Planning Inspectorate

Appeal Decision

Site visit made on 13 January 2026

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2026

Appeal Ref: APP/Z3825/W/25/3374524
Hayes Farm, Gay Street, Pulborough, West Sussex RH20 2HL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Mr Richard Ramsden against the decision of Horsham District Council.
- The application Ref is DC/25/0763.
- The development proposed is the change of use from light industrial workshop to a single residential dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. During my visit, I observed that the use of the building does not accord with the information submitted as part of this appeal. The building was being used as joinery business, including the area identified on the submitted plans as being in agricultural use. Additionally, there was no evidence of any agricultural activity within the building. My assessment is made strictly based on the plans and the evidence before me, which indicate that part of the building would be retained for agricultural purposes.

Background and Main Issue

3. Under Article 3(1) and Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO), a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) is permitted.

4. Paragraph MA.1 of Class MA sets out the requirements that a proposal must satisfy to qualify for prior approval. The Council considers that the development complies with these requirements. Based on the evidence before me, I have no reason to reach a different conclusion.

5. However, Paragraph MA.2 states that development under Class MA is permitted subject to an application to the Local Planning Authority for a determination as to whether prior approval is required in respect of the matters listed in Paragraph MA.2(2). One of these conditions, MA.2(d), concerns the potential impacts of noise from commercial premises on the intended occupiers of the development. In this case, prior approval was refused on the basis that, as the proposed dwelling would be located within part of a building that would be retained for agricultural use, there

is a potential for future occupiers to be adversely affected by agricultural activities undertaken within the adjoining section of the building and wider surroundings.

6. The Council considered that the development complied with the other conditions set out in Paragraph MA.2(2), and based on the evidence before me, I have no reason to reach a different conclusion. Accordingly, there is no need to give these matters further consideration in this decision.

7. Accordingly, the main issue is whether the proposal would be permitted development under Class MA, with regard to whether the proposal would satisfy condition MA.2(2)(d), with reference to the impacts of noise from commercial premises on the intended occupiers of the development.

Reasons

8. The appellant states that the agricultural part of the building is used solely for machinery storage by the owners. However, the agricultural use of the building is not restricted, and agricultural activities can vary significantly in nature and intensity, including those associated with more intensive commercial agricultural operations. The operational intensity of such uses cannot be controlled, and even routine movements of agricultural machinery have the potential to generate noise levels that could result in unacceptable impacts on the living conditions of the intended occupiers of the proposed dwelling.

9. Reference has been made to the dwelling being acoustically insulated from the agricultural use through internal partitions, robust soundproofing measures, and layout arrangements intended to minimise noise transmission. However, insufficient evidence has been provided to demonstrate how these measures would effectively mitigate noise. Furthermore, even if enhanced soundproofing were implemented, the openings serving the proposed kitchen and living area are positioned close to the agricultural unit. As such, the development has not demonstrated that acceptable internal noise levels could be achieved or that future occupants would be afforded adequate protection from noise resulting from operational disturbance associated with agricultural activities.

10. While it is asserted that agricultural activities are restricted to standard working hours and that the building has historically operated at a low intensity without generating noise-related issues, this does not provide sufficient assurance regarding the long-term operation of the unit. This is because, agricultural enterprises can be subject to fluctuations in activity levels, seasonal demands, and potential changes in farming practices, all of which may give rise to increased noise.

Conclusion

11. For the reasons above and based on the evidence before me, it has not been sufficiently demonstrated that the proposal would comply with condition MA.2(2)(d), specifically in respect of the requirement to consider the impacts of noise from commercial premises on the intended occupiers of the development. The appeal is therefore dismissed.

V Goldberg

INSPECTOR