MME PLANNING SERVICES

Prior Approval for the change of use of Agricultural Barn to residential (Use Class C3) to form 1no dwelling.

at

Brookside Farm, Dagbrook Lane, Henfield, West Sussex, BN5 9SH

Planning Statement

Ref: P-038d

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Version 1

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Figure 1: Site Location / Red Line Area

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1. Introduction

1.1 MME Planning Services is instructed to submit an application for prior approval in respect of the change of use of an agricultural barn to a use falling within Class C3 (dwellinghouses), under Schedule 2, Part 3, Class Q of the General Permitted Development Order (GPDO) 2015 (as amended).

1.2 This statement sets out the proposed scheme in detail with regard to the following aspects: a description of the site, an explanation of the proposed change of use, and a demonstration that the change of use fully complies with the stipulations and restrictions set out in the GPDO.

1.3 It is noted that this application is essentially a re-submission of a previously permitted Prior Approval application under planning reference DC/20/1881 which was granted in November 2020. However, only 1no larger dwelling is now being proposed rather than 4no smaller dwellings.

2. Site and Surroundings

2.1 The application site forms part of Brookside Farm, which is an agricultural holding located along Dagbrook Lane, Henfield. The site is located within countryside in policy terms, but no other statutory designations cover the site. The site is within a rural area characterised by farms, commercial uses and individually designed dwellings.

2.2 This application relates to an 'Dutch' barn style agricultural building located towards the westernmost extent of Dagbrook Lane. The building consists of a steel frame supporting two rounded corrugated metal roofs with a 'lean-to' element on the western side of the building. The barn is predominantly open sided to the east and north, however it is noted that the 'lean-to' element is enclosed.

2.3 It is noted that planning permission was granted under planning reference DC/20/0799 to fully enclose the barn. These works have been commenced as evidenced under the previous application and the Photos included within **Appendix A**.

2.4 The barn is acknowledged to have been last and solely used for agricultural purposes.

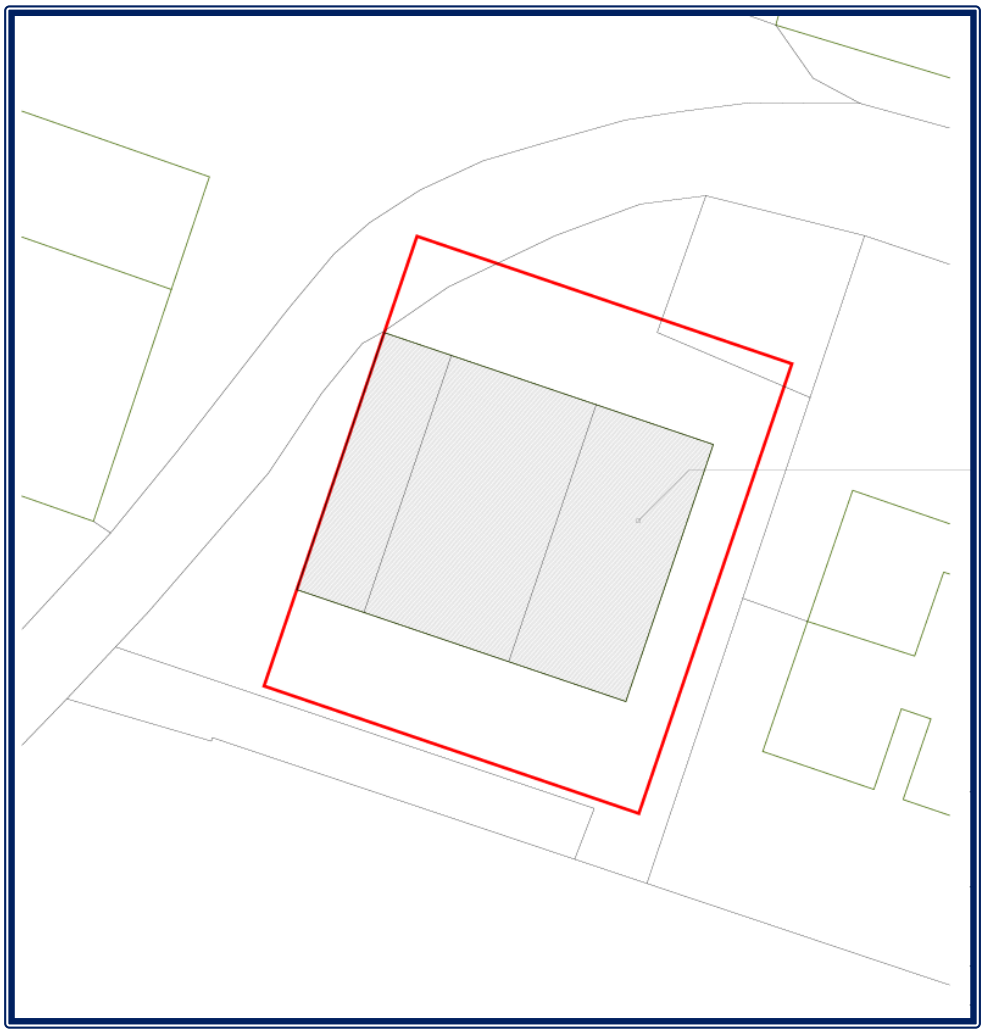

Figure 2: Site / Block Plan

3. Development Proposal

3.1 It is proposed that the existing agricultural barn be converted to 1no residential dwelling (Use Class C3). The application seeks to ascertain whether the prior approval of the Local Planning Authority is required, under Schedule 2, Part 3, Class Q of the General Permitted Development Order (GPDO) 2015 (as amended).

3.2 The proposal comprises the creation of 1x 4-bed dwelling. The proposed dwelling would comprise a living room / kitchen / dining room, 4x bedrooms, 4x bathrooms, utility room and WC. The dwelling would have a GIA of approximately 221sqm. The proposals include modest external alterations including the provision of windows and doors, and alterations to the walls. All habitable rooms would benefit from good levels of natural light as they are served by large / multiple external windows. The proposed dwelling would also comply with Nationally Described Space Standards (NDSS).

3.3 The proposal is essentially identical to that previously approved under planning reference DC/20/1881, and would continue to comply with the limitations and stipulations as set out within the GPDO under the transitional arrangements. The only difference with this current submission is that prior approval is now being sought for only 1no larger dwelling rather than 4no smaller dwellings, as previously approved.



Figure 3: Proposed Elevations

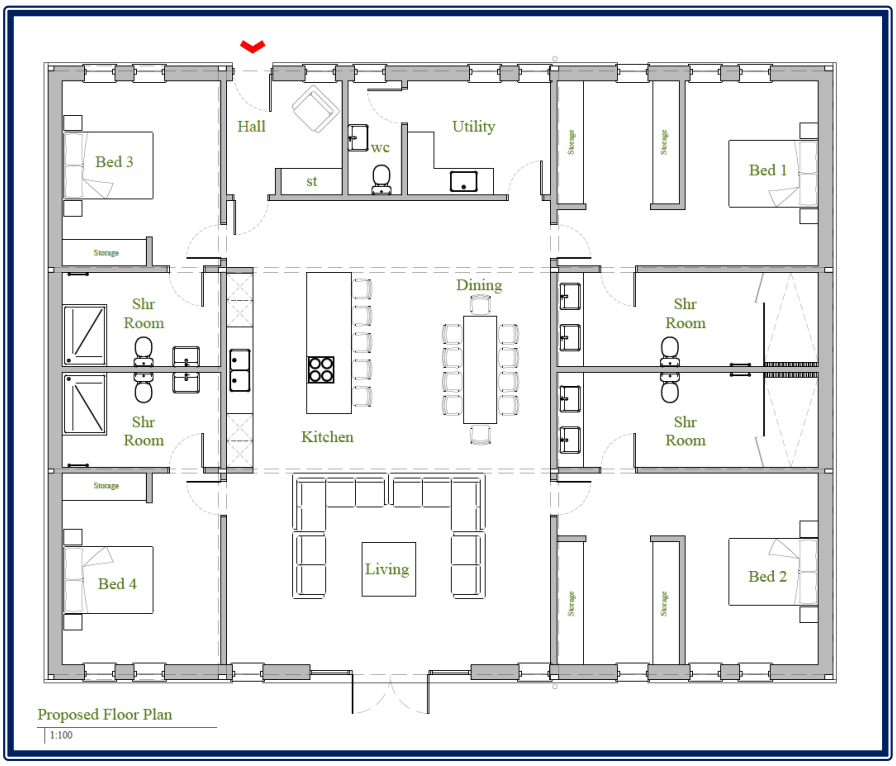

Figure 4: Proposed Floor Plan

4. Class Q Stipulations and Restrictions

4.1 The proposed change of use from agricultural to 1x residential dwelling (Use Class C3) complies entirely with the restrictions set out in Class Q, as demonstrated below. The proposals would comply with Q.1 and Q.2.

4.2 Class Q. Development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

4.3 ***Q. Development consisting of—***
(a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; or

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

Development not permitted

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

(a) the site was not used solely for an agricultural use as part of an established agricultural unit—

(i) on 20th March 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;

The site was in agricultural use as part of an established agricultural unit at the time of this application and the requisite date above. This criteria is therefore met.

b) in the case of—

(i) a larger dwellinghouse, within an established agricultural unit—

(aa) the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3; or

(bb) the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square metres;

The GPDO (2015) as amended, defines a larger dwellinghouse as a dwelling that has a floor area of more that 100sqm and no more than 465sqm. The proposed dwelling would have a GIA of approximately 221sqm. The cumulative floorspace of the proposed unit and indeed the footprint of the entire building, would not exceed 465sqm. Therefore, the requirements of sub-paragraph (b)bb are satisfied in this regard.

It is noted that there is a similar prior notification made under planning reference DC/22/1036 which was approved in July 2022 and relates to a building to the west of the application building. This sought prior approval for the creation of 3no larger dwellings under the provisions of Class Q. At the time of submission of this application, the above prior notification had not commenced and therefore this would not impact or prohibit the granting of this notification.

(c) in the case of—

(i) a smaller dwellinghouse, within an established agricultural unit—

(aa) the cumulative number of separate smaller dwellinghouses developed under Class Q exceeds 5; or

(bb) the floor space of any one separate smaller dwellinghouse having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 100 square metres;

Criteria met / not applicable. The proposals would create 1no larger dwelling with a GIA of approximately 221sqm. As detailed above, while the approved notification to the other barn on site for 3no larger dwellings is noted, given that this has not been commenced / developed, no conflict has been identified.

(d) the development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following—

> ***(i) a larger dwellinghouse or larger dwellinghouses having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;***
>
> ***(ii) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;***

As detailed above, this notification would not result in a dwelling or dwellinghouses with a floorspace in excess of 465m2 or, in combination with previous development implemented under Class Q, result in more than 5x dwellings.

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

The application site is owned by the applicant and as such, the above criteria is met.

(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;***

An agricultural tenancy has not been terminated on the site within the last year. Criteria met.

(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 falling under Class A(a) or Class B(a) of Part 6 of Schedule 2 has been undertaken since 20th March 2013. Therefore, the above criteria is met.

(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;

As detailed within the submitted plans, the works would not result in any extension or enlargement of the existing building. Therefore, the above criteria is met.

(i) 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);***

The works, as set out within the proposals, detail relatively modest alterations to the existing building, in the form of the installation of fenestration, installation of cladding to the external walls and entrance doors. The building is also structurally sound and capable of conversion, as previously confirmed.

The proposal does seek the replacement/introduction of new external fabrics in order to provide a fully enclosed space suitable for residential occupation, though, it is noted that works to implement a recently granted permission for works of a similar nature / extent pursuant to ref: DC/20/0799 have commenced. It is considered that the proposed works would be ‘reasonably necessary’ to support the conversion / change of use, as per the previous approval.

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

N/A.

(k) 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;

N/A

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

N/A

(m) the building is a listed building.

N/A

4.4 **Conditions**

Q.2.— (1) Development under Class Q is permitted subject to the following conditions and considerations.

(a) transport and highways impacts of the development

With regard to transport implications, the proposed development is likely to lead to a net reduction in vehicle movements when comparing the existing use to the proposed use. The existing access along Dagbrook Lane would be used to serve the development and already serves a number of other dwellings within the immediate vicinity. Overall, the proposed development would not result in harmful transport or highways impact, as per the previous approval.

(b) noise impacts of the development

The proposed development is well located in relation to adjacent residential dwellings / and other buildings. In any event, any noise impacts in relation to residential accommodation on the site would be less than the equivalent agricultural activity with associated commercial vehicle movements. No remediation measures proposed or required.

So as to comply with building regulations and meet the current requirements, the level of thermal insulation required within the building will provide significant acoustic insulation. Additional insulation can be used to provide further acoustic properties if required. A typical detail for the frame wall and roof construction for the conversion is included below.

In addition to the above, the residential use of the application building would not have a detrimental impact on neighbouring residential amenity.

(c) contamination risks on the site

It is noted that a contamination condition was agreed on the previous application, under reference DC/20/1881. The applicant is agreeable for the same condition to be attached to this notification. Subject to such a condition, it is considered that contamination risks can be appropriately addressed and managed, and that there would be no reasonable grounds to resist this notification at this stage.

(d) flooding risks on the site

The proposed development lies outside any area subject to flood risk as such flooding would not be an issue. In any event the impacts in relation to flooding would be no greater than the existing agricultural use. No remediation measures are proposed or required and future residents would not therefore be at high risk of flooding.

(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

As per the previous notification, the building is accessible via a pre-existing metalled access and not in a setting where conversion would compromise the operation of surrounding uses. No policy considerations in relation to sustainability or development within the countryside are applicable under Class Q. Utilities and services are available in the vicinity and there is nothing to suggest that a change of use and the proposed building operations could not be undertaken in practical terms. The surrounding area consists of a mixture of uses where future occupiers would not be harmfully impacted by existing development within the vicinity, as confirmed within the previous approval under reference DC/20/1881.

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

As per the previous notification, the proposed plans indicate a resulting building which would largely retain its existing form and character. The proposed materials and nature of the alterations would retain its agricultural appearance which would be appropriate within this rural setting, with the proposed openings proportionately dimensioned.

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

As detailed above, all habitable rooms would be served by large / multiple windows which will provide high levels of light. The proposals would therefore be acceptable in this regard.

Other Matters

4.5 As indicated within the application details and plans, the notification would adhere to the requirements of Paragraphs W and X of Part 3 of Schedule 2.

4.6 National Space Standards

In accordance with Section (9A) of Article 3 of the General Permitted Development Order (2021 Amendment), Schedule 2 of the Order only permits development for the creation of new dwellinghouses:

(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 standard issued by the Department for Communities and Local Government on 27th March 2015.

The proposal incorporates the creation of 1x 4-bed dwelling, with a GIA of approximately 221sqm. The proposed dwelling is therefore considered to provide adequate living space in accordance with national space standards and in accordance with Section (9A) of Article 3 of the Order.

5. Conclusion

5.1 The existing building and the proposed development comply with all relevant restrictions set out within Class Q under the transitional arrangements which are in force until May 2025. Furthermore, the proposed development is acceptable with regard to transport impacts, noise impacts, land contamination, flood risk, the location of the building, design and appearance, as well as the provision of adequate natural light. It is therefore respectfully requested that the prior approval application be approved.