



Applications & Appeals Services

PLANNING STATEMENT

**CLASS Q: Prior Notification for the conversion of an agricultural
barn into a dwellinghouse (Class C3)**

at

**Duckmoor Barn, Wooddale Lane, Billingshurst, West Sussex,
RH14 9DZ**



APPLICANTS: Mr and Mrs Sherlock

November 2025

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CONTENTS	PAGE
1. INTRODUCTION	2
2. THE SITE	3
3. PLANNING HISTORY	5
4. DETAILS OF THE PROPOSAL	6
5. ASSESSMENT AGAINST CLASS Q	10
6. CONCLUSIONS	26

APPENDICES

Appendix NJA/01 - DC/21/1998 - Clayfield Farm, Valewood Lane, Barns Green

Appendix NJA/02 - DC/21/1878 - Maple Farm, Marches Road, Warnham

Appendix NJA/03 - KET/2019/0618 - Harborough Road, Dingley, Leicestershire

Appendix NJA/04 - LX/20/01753/PA3Q - Trenchmore Farm, Drungewick Lane, Loxwood

Appendix NJA/05 - PS/20/00777/PA3Q - Winkins Wood Farm, Billingshurst

Appendix NJA/06 - DC/18/2716 Brookdale Farm, West Chiltington Lane, Broadford Bridge

Appendix NJA/07 - DC/18/0974 Bulls Farm, Sedgwick Lane, Horsham

Appendix NJA/08 - DC/15/2524 – Canfields Farm, Lynwick Street, Rudgwick, Horsham

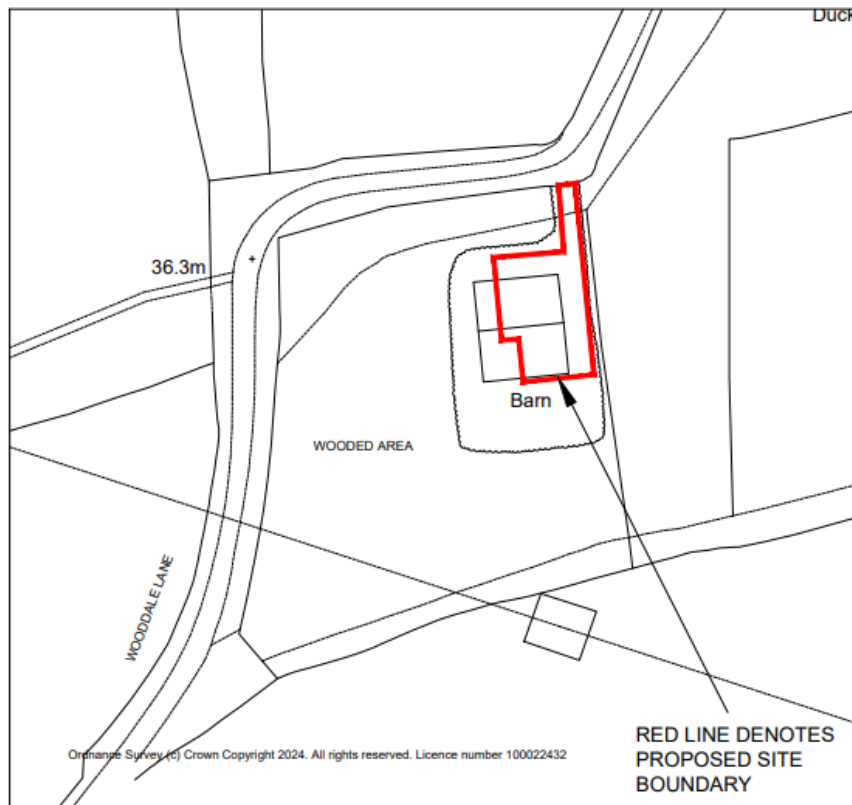
1. INTRODUCTION

- 1.1 The proposal is for the conversion of the ground floor Duckmoor Barn, Wooddale Lane, Billingshurst, West Sussex, RH14 9DZ at ground floor to form a residential dwelling. The application is submitted under the provisions of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the “GPDO”), which sets out that the change of use of an agricultural building to dwellings together with building operations that are reasonably necessary does not require planning permission, subject to criteria.
- 1.2 The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2024 (SI/2024/579) contained a number of revisions to the GPDO including the deletion of previous permitted development rights provisions in Schedule 2, Part 3 Class Q and their replacement with new criteria. This Order came into effect on 21 May 2024. This application is submitted under the updated criteria and the Planning Statement considers the proposal against the provisions of permitted development under Class Q and demonstrates that all relevant criteria are met.
- 1.3 A previous planning application has been submitted on the site (ref: DC/25/0571) in April 2025. However, this application was refused due to ***“the proposal fails to demonstrate, to the satisfaction of the Local Planning Authority, that the building is capable of conversion without the construction of new structural elements and that the proposed building operations are reasonably necessary for the building to function as a dwellinghouse, as permitted by Class Q. The proposal therefore fails to comply with the requirements of Q.1.(i) of Class Q, Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)”***. This application is being re-submitted having undertaken a structural assessment and the proposed plans have been minorly updated to only use the parts of the barn that can be converted without the construction of new structural elements. A Structural Report prepared by Finite Design Ltd is submitted as part of this application.

2. THE SITE

- 2.1 The application site comprises an agricultural barn within an agricultural holding situated in the countryside, approximately 1km to the east of Billingham.

Figure 2.1 - Site Location Plan



- 2.2 The barn is standalone with no buildings on the site and is largely surrounded by woodland. The site is accessed via a track/drive leading from Wooddale Lane to the north and would serve the residential dwelling.
- 2.3 The barn is formed of a steel frame with brickwork and fibre cement sheet walls and a fibre cement roof over. A square portion of the existing barn does not form part of the prior notification proposal as set out further below.
- 2.4 The site has been used solely for agricultural purposes. A selection of photographs of the barn which is the subject of this Class Q proposal follows:



Source: NJA Town Planning Ltd (2025)

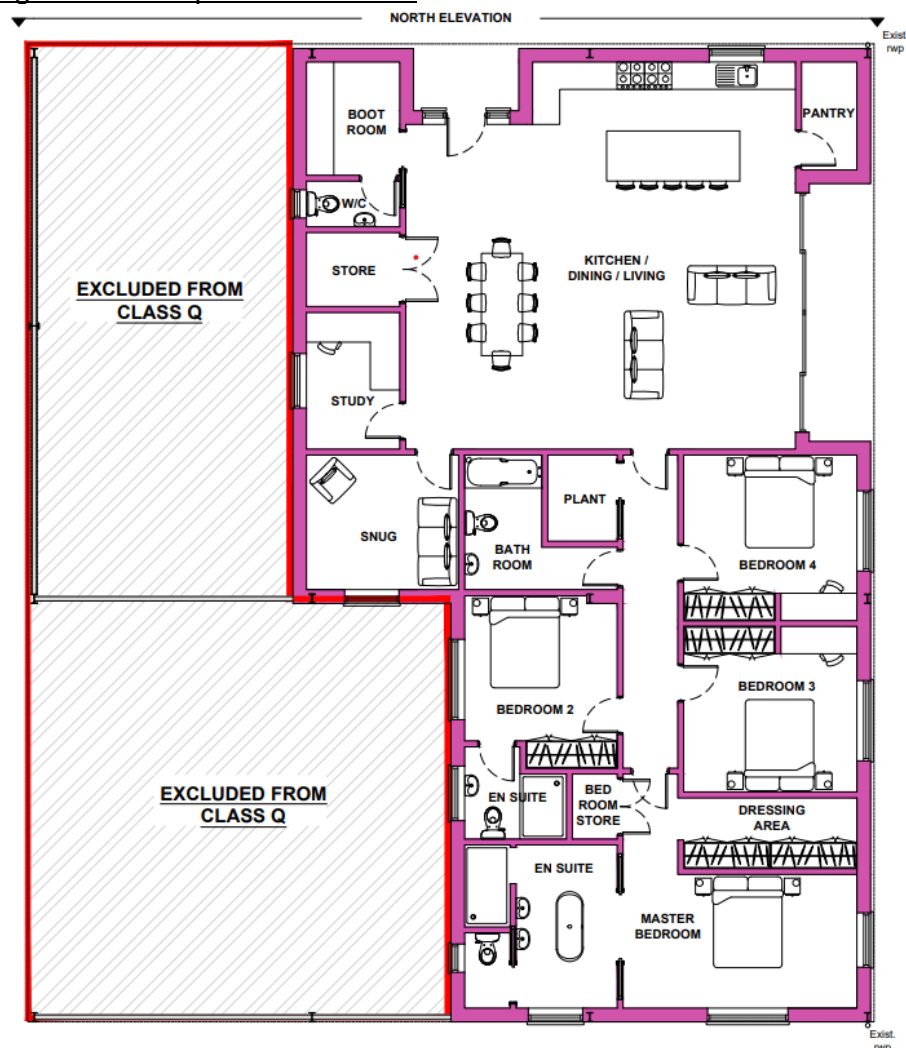
3. PLANNING HISTORY

- 3.1 **DC/20/2607** - Outline Application for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access. *Application Refused on 06.04.2021.*
- 3.2 **DC/23/1820** - Non Material Amendment to previously approved application DC/20/2607 (Outline Application for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access) to Change the wording of Condition 21 to the following: No development approved pursuant to the outline planning permission hereby permitted shall commence until planning permission for the works required to deliver the off-site water neutrality measures at Dedisham Farm as set out in the Motion Technical Note TN03 dated 29 September 2023 (subject of planning application DC/22/1947 and DC/23/1764) have been permitted. *Application Permitted on 19.10.2023.*
- 3.3 As set out above a previous planning application has been submitted on the site (ref: DC/25/0571) in April 2025. However, this application was refused due to ***“the proposal fails to demonstrate, to the satisfaction of the Local Planning Authority, that the building is capable of conversion without the construction of new structural elements and that the proposed building operations are reasonably necessary for the building to function as a dwellinghouse, as permitted by Class Q. The proposal therefore fails to comply with the requirements of Q.1.(i) of Class Q, Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)”***.

4. DETAILS OF THE PROPOSAL

- 4.1 It is proposed to convert the ground floor of the agricultural barn into a residential dwelling as 'permitted development' in accordance with the provisions of Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the "GPDO").
- 4.2 The barn would be converted to 1no. single-storey four-bedroom dwelling. The dwelling would measure 149sqm in floor area (GIA). A portion of the existing barn on the west elevation has been excluded from this Class Q application and would not be altered as a result of this prior approval application except for replacing the roof. Figure 4.1 below sets out the proposed floor plan.

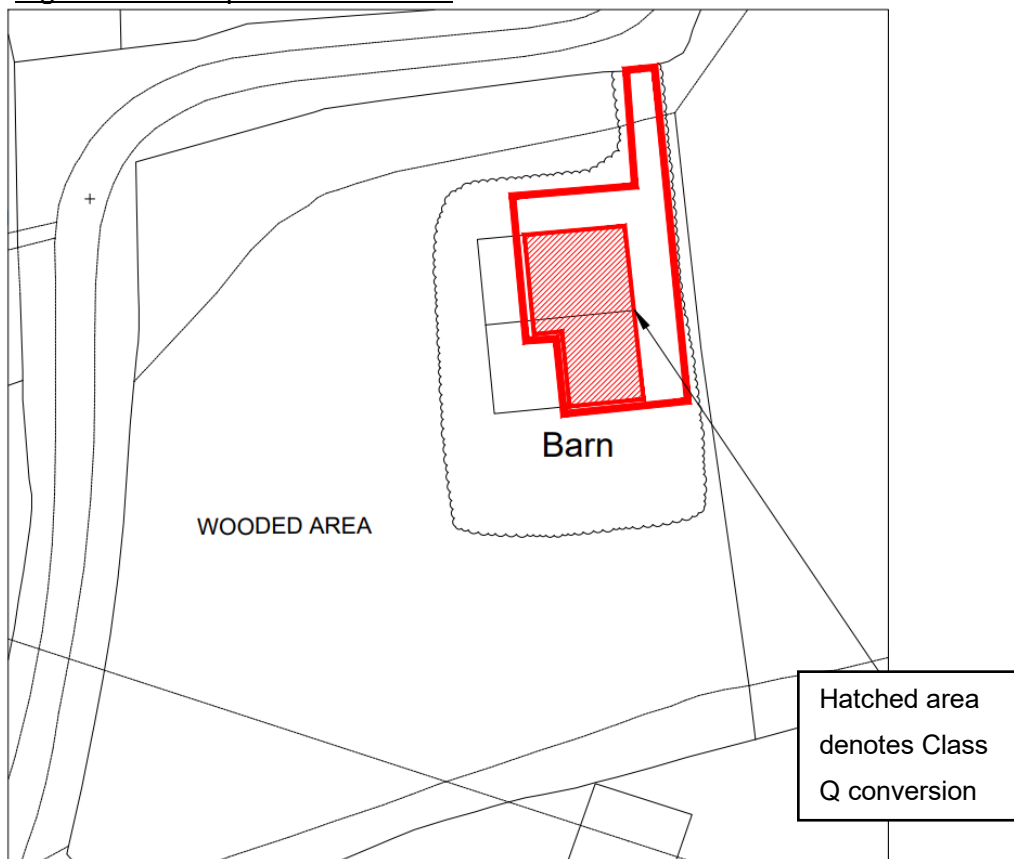
Figure 4.1 - Proposed Floor Plan



Source: DMA Building Designs (2025)

- 4.3 The proposed development would maintain and re-use a portion of existing frame of the barn; this section has been deemed capable of conversion by the submitted Structural Report. The existing barn is open on the north and east elevations, as such, these elevations would be enclosed and finished in timber cladding. Fenestration/ openings will be also introduced on these elevations. The existing enclosed south and west elevations would be replaced to match the timber cladding of the other elevations with additional fenestration/ openings also added to these elevations. An updated roof structure is also proposed. None of these proposed changes would alter the external dimensions of the building.
- 4.4 The proposal would also include parking and external amenity space for the dwelling within the curtilage of the dwelling. Plans and elevations of the proposal are provided below along with the proposed Block Plan.

Figure 4.2 – Proposed Block Plan



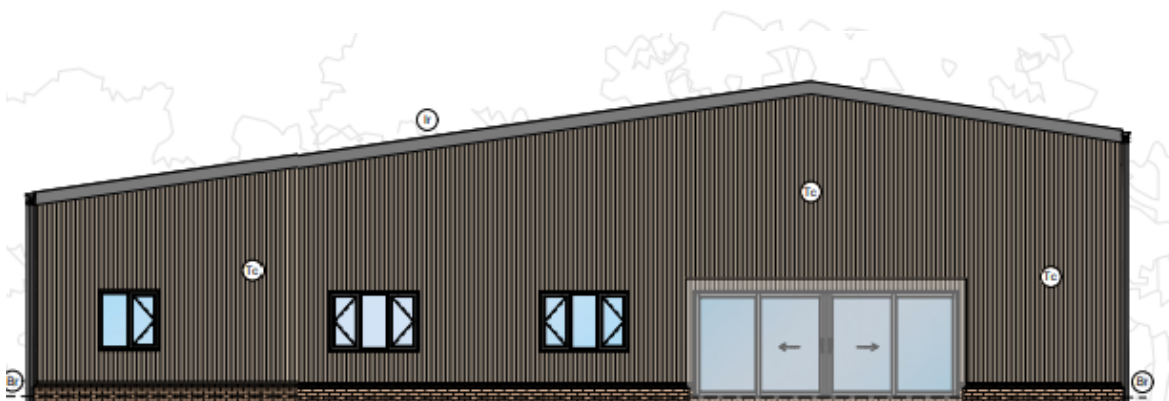
Source: DMA Building Designs (2025)

Figure 4.3 – Proposed Elevations



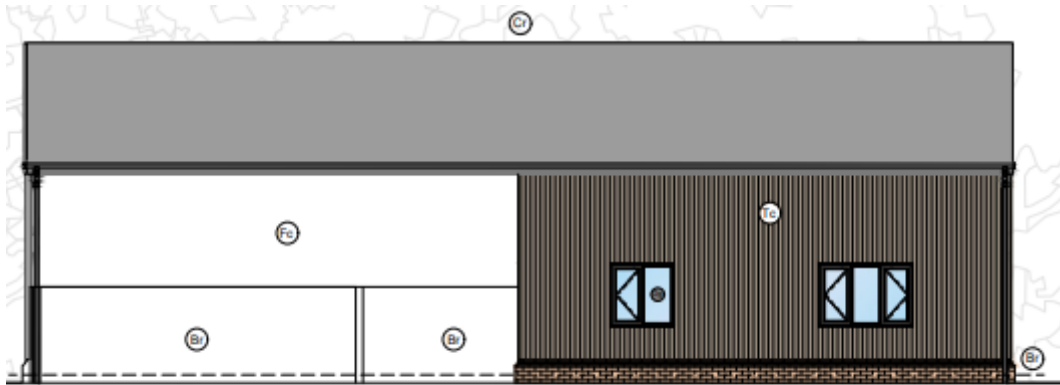
PROPOSED NORTH ELEVATION

SCALE 1:100

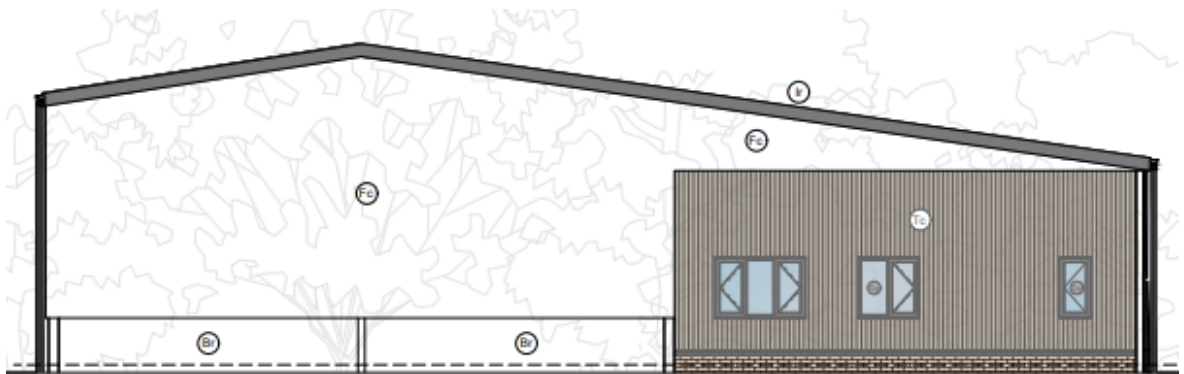


PROPOSED EAST ELEVATION

SCALE 1:100



PROPOSED SOUTH ELEVATION
SCALE 1:100



PROPOSED WEST ELEVATION
SCALE 1:100

Source: DMA Building Designs (2025)

5. ASSESSMENT AGAINST CLASS Q

5.1 Class Q of Part 3 of Schedule 2 of the Order, permits the following:

Q. Development consisting of—

(a) a change of use of—

(i) a building that is part of an established agricultural unit and any land within that building's curtilage, or

(ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage, to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,

(b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or

(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

5.2 The proposal relates to the change of use of a large agricultural barn 'Duckmoor Barn' to form a four-bedroom dwelling together with building operations that are reasonably necessary to allow the conversion and change of use. There will be no change to the size of the barn's footprint, and the proposal therefore falls within the remit of criteria (c).

Class Q further stipulates at Q.1 more detailed criteria that such proposals must comply with to be 'Permitted Development'. The detail of these criteria is set out as follows:

Q.1 Development is not permitted by Class Q—

(a) in the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit—

(i) on 24th July 2023, or

(ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins

5.3 'X' of the GDPO states that an 'agricultural building' means a building used for agriculture and which is so used for the purposes of a trade or business; and 'agricultural use' refers to such uses. It also confirms that an 'established agricultural unit' means agricultural land occupied as a unit for the purposes of agriculture and in respect of Class Q, on, or before 24 July 2023 or for 10 years before the date development begins.

5.4 Section 336(1) of the Town and Country Planning Act 1990 states that 'agriculture' includes 'horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of the land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agriculture" should be construed accordingly'.

5.5 The barn has been used solely for an agricultural use as part of an existing agricultural unit. It was in such use on 24 July 2023 thereby complying with criterion Q.1 (a)(i).:

(b) in the case of a site that was (but is no longer) part of an established agricultural unit—

(i) the site was part of an established agricultural unit on 24th July 2023,

(ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or

(iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose

- 5.6 Criterion Q.1.(b) is not relevant to this application as it has been demonstrated the proposal complies with criterion Q.1.(a)(i).

(c) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeds 150 square metres

- 5.7 The proposal would convert the ground floor of the barn into a residential dwelling with a floor area of 149sqm. As such, the proposal complies with Q.1(c).

(d) the development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) of this Part) would result in—

(i) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 10, or

(ii) the cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres

- 5.8 As confirmed above, the proposed conversion under Class Q would result in the formation of a single dwelling of 149sqm. No other development has been undertaken at the established agricultural unit under the provisions of Class Q. The proposal complies with criterion Q.1 (d).

(e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained

(f) less than 1 year before the date development begins—

(i) an agricultural tenancy over the site has been terminated, and

(ii) the termination was for the purpose of carrying out development under Class Q,

unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use

- 5.9 There are no agricultural tenancies in place relevant to the barn, and there were none which have been terminated within the last year. The proposal complies with criteria Q.1 (e) and (f)(i)(ii).

(g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins

- 5.10 No development under Class A(a) or Class B(b) of Part 6 of Schedule 2 of the GPDO (agricultural buildings and operations) has been carried out on the established agricultural unit within the last 10 years. The proposal complies with criterion Q.1 (g).

(h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than—

- (i) extension of the building allowed by paragraph Q.1(i);**
- (ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i)**

(i) the development under Class Q(b) would result in an extension that—

- (i) has more than one storey,**
- (ii) is sited anywhere other than to the rear of the existing building,**
- (iii) extends beyond the rear wall of the existing building by more than 4 metres,**
- (iv) has eaves the height of which exceed the height of the eaves of the existing building,**
- (v) is higher than whichever is the lower of—**
 - (aa) the highest part of the roof of the existing building, or**
 - (bb) a height of 4 metres above the ground,**
- (vi) extends beyond a wall that forms a side or principal elevation of the existing building, or**
- (vii) would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and—**
 - (aa) the hard surface was not provided on the land on or before 24th July 2023, or**

(bb) where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins

5.11 The development comprises the conversion of the existing building only (with no extensions), and the proposal will not result in the external dimensions extending beyond the external dimensions of the existing building at any given point. This includes new external facing materials and windows and doors that would sit flush to the replacement walls. The proposal therefore complies with criterion Q.1 (h) and (i).

(j) the development under Class Q(c) would consist of building operations other than—

(i) the installation or replacement of—

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse, and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j)(i)

5.12 In this case, the proposed conversion works comprise the following:

- Retention and refurbishment of structural frame (only the areas deemed capable of conversion in the structural survey);
- Introduction of tiled roof;
- Partially enclosing of north and east elevations;
- Alteration/insertion of fenestration and doors;
- Installation of internal walls/partitions; and
- Insulation to floors, walls and roof.

5.13 The proposal would retain the existing structural elements (frame, walls, roof joists), refurbished where necessary. The works identified above are all to the extent that are reasonable for the barn to function as a dwelling in accordance with criterion Q.1 (j). The

installation or replacement of windows, doors, roofs or exterior walls and services are all permitted under Class Q.

- 5.14 Further guidance regarding the above criteria is found in the Planning Practice Guidance (PPG) at paragraph 105 Reference ID: 13-105-20180615. This states that rights are available to facilitate the conversion of the building, which may include those which would affect the external appearance that would otherwise require planning permission:

'The right allows either the change of use (a), or the change of use together with reasonably necessary building operations (b). Building works are allowed under the right permitting agricultural buildings to change to residential use: Class Q of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015. However, the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore, it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.'

For a discussion on the difference between conversions and rebuilding, see for instance the case of Hibbitt and another v Secretary of State for Communities and Local Government (1) and Rushcliffe Borough Council (2) [2016] EWHC (Admin).

Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q'.

- 5.15 The PPG also states:

'Therefore it is only where the existing building is structurally strong enough to take the loading which comes with the external works to provide for residential use that the building would be considered to have the permitted development right'.

- 5.16 Given residential accommodation is only provided on the ground floor the existing building is structurally strong enough to take the load associated with this use on the ground floor. A selection of case studies where changes to the elevations were proposed are set out below, these demonstrate the general approach to permitting Class Q proposals.

DC/21/1998 - Clayfield Farm, Valewood Lane, Barns Green – Conversion of agricultural building into two dwellings (Appendix NJA/01)

- 5.17 The Case Officer's report notes *'The submitted sections, and accompanying statements, demonstrate that sub-frames will be introduced around fenestrations, though, as further commented within the structural appraisal existing horizontal purlins make a limited contribution to the structural integrity of the existing building. The introduction of fenestrations to serve internal spaces are considered to represent works necessary to support a residential occupancy and are permitted by paragraph Q.1(i) of Class Q. The introduction of a sub-frame around fenestrations is not considered to represent a significant structural alteration, with the overall extent of proposed alterations not considered to exceed a threshold of works permitted by paragraph Q.(b) as a 'conversion'.*

DC/21/1878 - Maple Farm, Marches Road, Warnham – Conversion of agricultural building to form five dwellings (Appendix NJA/02)

- 5.18 The Case Officer's report confirmed the proposal only incorporated internal renovations and the connections required to necessary services. No demolition was required, and a range of windows and doors were proposed. The Case Officer raised no objection to this.

KET/2019/0618 - Harborough Road, Dingley, Leicestershire – Conversion of agricultural building to form four dwellings (Appendix NJA/03)

- 5.19 The Appeal Decision sets out *'Having considered these appeal decisions and the nature and size of the existing openings in the building, particularly those in the front of the central section, and the damage evident to adjacent sections of sheeting, I do not find the proposed elevational changes to amount to starting afresh, as in Hibbitt, or to go beyond what would be reasonably necessary to convert the building to residential use'.* Additionally, it was stated *'Considering the inner frame and floor in the context of the*

Hibbitt case and the PPG I do not find them to be starting afresh or to go beyond conversion works but reasonably necessary for the building to function as 4 dwellings.'

LX/20/01753/PA3Q - Trenchmore Farm, Drungewick Lane, Loxwood–Conversion of agricultural building to a dwelling (Appendix NJA/04)

5.20 The Case Officer's report notes '*recent case law and updated guidance*' (PPG paragraph 105) which '*assumes that the agricultural building is capable of functioning as a dwelling in the first instance and whilst this class permits some building operations and in some cases works might be extensive, it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right for a conversion*'.

5.21 The Structural Survey submitted with the Trenchmore Farm case confirmed that the support columns to the barn are in good condition and form a well constructed frame. The Case Officer's report finds '*On balance, when considering the works required and the condition of the barn, the proposal would ensure that the scope of the work would not amount to a rebuilding but instead would fall within what could be reasonably considered a conversion in accordance with the Court decision in the Hibbitt case*'.

PS/20/00777/PA3Q - Winkins Wood Farm – Conversion of agricultural building to a dwelling (Appendix NJA/05)

5.22 Prior Approval for the conversion of a barn at Winkins Wood Farm to a dwelling (decision issued 29 April 2020). The Case Officer's report notes that the structure is of a robust design comprising brick and timber clad elevations, a metal roof and concrete floor and that the structural survey states that the barn structure is sound and in very good order. The proposed works to facilitate the conversion included the provision of additional window openings, a replacement roof and internal wall and roof insulation. The structural survey found that additional steel purlins may be required to support the weight of the roof insulation and the Case Officer's report confirms this is acceptable.

DC/18/2716 Brookdale Farm, West Chiltonington Lane, Broadford Bridge – Conversion of agricultural building to a dwelling (Appendix NJA/06)

5.23 Prior Notification for the change of use of an agricultural building to a dwelling at Brookdale Farm. The barn had been used to store agricultural machinery in support of the associated agricultural activities carried out at Brookdale Farm which included the keeping/grazing of

sheep and production of hay and grass. The farm also comprised an equestrian element including stables (including DIY livery) and a sand school. The Case Officer's report accepts that whilst some diversification of the farm has taken place over the years, including an equestrian use and an office use:

'The main element of the site remains the agricultural use of the land with the equine element being ancillary to the wider agricultural use, and being contained within a very defined area of the wider site. Brookdale Farm is considered to amount to an agricultural business and provides the family with a form of income. Whilst the Hewson family may have surrendered the actual farming practice and land management duties to neighbouring and nearby farmers in the past, this would not undermine the agricultural use of the land'.

DC/18/0974 Bulls Farm, Sedgwick Lane, Horsham – Conversion of agricultural building to a dwelling (Appendix NJA/07)

- 5.24 Prior Approval issued for the conversion of a pre-case concrete framed barn at Bulls Farm to a dwelling. In terms of the conversion works required, the Case Officer's report states *'The existing building appears a robust structure fully enclosed to all elevations. While the structural survey indicates a new dwarf wall they do not include any additional elements to the building itself, with replacement walls and roof covering considered acceptable in the context of the existing building'.*
- 5.25 In terms of the noise impacts of the proposal, the Case Officer's report states *'It is noted that concerns have been raised by the Council's Environmental Health Team. The applicant had though provided details on the nature and intensity of surrounding buildings, which comprise relatively low key functions of the wider agricultural holding. There are a number of dwellings surrounding the site, un-associated with the agricultural holding, with no apparent history of noise complaints. While the proximity of the dwellings to surrounding buildings is noted, given the above it is considered that any residual concerns can be satisfactorily addressed through a condition requiring details of soundproofing measures'.*
- 5.26 The Case Officer's report states that *'the potential contamination risks could be dealt with satisfactorily by condition'.*

5.27 Prior Notification application permitted by Horsham District Council for the conversion of a partially open sided barn into two dwellings. The Case Officer's report notes that the proposal would involve 'extensive works to enclose the building' however no objections were raised in this respect. In particular, reference is made to a previous Planning Inspector's decision for a similar proposal to the same building at Canfields Farm and where no concerns were raised in respect of the extent of the proposed conversion works.

5.28 In summary, as demonstrated in the above applications, the existing building is already suitable for conversion to residential use, and no works would go beyond what is reasonably necessary for the conversion. Furthermore, the proposed internal works (the insertion of partition walls and insulation to the external walls and roof) are not prohibited by Class Q. Therefore, the proposed works listed all fall within the remit of Q.1 (l).

(k) the site is on article 2(3) land;

5.29 The site is not located on article 2(3) land (Conservation Area/Area of Outstanding Natural Beauty). The proposal complies with criterion Q.1 (k).

(l) the site is or forms part of –

(i) a site of special scientific interest;

(ii) a safety hazard area;

(iii) a military explosives storage area;

(m) the site is, or contains, a scheduled monument;

5.30 The site does not form part of an area as listed within Q.1(l) and does not comprise or contain a scheduled ancient monument thereby conforming to criterion Q.1 (m).

(n) the building is a listed building.

5.31 The agricultural building to be converted is not a Listed Building, and the proposal complies with criterion Q.1 (n).

(o) the existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), would not be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015 as read with the notes dated 19th May 2016 which apply to it, or

- 5.32 The proposed dwelling would adhere to Nationally Described Space Standards, as required. The proposal complies with criterion Q.1 (o).

(p) the building does not have suitable existing access to a public highway.

- 5.33 The site is accessed via a track/drive leading from the public highways of Woodale Lane to the north and would serve the residential dwelling. The proposal complies with criterion Q.1 (p).

- 5.34 The above demonstrates that the proposal complies with the criteria set out within Class Q.1. Q.1 is followed by Q.2, which sets out a number of conditions pertaining to development under Class Q as follows:

Conditions

Q.2 (1) Where the development proposed is development under Class Q(a) together with development under Class Q(b), development is permitted subject to the condition that before the beginning of the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to –

(a) transport and highways impacts of the development,

(b) noise impacts of the development,

(c) contamination risks of the site,

(d) flooding risks of the site,

(e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouse) of the Schedule 1 to the Use Classes Order,

(f) the design or external appearance of the building, and

(g) the provision of adequate natural light in all habitable rooms of the dwellinghouses, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

5.35 The above conditions are addressed as follows:

(a) transport and highways impacts of the development

5.36 The proposal is small in scale and the existing access from Woodale Lane is adequate to serve the dwelling, which would not result in a significant intensification of traffic generation when compared to the existing land use. Although Class Q does not require car parking to be considered, there is space to provide car parking spaces for the dwelling. There are as such no adverse transport and highways impact of the proposal, which therefore complies with criterion Q.2 (1) (a).

(b) noise impacts of the development

5.37 The proposal is to create just one dwelling. A residential use is not one which would result in harmful noise and disturbance generally, and no harm will be caused to neighbouring residential amenity.

5.38 Furthermore, the use of the surrounding land will not result in any adverse impact upon the residential amenities of future occupiers by way of harmful noise or disturbance.

5.39 There are as such no adverse noise implications of the proposed development and a suitable living environment will be provided for future occupiers. The proposal complies with criterion Q.2 (1) (b).

(c) contamination risks of the site

- 5.40 The site is not known to have any contamination issues. The proposal complies with Q.2 (1) (c).

(d) flooding risks of the site

- 5.41 The site is located within flood zone 1 (low risk), and there are no flooding risks which would require mitigation as a result of the proposal. There is no conflict with criterion Q.2 (1) (d).

(e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouse) of the Schedule 1 to the Use Classes Order

- 5.42 In relation to the above criteria, the PPG provides the following advice:

‘The permitted development right does not apply a test in relation to sustainability of location. This is deliberate as the right recognises that many agricultural buildings will not be in village settlements and may not be able to rely on public transport for their daily needs. Instead, the local planning authority can consider whether the location and siting of the building would make it impractical or undesirable to change the use to residential’ (Paragraph 108 ID:13-108-20150305).

‘Impractical or undesirable are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects the location and siting would “not be sensible or realistic” and undesirable reflects that it would be “harmful or objectionable”.

When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not sufficient reason for refusing prior approval.

There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building on the top of a hill with no road access,

power source or other services its conversion is impractical. Additionally the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.

When a local planning authority considers location and siting it should not therefore be applying tests from the National Planning Policy Framework except to the extent these are relevant to the subject matter of the prior approval. So, for example, factors such as whether the property is for a rural worker, or whether the design is of exceptional quality or innovative, are unlikely to be relevant' (Paragraph 109 Reference ID 13-109-20150305).

- 5.43 The building is located within the countryside. However as set out above, the regulations do not state that such locations are inappropriate and issues of sustainability are not relevant to Class Q schemes.
- 5.44 Given that Class Q relates to the conversion of an agricultural building to a dwelling, it is very likely that many Class Q proposals will relate to buildings that are sited within close proximity to farming activities. However, this is not to say that such locations are unacceptable. In this case there are no adjacent uses that would result in any harmful levels of noise disturbance or odour. There is space around the barn to ensure that sufficient levels of natural lighting can be achieved internally. The main windows providing light and a pleasant outlook and once the barn is converted, it will provide for a high quality living environment for future occupiers.
- 5.45 It is concluded that the proposed barn is in an acceptable location to support its conversion to a dwelling without creating an impractical or undesirable living environment for future occupiers. The proposal therefore complies with Class Q.2 (1) (e).

(f) the design or external appearance of the building

- 5.46 The building will retain its original form, and the materials proposed are in keeping with the existing building and the agricultural/rural setting. The proposed alterations would, however, significantly enhance its appearance and the setting of the site in general.
- 5.47 The design of the proposed dwelling is of high quality and whilst the proposal necessitates the alterations to include new windows and doors, these are sensitively designed and sited

to ensure that they complement the appearance of the building. The overall design of the barn and external materials are wholly appropriate to the rural location, with the building retaining the general form of the barn, thereby preserving its agricultural heritage. There is as such no conflict with Class Q.2 (1) (f).

(g) the provision of adequate natural light to all habitable rooms of the dwellinghouses

- 5.48 The proposed fenestration and internal layout of the dwelling is appropriately designed to ensure sufficient levels of natural light and outlook in the habitable rooms. The proposal complies with Class Q.2 (1) (g).

Other Issues

- 5.49 The provisions of paragraph W relate to the procedure Councils must follow for prior approval applications Under Part 3. The application submission includes all of the details required by W (2) (a) – (e) and there is no conflict with any of the other procedures set out.
- 5.50 The proposed residential curtilage for the dwelling is situated immediately adjacent to the barn and the site measures 526sqm overall compared to the 149sqm residential dwelling. This complies with the definition of curtilage as it relates to Class Q set out in paragraph X of Schedule 2 Part 3 of the GPDO.
- 5.51 The proposed dwelling would have a floor area of 149sqm, which would exceed considerably the Government's nationally described space standards in terms of the overall size of the dwelling and the specific requirements pertaining to bedroom sizes and ceiling heights.
- 5.52 Article 3(1) of the GPDO states that:

'Subject to the provisions of this Order and regulations 75 to 78 of the Conservation of Habitats and Species regulations 2017 (general development orders), planning permission is hereby granted for the classes of development described as permitted development in Schedule 2'.

- 5.53 Section 75 of the Conservation of Habitats and Species Regulations 2017 states that *'it is a condition of any planning permission granted by the general development order made on or after 30th November 2017, that development which –*

(a) is likely to have a significant effect on a European site of a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of the site,

must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority).

5.54 The Applicants are aware that an application under the provisions of Section 77 of the Conservation of Habitats and Species Regulations 2017 is required to be submitted and approved prior to the commencement of any development proposed as part of this Prior Notification application.

5.55 Article 3(9A) states that

‘Schedule 2 of the Order does not grant planning permission for, or authorise any development of, any new dwelling house;

(a) where the gross internal floor area is less than 37 square metres in size, or

(b) that does not comply with the nationally described space standards issued by the Department for Communities and Local Government on 27th March 2015’.

5.56 The proposed development would comply with the above requirements.

6. CONCLUSIONS

- 6.1 This Statement sets out that the updated proposed conversion of the ground floor of Duckmoor Barn, Wooddale Lane, Billingshurst to form a residential dwelling complies in full with the requirements and conditions set out at Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 6.2 The previously raised issues in relation to structural integrity of the barn during application DC/25/0571 have been overcome, accordingly, prior approval should be granted.