of whether there is demand for farm dwellings in the area as a whole.

For the above reasons, we request that condition 1 of outline planning permission reference F/67/251 is removed.

The application which has been submitted via the Planning Portal (Ref: PP-14393535) comprises this covering letter, the completed application form and a copy of the original planning permission notice.

Yours faithfully



Extract from Mid Sussex District Plan Policies Map inset for Hurstpierpoint – location of The Haven denoted by red arrow

