



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/2009

1 Wychwood Cottages, Barn At, Brighton Road, Shermanbury, West Sussex, RH13 8HE

DESCRIPTION:

Prior Notification for Change of Use of an Agricultural Buildings to 1no. dwellinghouse (C3 Use Class) with an erection of a single storey rear extension.

RELEVANT PLANNING HISTORY:

DC/21/1905	Prior notification for change of use of agricultural building to residential (Use Class C3) to form 1no single dwellinghouse.	Prior Approval Required and PERMITTED on 08.10.2021
DC/17/2367	Prior notification for the re-siting and enlargement of an agricultural building and provision of an access track	Prior Approval Not Required on 20.11.2017
DC/16/1310	Prior Approval for the erection of an agricultural building	No Objection to Notification on 21.07.2016
DC/08/1071	Relocation of detached Agricultural barn/feed store and machine shed	Application Permitted on 17.06.2008
DC/07/1506	Detached agricultural barn/feed store and machine shed	Prior Approval Not Required on 18.07.2007

SITE AND SURROUNDINGS:

The application site comprises a timber clad building comprising 2no. sections. The supporting information indicates that this building has been used for general farm storage, including machinery and produce, as well as a farm workshop. The wider surroundings comprise agricultural land, with 2no. semi-detached residential dwellings located to the north-west.

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 1no dwellinghouse.

Prior approval was granted for the same building in 2021 under planning reference DC/21/1905. The application is a reapplication for the change of use of the existing agricultural building to residential, with the addition of a one-storey rear extension. The rear extension would add 42.5sqm to the existing building, and there would be no external projections from the existing structure.

RELEVANT PLANNING POLICIES

National Planning Policy Framework

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 Comment

WSSC Highways: Comment. The movements associated with agricultural have done so safely with no known safety highway 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. The prior approval is therefore considered acceptable in highway terms.

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

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 agricultural building has been used solely for the Applicant's agricultural business since it was constructed, which was prior to 20th March 2013. 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 has been in situ as part of the established agricultural unit at the site prior to 20th March 2013. From aerial imagery, it appears the building has been in situ on site, since at least 2008, and was part of the established agricultural unit at Wychwood Cottages on 24th July 2023.

- (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 dwellinghouse would be 112.7 sqm. This 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 1no dwellinghouse, therefore the total number of dwellings is under 10. The overall cumulative, floor space would be 112.7sqm, which is within the requirement of 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),

The proposal would result in the building being extended approximately 4m to the rear, and building operations such as the provision of doors, windows and replacement roofing materials, in line with the parameters set out in Paragraph Q.1(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,

The extension would extend out from the rear elevation of the existing building by 4m, and the eaves height would match the existing. The extension would extend onto hardstanding which extends under the building. The hardstanding was evident during the site visit, and it is considered that this would be sufficient for the extension to extend onto.

- (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 submitted an engineering structural appraisal previously under ref: DC/21/1905, the report concluded that the existing building was suitable for conversion to residential usage without the need to major strengthening or repair, and the planning statement confirms that there have been no alterations made to the building since the report.

The proposal would include a replacement roof, with the addition of windows and full height doors to the southern elevation, along with the replacement of the double door with full height doors to the northern elevation, as well as the infill of an existing window and the replacement with a door and window. The proposed works to windows, doors, exterior walls and roof are considered to be reasonably necessary to convert the building to residential use. The development is therefore considered to meet the requirements of (i).

While it is recognised that the proposed conversion would involve some alterations to the structural fabric of the buildings, the subject building 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 building is 112.7sqm, with the building capable of complying with the nationally described space standards for 3-bedroom dwellings (95m²).

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

The site is accessed off Brighton Road, which is a highways-maintained road. The existing access is therefore suitable to serve an additional dwelling. The access has also facilitated agricultural use, as well as residential, 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 proposal would utilise the existing access to the public highway. Following consultation with WSCC

Highways as the Highways Authority, no objection to the proposal has been raised. The proposal is not considered to result in harm to the function or safety of the public highway network.

(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 building is located immediately to the south-east of 2no. residential dwellings, with the wider area characterised by agricultural fields under the ownership of the Applicant. There are 2no. shed located to the east of the subject building, and the evidence suggests that these have been in use for agricultural purposes.

While acknowledged that there is the potential for conflicts to arise through agricultural use of the wider site, as discussed in further detail below, it is 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 an EnviroScreen Certificate by Argyll Environmental as part of the previous prior approval (DC/21/1905). This outlined that the property is unlikely to be designated “contaminated land” within the meaning of Part 2A of the Environmental Protection Act, however, no formal Contamination Risk Assessment was submitted in support of the application.

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 subject building is located to the south of a pair of residential dwellings, with 2no. shed used for agricultural purposes located immediately to the east. While it is recognised that these sheds could be brought into use, these are of a modest size and the associated intensity of activity would be unlikely to result in harm to the amenities and sensitivities of future occupiers.

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 of the building would utilise existing openings, with the creation of limited new openings within the buildings. While the building is not considered to be of a particular aesthetic or architectural merit, the proposal is considered to retain the general character and appearance of the building. Therefore, no objections are raised in regard to design or external appearance. The proposed material palette is also deemed appropriate to a rural setting and would reflect the existing character and its surroundings. The curtilage would extend to the existing hardstanding. 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.

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, it is considered that the proposal would comply with all relevant limitations of Class Q, with no individual considerations that would warrant the refusal of prior approval, subject to the conditions listed below.

Recommendation: Prior Approval Required and PERMITTED

Conditions:

- 1 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: 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 the National Planning Policy Framework.

The applicant is advised that the Council has undertaken an Appropriate Assessment which demonstrates that the development will not have an Adverse Effect on the Integrity of the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017.

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

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		PHA-PL-001	04.12.2025
Plans	Existing	PHA-PL-002	04.12.2025
Plans	Proposed	PHA-PL-004	08.12.2025
Supporting Statement	Planning	NONE	04.12.2025
Block plan	Proposed	PHA-PL-006	27.01.2026

Case Officer sign/initial Bethan Tinning Date: 27.01.2026

Authorising Officer sign/initial Guy Everest Date: 29.01.2026