

From: Nlk Antoniou <njaltd@gmail.com>
Sent: 06 January 2026 13:15:22 UTC+00:00
To: "Daniel.Holmes" <Daniel.Holmes@horsham.gov.uk>
Subject: Re: DC/25/1949 - Duckmoor Barn Wooddale Lane Billingshurst West Sussex
Attachments: Duckmoor_Barn_Class_Q_Response.pdf, Fd6111 Duckmoor barn Key Plan sk1.pdf, FD6111 Duckmoor Barn report.pdf

Hi Daniel

Happy New Year ! and thank you for your email.

One of the Applicant's team has reviewed our exchanges and put together the attached response to your concerns for your consideration. Please could you review and let me know if that alters your position? We are of the view that the part of the building we have identified for Class Q is structurally sound and would meet the tests but welcome your further thoughts.

Many thanks

Kind regards

Nikolas Antoniou
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On Fri, 2 Jan 2026 at 11:40, Daniel.Holmes <Daniel.Holmes@horsham.gov.uk> wrote:

Dear Nik,

I hope you enjoyed the Christmas break?

I have had chance to review and visited the site last week as I was passing through.

Thank you for drawing attention to DC/25/0789. I have reviewed that decision in the context of the current proposal. It is important to distinguish between what may have been accepted in a previous case and what the Class Q legislation and case law actually require to be demonstrated for this site. Class Q is not a discretionary planning judgement but a legal test of whether the existing building, as it stood on the qualifying date, was structurally capable of conversion to a dwelling without significant rebuilding. Previous approvals, even where marginal, do not set a binding precedent if the factual and structural circumstances are materially different.

In this case, the submitted structural report for Duckmoor Barn confirms that part of the primary portal frame has been distorted and buckled by fire, with associated cracking and partial collapse of blockwork, and that sections of the building would need to be removed from the scheme as a result. The photographic record also shows substantial loss of walling and fire-damaged and perforated roof sheeting. This was evident on my visit.

This is materially different from a building that may be open-sided but retains an intact, undamaged structural frame and roof. In Class Q terms, a portal frame that is structurally sound but unenclosed can, in some circumstances, still be capable of conversion because walls can be added within a coherent and stable structure. A frame that has been structurally compromised by fire and requires demolition of failed elements before any conversion works can proceed is in a fundamentally different position.

The fact that the roof or cladding might in any event be replaced as part of a conversion is not determinative for Class Q purposes. The test is whether the building, at the point of assessment, exists as a building capable of being converted, not whether new elements could be hung off what remains.

For these reasons, notwithstanding DC/25/0789, there remains a significant risk that Duckmoor Barn would be found not to meet the “capable of conversion” test under Class Q, and that refusal on structural grounds would be likely on the evidence currently available.

I note the decision for this is due on 22/01/2026. If I do not receive a request to withdraw I will unfortunately be recommending for refusal on this basis. I appreciate that this is not the news you would have been hoping for.

Kind regards,

Danie Holme

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Senior Planning Officer

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From: Nik Antoniou <[njald@gmail.com](mailto:njaltd@gmail.com)>

Sent: 24 December 2025 12:15

To: Daniel.Holmes <Daniel.Holmes@horsham.gov.uk>

Subject: Re: DC/25/1949 - Duckmoor Barn Wooddale Lane Billingshurst West Sussex

Hi Daniel

Thanks for your email.

In the past Class Q's have been granted for pole barns with little or no foundations and no sides etc. so I have seen quite a range of permissions. With this barn we sought to exclude any areas that might be problematic and because the floor area as a whole is so large we could afford to remove elements and still have a significant main portion of the barn for conversion. The impression given following the previous Class Q was that there was support for the conversion but it just lacked a structural survey so you can imagine your comments are of concern.

As you are aware, inserting the walls, replacing the roof with a lightweight insulated roof, and the provision of a slab are all works that would be needed to meet building regs. The key test is that there are no new structural elements. Our understanding is that the existing roof structure will support a lightweight insulated roof plus allowance for its snow loading. The infill walls/panels would be flush with the posts so there will be no extending beyond the envelope.

Many Atcost type steel barns have been converted where there is nothing. I draw your attention to the attached case DC/25/0789 which your colleague Hannah Darley granted and as you can see below there is no floor as such, no walls whatsoever and the roof would be replaced with a new insulated metal sheeted one. Given the recentness of this consent I struggle to see the differences between the schemes. While the barn below might have a more complete roof it would be coming off which then makes the retained barn at Wooddale seem the better starting point because it does have some walling. Perhaps you will reconsider in light of this permission? as everything you say is needed to be done on Wooddale is no different to that below !



Given the new housing granted on the opposite side of Wooddale Lane backing onto Lidl/Shell and other housing another option would simply be to make a full application for a new dwelling in this location on the basis of the residential. units allowed directly opposite coupled with the housing supply issues etc. I have a number of schemes being granted at the moment with Garden House going to committee in January, a recently allowed appeal for a unit at Thornhill Stables this is an alternative route but given the success of DC/25/0789 and the similarities the preference was to secure residential conversion through the Class Q mechanism.

Have a good Christmas and I look forward to hearing from you in the New Year.

Kind regards

Nikolas Antoniou

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On Wed, 24 Dec 2025 at 11:38, Daniel.Holmes <Daniel.Holmes@horsham.gov.uk> wrote:

Dear Nick,

Further to reviewing the submitted structural report and the Planning Statement for Duckmoor Barn, I wanted to flag some significant concerns in relation to compliance with the Class Q “capable of conversion” test.

This is a desktop planning risk review rather than a formal determination; however, on the evidence currently available, there is a material risk that the proposal would be refused on structural grounds.

The key issue is that under Class Q the building must, as it exists, be structurally capable of conversion to a dwelling without significant rebuilding. This is a legal test arising from case law (including Hibbitt, Embleton and subsequent appeal decisions) and is not a matter of design preference or mitigation.

In this case, the submitted structural report itself identifies that:

- A primary part of the steel portal frame has been distorted and buckled by fire in the south-west corner, with associated cracking and collapse of blockwork.
- The roof and wall sheeting has multiple large fire-damaged openings.
- The building is largely open-sided, with only limited low-level blockwork remaining on parts of two elevations.
- There is no structural floor slab, only compacted hardcore and earth.

The report also makes clear that the proposal relies on excluding the fire-damaged bay and part of the lean-to from the scheme and demolishing those elements.

This is problematic for Class Q. The “capable of conversion” test applies to the building as it existed on the qualifying date, not to a remnant that would be left after demolition of structurally failed elements. Where primary structural components have failed and require removal, and where substantial new walls, roof and floor would need to be constructed to create a dwelling, Inspectors consistently find that this amounts to rebuilding rather than conversion.

On the photographic evidence, the structure appears to be a fire-damaged portal frame with very limited enclosure, missing and perforated roof sheeting, and only fragmentary blockwork. To create a weather-tight dwelling would require new external walls, a new roof envelope and a new structural floor, which is not generally accepted as Class Q compliant.

For these reasons, there is a clear risk that the LPA would conclude that the building is no longer a building capable of conversion, but rather a structurally compromised agricultural shell requiring reconstruction, which falls outside the scope of Class Q.

If you would like to discuss whether any further structural evidence could realistically address this, or whether alternative planning routes should be considered, I am happy to do so.

Kind regards,

Danie Holme

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Senior Planning Officer

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