DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0440
Monks Farm, Honeywood Lane, Okewood Hill, Dorking, Surrey, RH5 5QA

DESCRIPTION:

Prior Notification for Change of Use of Agricultural Building to 2no. dwellinghouses.

RELEVANT PLANNING HISTORY:

DC/25/0090	Prior Notification for Change of Use and extension of Agricultural Barn to 2no. dwellinghouses.	Prior Approval Required and REFUSED on 17.03.2025
DC/18/0521	Application for the retention of existing mobile home.	Application Permitted on 20.07.2018
DC/20/1090	Prior approval for the change of use of the agricultural barn to C3 residential to form 1no dwelling.	Prior Approval Required and REFUSED on 07.08.2020
DC/21/0693	Retention of existing mobile home	Application Permitted on 16.07.2021
DC/24/1742	Prior Notification for Change of Use and extension of an Agricultural Building to 3no dwellinghouse (C3 Use Class).	Prior Approval Required and REFUSED on 30.12.2024

SITE AND SURROUND

The site is located in Okewood Hill, to the north of Horsham District. The application site comprises a farm with a number of agricultural buildings, with two residential dwellings located closest to the barn. Surrounding the application site are fields, with significant vegetation screening the site. There is also a restricted byway which runs alongside the barn and the access track. The application site is not located with a Flood Zone.

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 2no. 4-bed dwellings.

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:

Commercial or agricultural buildings can be subject to significant contamination risks arising from their use, construction and storage of machinery equipment fuels or other chemicals. Potentially hazardous materials may also be incorporated in made ground, yards and hard standings. The presence of suspected corrugated asbestos cement roofing is visible in the photos provided by the applicant.

In accordance with the recommendations of the Planning Practice Guidance, information is required on these matters and a preliminary risk assessment including a site walkover should be provided to ensure the site can be made safe and suitable for the development.

It is considered that a suitably worded condition can be implemented to require details pertaining to this.

WSCC Highways:

The site is located off of Ruckmans Lane, a privately maintained road, as such these comments are considered advice only. The nearest publicly maintained highway is at Honeywood Lane Access Road, an un-classified road subject to National Speed Limit. No alterations are proposed to the existing vehicular access arrangement.

An inspection of collision data supplied to WSCC by Sussex Police over a period the past five years reveals there have been no recorded injury accidents within the vicinity of the existing access point onto Honeywood Lane Access Road. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

Generally, the change of use from agricultural to residential would generate a reduction in material use at the site. The existing use would create a certain number of movements throughout the day, whereas the movements associated with residential use would be anticipated within network peaks. Therefore, although the nature of trips would change, the frequency would likely not exceed that of current use.

The proposed dwellings would comprise four bedrooms each – no details of parking provision have been provided. The WSCC Car Parking Demand Calculator would anticipate that a total of six parking spaces would be required for development of this size and location.

The site is rurally located and as such it is acknowledged that there will be a reliance upon the private car in this location.

In summary, the movements associated with agriculture have done so safely with no known safety highways concerns, and C3 residential uses are considered less intensive. West Sussex County Council in its role as LHA has therefore considered the proposal on that basis. In principle, the current GPDO gives limited ability to consider wider highway and transport impacts beyond those set out. The prior approval is therefore considered acceptable in highway terms.

Parish Comments:

With regard to the type of approval sought Rudgwick Parish Council (RPC) holds the same view as expressed on the previous similar applications, DC/24/1742 & DC/25/0090 –

Transport/Siting - this barn is in an unsustainable location for conversion to 2 family homes. It is over 2 miles from the only facilities in Rowhook (namely the Chequers Inn), and further still from any schools, pre schools, shops or access to public transport, making for complete dependence upon use of private motor vehicles for daily life.

Additionally, this development will need to comply with Habitats Regulations and there is no evidence of current water provision in the information submitted and how meeting the Habitats Regulations is

proposed. An HRA application (HRA/25/0008) was made relating to previous (refused) application DC/25/0090. Should that HRA application now be deemed to relate to the current application DC/25/0440, it should be noted that RPC's comments are as follows –

The water neutrality statement submitted by the applicant states 'with the residential conversion and the integration of greywater recycling for toilets and washing machines, the new development's potable water demand is expected to be substantially offset by these systems.' Is the 'expected to be substantially offset' statement sufficiently robust evidence to be able to conclude that adverse effects of the development on the integrity of the Arun Valley Designated Sites cannot be ruled out? The data shown is not definitive. Details and calculations need to be provided to evidence whether the offsetting is sufficient, rather than relying on an expectation. Rudgwick Parish Council anticipates that the HDC Appropriate Assessment will be carried out to determine whether the evidence currently provided is sufficiently robust to achieve the necessary conclusion

Representations:

2 representations were received (as of 30/04/2025) with 1 objecting and 1 in support.

Reason for objection was due to the inappropriate siting of a dwelling in this location.

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 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.

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 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,

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 application site and barn stand alone along a public right of way. As with previous application (DC/24/1742; DC/25/0090), the Class Q permitted development rights was updated in May 2024, with the ten-year clock reset to 24th July 2024. The application building was part of an established agricultural unit on 24th July 2023. The planning statement and the statutory declarations state that the barn has been used to store vehicles, machinery, tools, and equipment in relation to agricultural use.

From a site visit, the building appears to be in line with this, with no evidence to show that it is not. On the basis of evidence available to the Local Planning Authority, and on a balance of probability, it would be considered that the site would have been part of the established agricultural unit on 24th July 2023.

(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,

N/A

(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,

Each dwelling is indicated to comprise a floor area of 116m^2 (ground floor + first floor = 58m^2 + 58m^2) therefore not exceeding the provisions of (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 proposed seeks prior approval for 2 units at 116m^2 each. No other development under the class has been identified at the surrounding site. This totals less than 10 units and less than 1,000 square metres across the agricultural holding. The proposal is considered to meet the requirements (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 site is in the ownership of the applicant. 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;

There are no agricultural tenancies that the LPA is aware of. 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—

(i) since 20th March 2013; or

(ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

No 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),

No external extensions are outlined on this proposal.

(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,

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.'*

No extension is proposed for this application.

(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);

Replacement external materials and new windows/doors will be installed. The extent and nature of these works is not considered to go beyond that permitted by this limitation. The external structures would remain the same dimensions, and there is no evidence to suggest that the building is unsuitable for conversion in its current state.

(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

Each unit would measure 116m^2 net internal floor area and would comply with national Space Standards of at least 115m^2 for a 4 bedroom, 7 person dwelling. Each bedroom would comply with the recommended minimal space standard and storage space. It is therefore considered acceptable.

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

The site is accessed off Honeywood Lane, which connects to the Horsham Road. The existing access is suitable to serve additional dwellings, as it currently serves several down Monks Lane. The access has also facilitated agricultural use for several years and currently sits on an existing public right of way.

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 impacts of the development,

West Sussex County Council, as the Local Highways Authority, have been consulted as part of this prior notification process and raised no objection accordingly.

In accordance with the response of the LHA it is not considered that the proposal would result in a significant intensification of vehicle movements, beyond existing agricultural vehicle movements, and would represent a minor change within the context of the highway network.

The LHA also commented that: the WSCC Car Parking Demand Calculator indicates that a total of 6 parking spaces would be required. No vehicular parking has been demonstrated. There appears space within the wider site for parking to be accommodated, it is not anticipated that overspill would occur within the publicly maintained highway in this location, it should also be noted that public access should be retained along the PROW at all times and not obstructed.

The applicant has not provided details of cycle parking provision. The LHA is mindful of the property location as being more rural and remote of shops and amenities, therefore the LPA should consider whether cycle parking would be a justifiable request in this location.

(b) noise impacts of the development,

The National Planning Policy Framework (NPPF) requires development to prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. The nature and extent of noise disturbance arising from proposed residential use would not be considered to adversely impact on neighbouring occupiers and users of land.

(c) Contamination risks on the site,

The NPPF states that planning decisions should be based on adequate site investigation information, prepared by a competent person, which demonstrates suitability for use. Without sufficient information submitted with this application it is not possible to make such a determination.

Commercial or agricultural buildings can be subject to significant contamination risks arising from their use, construction and storage of machinery equipment fuels or other chemicals. Potentially hazardous materials may also be incorporated in made ground, yards and hard standings.

No contamination reports have been submitted to support this application. The planning statement states that the barn was used for the storage of hay and agricultural equipment and therefore it is unlikely for contaminants to be present. While this information is required, it is considered that the additional information could be secured by way of condition which would be considered sufficient to render the development acceptable in relation to Q.2(1)(c).

(d) flooding risks on the site,

The site is not located within a surface water flood risk zone.

(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, and

The subject building is located close to other residential dwellings along the access track which are domestic in character. There would be limited impact on neighbouring amenity, as the closest neighbouring dwelling is located approximately 99m away from the closest proposed dwelling. The agricultural buildings are located more than 200m away from the site. Given this context, the residential conversion is generally considered commensurate to the surrounding uses and acceptable in this regard.

It is noted that the building is located within an Archaeological Notification Area. Should the development be considered acceptable, an informative in respect of monitoring and the discovery of any found artefacts would be added.

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 install new openings, providing windows and access doors for entry to the dwellings and access to the rear gardens.

The proposals design is akin to the last submission under DC/25/0090 though dialled back due to the reduction in scale proposed. Alterations have been made to the design and layout of the fenestration, which is now more varied in size and position across the elevations. Whilst the proposal is considered to appear somewhat domestic in appearance, the variation in openings is considered to retain a sufficient degree of utilitarian character that would reflect the former agricultural character of the building. On the balance of these considerations, the design is considered to appropriately reflect the character and external appearance of the building, in accordance with Q.1(f).

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

Each habitable room serving each of the dwellings would benefit from access to natural light from the proposed new door and window apertures to be installed on the elevations of the building. As such, no objection is raised on these grounds.

Paragraph Q.3 of Class Q states that:

(1) For the purposes of Class Q, “curtilage” means the lesser of—

(a) the piece of land, whether enclosed or unenclosed, immediately beside or around the building on an established agricultural unit or former agricultural building (as the case may be), closely associated with and serving the purposes of that building, and

(b) an area of land immediately beside or around the building on an established agricultural unit or former agricultural building (as the case may be) no larger than the land area occupied by that building.

The proposed curtilage would meet this definition.

Conclusion

The proposal has been considered in relation to all relevant conditions, limitations, and restrictions of Class Q in Part 3. As reasoned in detailed above, the proposed development is considered to comply with Q.2(f) of Class Q of Part 2 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Other Matters

Water Neutrality

Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended states that:

‘Subject to the provisions of this of this Order and regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2010 (general development orders), planning permission is hereby granted for the classes of development described as permitted development in Schedule 2.’

Section 75 of the Conservation of Habitats and Species Regulations 2017 states that *‘it is a condition of any planning permission granted by a 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 or 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).’

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

On this basis, an application under Section 77 of the Conservation of Habitats and Species Regulations 2017 would be required to be submitted, and development subject of this Prior Approval application cannot be carried out until a decision of such application has been made.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	116	58	58
		Total Gain	
		Total Demolition	

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Prior Approval Required and PERMITTED

Conditions:

2 **Pre-Commencement Condition**: No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

The Applicant is advised that the application site is located within an Archaeological Notification Area. In the event of important archaeological features or remains are discovered, construction work shall cease, and the Applicant/Developer should contact the Local Planning Authority to agree the scope of a programme of archaeological work.

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/25/0440
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation plan	Existing Elevations 02 and Section	24059B-P-106	21.03.2025
Floor plan	Existing Floor Plan	24059B-P-104	21.03.2025
Block plan	Proposed Block Plan	24059B-P-003 B	21.05.2025
Elevation plan	Proposed Elevations 01	24059B-P-101	21.03.2025
Elevation plan	Proposed Elevations 02 and Section	24059B-P-102	21.03.2025
Floor plan	Proposed First Floor Plan	24059B-P-103	21.03.2025
Floor plan	Proposed Ground Floor Plan	24059B-P-100	21.03.2025
Location plan	Proposed Location Plan	24059B-P-004 B	21.05.2025
Elevation plan	Existing Elevations 01	24059B-P-105	21.03.2025

DELEGATED

Case Officer sign/initial JBurrowes Date: 09/06/2025

Authorising Officer sign/initial TDale Date: 12/06/2025