



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/1740

Jacksons, Hammerpond Road, Plummers Plain, Horsham, West Sussex, RH13 6PE

DESCRIPTION:

Prior Notification for Change of Use of 2no. Agricultural Buildings to 8no. dwellinghouses (C3 Use Class).

RELEVANT PLANNING HISTORY:

DC/06/0408	Erection of a straw and cattle feed store (Stonehouse Farm)	Application 21.08.2006	Permitted	on
DC/20/1948	Application to retain a mobile home on site for another 3-year period.	Application 06.10.2021	Refused	on
DC/22/0842	Notification of Change of Use of part of an Agricultural Building, not exceeding 150sqm, to storage and distribution use (Class B8).	NO OBJECTION	to	Notification on 07.06.2022

SITE AND SURROUNDINGS:

The application site is located on the south side of Hammerpond within a countryside location. Current access to the site is immediately off Hammerpond Road. The existing barns are set near to the boundary with the road; in which, the land to the rear falls southwards towards open countryside to the west and towards the boundary of Hammer Cottage. The surrounding area is characterised mainly by open countryside and other sporadic residential dwellings. The building is not Listed nor within a Conservation Area.

DETAILED DESCRIPTION:

This notification seeks prior approval under Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 to form 8no. dwellinghouses.

Building 1 comprises a precast concrete panel frame barn. Building 5 comprises a steel portal framed barn. The application seeks to convert both buildings into 4no dwellinghouses each, with a total of 8no dwellinghouses proposed on site. Building 1 dwellings would have 3 bedrooms, and Building 5 dwellings would have 2 bedrooms.

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 24 - Strategic Policy: Environmental Protection

Policy 26 - Strategic Policy: Countryside Protection

Policy 33 - Development Principles

Policy 38 - Strategic Policy: Flooding

Policy 41 - Parking

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

HDC Environmental Health: No Objection (received 31.10.2025)

There are no objections in principle to the application. However, the Ground Contamination Risk Assessment Report has identified contamination in the made ground that may pose a risk to occupiers and buried services, including water storage tanks and supply pipework. This will need to be addressed to ensure the site is safe and suitable for residential use. It is not clear from the Structural Appraisal report if the buildings are roofed with asbestos containing materials. If so, these should be removed.

HDC Environmental Health: No Objection (received 21.11.2025)

For land contamination I had not seen the remediation strategy as this wasn't available when I made my initial comments.

The Remediation Strategy prepared by Ashdown Site Investigation Limited is satisfactory but there is still a need to ensure the recommended remediation implemented and that buried services are suitably protected. If the application is approved, I would recommend that conditions are applied.

WSCC Highways: No Objection

Historical Use

The site has been used as an agricultural store for the past decade, if not longer, and as such there have been no changes to the site for some time. Access into the site is taken from two access points from Hammerpond Road which has experienced movements by agricultural vehicles. The submitted transport appraisal indicates that taking into account both the agricultural and permitted B8 use, the previous use could have seen trips of between 35 to 55 trips per day.

Proposal

The proposals for the site will see no changes to the existing access points, and the proposed conversion of the existing barns to eight 2- and 3-bed dwellings is forecast to generate between 24 and 41 daily two-way movements, depending on the dwelling type scenario used, and these would comprise almost entirely of private car trips rather than heavy agricultural vehicles. Therefore, the number of trips associated with the proposed use are likely to be slightly lower than the previous agricultural use.

Access

Hammerpond Road has a 40mph speed limit and as such DMRB visibility splays have been used at the existing access to show it can meet the requirements of 2.4m x 120m in both directions. It is acknowledged there will be a need to be some routine maintenance of vegetation with the public highway to ensure these are available at all times.

Closure of western access

Whilst there are two existing entrances to the site, the main access will be taken from the eastern access which provides the visibility splays of 2.4m x 120m. As such the remaining access should be closed off with a fence to prevent access. The access does not look like it has been in use for some time and as such there is already a grass verge in place therefore no highways works will be required other than the removal of field gates and reinstatement of a fence.

Construction vehicles

During the construction phase of the build the number of construction related vehicles will need to be able to enter park and turn on site, and a space on the site created for the loading and unloading of materials and contractor parking etc. The condition below will help to ensure this is provided and no parking takes place on the highway. See condition

Trips

The submitted Transport Appraisal does not conclude that the proposed development will not result in a material increase or change in the character of traffic using Hammerpond Road.

The applicant has undertaken a thorough analysis of the trips associated with the agricultural use and the activities associated with this and the most recent use of the site by a scaffolding company. WSCC are satisfied the existing trips which ranged between 33 -55 trips per day, with a significant proportion of these being HGV/LGV sized vehicles, are much higher than the proposed use as residential dwellings.

The proposed trip rate from the residential dwellings would be 24 movements a day which is a significant decrease, and the size of vehicle would be standard cars. As such the trip impact of the use will be less.

Summary

The proposal to convert the use of redundant agricultural barns on land at Jacksons Farm to provide residential accommodation in the form of 8 dwellings has been considered by WSCC as the County Highways Authority. The applicants have demonstrated there will be no intensification of use of the site and that the overall trip impact will be lower than its previous use as an agricultural store.

Therefore, WSCC raise no objection subject to any informative or conditions

Southern Water: Insufficient Information Provided

Construction of the development shall not commence until details of the proposed means of foul/surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority.

Parish Comments:

None received

Representations:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

The main issue is whether prior approval is required for the proposed change of use and conversion of the existing agricultural building to provide a single dwelling under Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Permitted development:

Q. Development consisting of—

- (a) a change of use –**
 - (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 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 the Schedule or to extend that building.

Prior approval consent is sought to convert the existing agricultural building into 1 dwellinghouse under Q(c) as above.

Development not permitted:

Q.1 Development is not permitted by Class Q if—

- (a) in the case of a site that is part of an established residential agricultural unit—
 - (i) on 24th July 2023
 - (ii) where the site became part of an established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins,

Paragraph X of Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 ('interpretation of Part 3') states that 'agricultural building' means a building used for agriculture and which is so used for the purposes of a trade or business, and excludes any dwellinghouses, and 'agriculture use' refers to such uses.'

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 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 the use is ancillary to the farming of land for other agricultural purposes, and 'agricultural' shall be construed accordingly.

The Class Q permitted development rights were updated in May 2024, with the ten-year clock reset to 24th July 2023. The planning statement states that the application buildings were part of an established agricultural unit, Stonehouse Farm, on 24th July 2023, and continue to form part of the farm. The planning statement states that the barns were in use for agricultural storage in association with Stonehouse Farm. On the basis of the above, it is considered that the barns have and are a part of an established agricultural unit and would adhere to the above criteria.

- (b) in the case of a building that was (but is no longer) part of an 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.

The planning statement states that the buildings subject of this application have been in situ as part of the established agricultural unit at Stonehouse Farm for several decades prior to 24th July 2023, with the barns in use for agricultural storage for Stonehouse Farm.

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

The floor area of the proposed dwellings 1-4 would be 136 sqm and for dwellings 5-8 would be 114 sqm. These would not exceed the 150 sqm allowed under Class 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.**

The proposal is for 8 new dwellinghouses, therefore the total number of dwellinghouses is under 10. The overall cumulative floor space would be 1,000sqm, which is within the requirements of a Class 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;**

The proposal is considered to meet the requirements of (e).

(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;

The proposal is considered to meet the requirements of (f).

(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,**

There is no evidence to indicate that development under Class A(a) or Class B(a) of Part 6 has taken place.

(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),**

There are no extensions proposed. The proposal is considered to meet the requirements of (h).

(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,

N/A

- (j) the development under Class Q(b) 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(i)(i);

Paragraph 105 of the Planning Practice Guidance in relation to building operations states the following:

'Building works are allowed under the change to residential use. The permitted development right under Class Q assumes that the agricultural building is capable of functioning as a dwelling. However, it recognises that for the building to function as a dwelling some building operations which would affect the external appearance of the building, which would otherwise require planning permission, should be permitted. The right allows for 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 include the construction of new structural elements for the building. 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.'

The Applicant has submitted a Structural Appraisal with the application. The structural appraisal states that Building 1 is a precast concrete panel frame barn set approximately 12m to the south of Hammerpond Road and Building 5 is a steel portal framed barn, also approximately 12m to the south of Hammerpond Road. The appraisal summarises that both buildings are structurally sound and suitable for conversion with only minor existing defects noted to the main structures. The report concludes that the existing foundations for the buildings are a reasonable sized mass concrete pad footings set into the low plasticity silty Clay subsoil and that the ground floor slab would need to be removed and re-laid.

The soundness of the structures was also assessed during a site visit. It is considered that limited works would be needed to convert the buildings into residential use. The buildings have a concrete base and steel portal frame or precast concrete panel frame. Windows are proposed on all elevations on Building 1 and only on the east and west elevations for Building 5. The entrance doors would be north and south elevations for Building 1 and the west elevation for Building 5. The proposal utilises

existing openings where possible. It is therefore considered that the works to convert the buildings would retain the structural elements of the building and there is no evidence that the buildings are unsuitable for conversion in their current state.

While it is recognised that the proposed conversion would involve some alterations to the structural fabric of the buildings, the subject buildings would appear capable of conversion in their own right. Any works to the building are considered reasonably necessary to support a residential use as permitted under Q.1(j). The measures are not considered to be of such a degree to amount to a rebuild, and the required works are therefore considered to be reasonably necessary to convert the buildings.

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

The site is not on article 2(3) land.

(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;**

The site is not within any of these areas.

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

The site is not and does not contain a scheduled monument.

(n) the building is a listed building

The building is not a listed building.

(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

The internal floor area of the existing buildings is 558sqm and 477sqm, with the buildings capable of complying with the nationally described space standards for 2-bedroom dwellings (70m²) and 3-bedroom dwellings (95m²).

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

The site is accessed off Hammerpond Road, which is a highways-maintained road, via a wide gated access. The existing access is therefore suitable to serve additional dwellings. The access has also facilitated agricultural use without incident for years.

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 beginning 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 impact of the development

The site is served by two existing access points from Hammerpond Road, both of which historically have accommodated intensive vehicle movements associated with the former dairy farm. No new accesses are proposed. The Applicant has submitted a Transport Appraisal to support the application. The report identifies that the historic agricultural and B8 uses of the site could generate between 33 and 55 daily two-way vehicle movements. The proposed conversion to dwellings would generate a lesser amount, of between 24 and 41 daily two-way movements and these would be comprised of private car trips. The existing eastern access will be utilised which provides visibility splays of 2.4m x 120m. WSCC Highways raised no objection to the conversion as the applicants have demonstrated that there will be no intensification of use of the site and the overall trip impact will be lower than its previous use as an agricultural store.

(b) noise impacts of the development

Paragraph 187 of the NPPF states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution. Paragraph 198 continues that decisions should ensure that all new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

The subject buildings are considered to be well located in relation to adjacent residential dwellings, with a distance of approximately 20m to the nearest dwelling. The planning statement states that there are no noise impacts associated with the development which would represent an adverse impact upon any existing residential amenity within the area. There are nearby residential properties on Hammerpond Road. Given this context, it is not considered that the proposed development itself would result in demonstrable harm to the amenities of surrounding residential properties.

(c) Contamination risks on the site

Paragraph 187 of the NPPF states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution. Paragraph 196 of the NPPF states that planning decisions should ensure that a site is suitable for its proposed use, taking account of ground conditions and any risks arising from land instability and contamination.

Commercial and agricultural buildings and land can be subject to significant contamination risks arising from their use, previous land uses, construction and storage of machinery, equipment, fuels, or other chemicals. Potentially hazardous materials may also be incorporated in made ground, yards, and hard standings. Risks arising from the use therefore require evaluation by the applicant.

The Applicant submitted a Ground Contamination Risk Assessment Report, Asbestos Report and Remediation Strategy. These reports established the contamination risks, setting out the proposed remedial and verification measures, and confirmed how asbestos and other potential hazards will be appropriately managed and mitigated. Environmental Health concluded that the proposed remediation strategy is satisfactory but there is still a need to ensure the recommended remediation is implemented and that buried services are suitably protected. It is considered that this can be secured through an appropriate condition.

(d) flooding risks on the site

The site lies outside any area subject to flood risk. No concerns in respect of flooding are therefore raised.

(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 (dwellinghouses) of the Schedule to the Use Classes Order

The proposed dwellings would be located in close proximity to two existing dwellings, one located approximately 35m away from the site and the other 32m, therefore the proposed dwelling would not be considered isolated. There would be limited impact on neighbouring amenity. Given this context, the residential conversion is generally considered commensurate to the surrounding uses and acceptable in this regard.

The site is not affected by any statutory or non-statutory landscape, biodiversity, or heritage designation. The location of the site, near to existing residential buildings, would be suitable and would have limited impact on neighbouring occupiers in relation to Q.2(1)(e) given the separation to dwellings within the surrounding area.

(f) the design or external appearance of the building, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application

The proposed conversion would utilise the existing openings, with the creation of new openings within both buildings. While there is a significant amount of glazing, particularly on the west and east elevations of Building 1, it is considered that this would not be to a level considered harmful or too domestic. The buildings would retain the existing features of the buildings. The proposed elevations illustrate that the external appearance of both buildings would retain the utilitarian appearance of the original buildings, with limited and sensitive alterations to reflect their former functions. The proposed material palette is also deemed appropriate to a rural setting and would reflect the existing character and its surroundings. The curtilage of each converted dwelling is confined strictly to the extent of existing hardstanding and immediately adjacent the areas historically used for agricultural access and turning. No objections are therefore raised in this regard.

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

The submitted plans indicate that all habitable rooms would be served and benefit from sufficient windows to ensure adequate provision of natural light for future occupants. The proposal is therefore considered to meet the requirements of (g).

In conclusion, the Council considers that the proposal would comply with the criteria under the Order as set out above.

Other Matters:

Building 5 was built following the approval of DC/06/0408 for the erection of a straw and cattle feed store. Condition 4 of the permission stated:

The buildings hereby permitted shall be used for agricultural purposes only, as defined in Section 336(1) of the Town and Country Planning Act 1990.

Reason: The site lies in an area where, in accordance with policy CS1 of the Horsham District Local Plan 1997 development unrelated to an essential rural activity would not normally be permitted.

Article 3(4) of the GDPO states:

(4) Nothing in this Order permits development contrary to any condition imposed by any planning permission granted or deemed to be granted under Part 3 or Part 13 of the Act otherwise than by this Order.

Therefore, due to the condition imposed on planning permission DC/06/0408, Building 5 would not benefit from this permitted development right and prior approval is therefore required and refused.

It is noted that Building 1, however, was not subject to this condition and therefore does benefit from permitted development rights.

Officers also note that buildings 2, 3 and 4 are annotated for demolition. As per the provisions above, Class Q only permits works relevant and reasonably necessary for the conversion of the application building(s). Separate prior approval would thus be required to undertake any demolition unrelated to the conversion under Schedule 2, Part 11, Class B. Therefore, in the event that prior approval consent were to be granted, this permission would not have secured the lawful demolition of these buildings. Notwithstanding this, it would be possible for the applicant to secure Part 11 consent prior to the conversion commencing or the occupation of the dwellinghouses.

Recommendation: Prior Approval Required and REFUSED

Reason for Refusal:

1. Building 5 was subject of a condition following the grant of planning permission DC/06/0408, which stated that the building shall be used for agricultural purposes only, as defined in Section 336(1) of the Town and Country Planning Act 1990. Article 3(4) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states that development contrary to any condition imposed on by any planning permission is not permitted. Therefore, building 5 is unable to benefit from the provisions of Class Q of Schedule 2, Part 3 of this Order.

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/25/1740

Schedule of plans/documents not approved:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Transport Appraisal	ITS19302-013A	28.10.2025
Supporting Docs	Structural Appraisal	NONE	28.10.2025
Supporting Docs	Ground Contamination Risk Assessment Report	R16640	28.10.2025
Supporting Docs	Cover Letter	NONE	28.10.2025
Elevation & Floor plan	Existing	2024/PL12	28.10.2025
Elevation & Floor plan	Existing	2024/PL11	28.10.2025
Elevation & Floor plan	Proposed	2024/PL13	28.10.2025
Elevation & Floor plan	Proposed	2024/PL14 REV A	28.10.2025
Layout plan	Existing	2024/PL15	28.10.2025
Layout plan	Proposed	2024/PL16	28.10.2025
Location plan	Existing and Proposed	2024/PL17	28.10.2025
Supporting Docs	DEMOLITION & MANAGEMENT SURVEYS TO IDENTIFY ASBESTOS	S0923/37	14.11.2025
Supporting Statement	REMEDIATION STRATEGY	C17195	14.11.2025

DELEGATED

Case Officer sign/initial _____ Bethan Tinning _____ Date: 16.12.2025

Authorising Officer sign/initial _____ RHERMITAGE _____ Date: 16.12.2025