Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0830
Coombewick House Mobile Home, London Road, Ashington, Pulborough, West Sussex, RH20 3AU

DESCRIPTION:
Prior Notification for Change of Use of Agricultural Building to 1no. dwellinghouse.

RELEVANT PLANNING HISTORY:

DC/20/0630	Change of use of agricultural buildings to dwellinghouses (Class C3), and for building operations reasonably necessary for the conversion	Prior Approval Required and PERMITTED on 21.05.2020
DC/20/2010	Erection of a workshop and storage building (Certificate of Lawful Development - Proposed).	Application Refused on 14.12.2020
DC/20/2515	Erection of an agricultural building for the storage of equipment for maintenance of the field.	Application Permitted on 01.02.2021
DC/22/1633	Prior Notification for change of use of an agricultural building to residential (Use Class C3) to form 1no dwellinghouse.	Prior Approval Required and PERMITTED on 17.10.2022

SITE AND SURROUNDINGS:

This notification is submitted in respect of a steel and timber framed barn sited to the east of the dwelling of Coombewick Farm. The barn is found to the west of an existing stable block, with a mobile home benefiting from a temporary permission (DC/16/0932) found further to the east. The site is accessed via bridleway WIS/2500/1, a single lane track with passing places forming a shared private way that adjoins to the A24 some distance to the north-west of the site.

The existing barn is formed of a green corrugated metal cladding above blockwork, possessing a utilitarian character typical to a modern agricultural building. The building is sited at the northernmost extent of a moderately sized irregularly shaped field, with designated ancient woodland (further benefiting from a tree-preservation order (TPO/0743)) found north and east of the site.

With the exception of protected woodland, the site is not affected by any statutory landscape, heritage, or biodiversity constraints.

The barn benefits from Prior Approval to form 1 new dwelling that expires on 17.10.2025.

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 1 new dwelling house. This application proposes the same design externally and internally as the previously approved proposal under DC/22/1633.

The applicant has indicated on the submitted application form that they wish the Prior Approval to be assessed under the permitted development rights as it stood prior to 21 May 2024. The application was received before 20th May 2025 and has been assessed under the Regulations before they changed as requested

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
If the application is approved it is recommended that regulatory condition attached to DC/22/1633 should be applied

WSCC Highways: No Objection
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. Consequently, no highway concerns would be raised. 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.

Southern Water: Comment
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 in consultation with Southern Water

Parish Comments: Comments
Whilst recognising that the change of use of a building from agricultural to a dwellinghouse is addressed under Permitted Development Rights, the Parish Council nevertheless wishes to ensure that you are clear about our concerns as we believe this to be the third time this application has been extended. This application is a repeat of an identical application, previously approved. On that occasion, obtaining permitted development rights became merely a step towards submitting an application for a substantially larger and totally inappropriate housing development, with ancillary features. Our concern is that the same process will be repeated again.

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 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;

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 building subject of this notification was previously granted prior approval for a change of use under Class Q of Part 3 of the Order in 2015 pursuant to application DC/15/1272 and DC/20/0630 and DC/22/1633 with no concern previously raised as to the agricultural use of the building with reference to S.336(1) of the Town and Country Planning Act.

As explained within the applicants supporting statement, the building was most recently utilised as a store for agricultural equipment and hay, with such uses documented by site visit photography taken in connection with DC/15/1272. At the time of the case officer's site visit in connection with this notification the building did not appear to be intensively used, with the eastern section of the building apparently vacant, though some agricultural equipment/goods stored at the western extent. Some evidence of general (non-agricultural) storage was noted, though not to the extent that would constitute a material change of use. There is no evidence of any intervening material change of use since the building was previously considered and, as such, it is considered that the provisions of paragraph Q.1(a) have been satisfied.

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;

No dwellinghouse has been implemented pursuant to the provisions of Class Q of Part 3 to date within the agricultural unit. The cumulative floorspace changing use under Class Q would not exceed 465m2. The proposal is considered to meet the requirements of (b)

(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;

No dwellinghouse has been implemented pursuant to the provisions of Class Q of Part 3 to date within the agricultural unit. The floorspace changing use (170m2) exceeds that permitted by subparagraph Q.1(i)(bb), as such warrants consideration against the provisions of sub-paragraph Q.1(d).

(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;

No dwellinghouse has been implemented pursuant to the provisions of Class Q of Part 3 to date within the agricultural unit. The cumulative floorspace changing use under Class Q would not exceed 465m2. 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 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;

N/A – The site is not occupied under an agricultural tenancy, and no tenancy has been terminated in the preceding year.

(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 or Class B of Part 6 of Schedule 2 of the Order has been implemented since 20th March 2013.

(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;";

The submitted plans indicate that the barn would maintain the same form and main dimensions (height, width, depth and footprint) as the existing barn building.

The applicant has confirmed that existing blockwork walls, which are exposed to northern and eastern elevations, are to be retained, though, over-clad with new timber cladding. The proposed cladding would not extend to ground level, however, with a blockwork section up to ~60cm in height left exposed similar to the existing treatment of southern and western elevations.

It is recognised that the provision of cladding over existing blockwork walls would result in the external dimensions of the building exceeding those at present. A similar arrangement was considered by an Inspector in connection with ref: 30054091 , where, at paragraph 12, the Inspector noted that the application of cladding to external walls to result in an increase to the external dimensions of the building, though, in a manner which would not prove contrary to the provisions of paragraph Q.1(h). The Inspector noted that the cladding would not increase the footprint of the dwelling and would be further contained within the existing envelope of the building given the presence of overhangs. In a separate appeal , at paragraph 16, the Inspector considered a minor variance in external dimensions resulting from alterations to cladding that would not materially influence the footprint of the building as permitted notwithstanding limits set out under paragraph Q.1(h).

In this instance the areas of new cladding to be introduced would prove modest relative to the area of the overall building. To the northern face of the building these additional cladding works would be contained within an existing overhang, while neither the introduction of cladding over blockwork to the northern or western faces of the building would materially increase the footprint of the dwelling.
It is not considered that these works amount to a material extension or enlargement of the existing building, nor could be regarded as an additional structural element in their own right. It would be reasoned, therefore, that these additional cladding works would not amount to conflict with paragraph Q.1(h).

(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);**

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 previously approved Prior Approval was approved after changes were made, and more information was provided in relation to the structural soundness of the existing building.

The existing structure comprises of perimeter blockwork walling (between ~1.5m-2m in height) with single skin corrugated metal sheeting above to eave height. With the exception of two windows within the eastern elevation, and full-height openings within the northern elevation, the building does not feature

any existing openings which could function as windows affording necessary light/ventilation to living spaces. The proposal, in order to adapt the building for residential occupation, would introduce additional windows to serve living spaces, affording light/ventilation, and seek to provide membranes and insulation behind timber cladding for the purposes of waterproofing and heat retention. The full-height opening to the northern elevation would be infilled in order to enclose the structure.

These alterations are considered 'reasonably necessary' in order to render the building suitable for residential occupation.

The applicant has highlighted that existing cladding could not be adapted in situ, and that the cladding would require removal in order to apply necessary membranes, insulation and to cut openings for fenestration prior to being re-applied. In practical terms, therefore, the extensiveness of adaptations necessary to retrofit existing cladding for residential use, including its removal and re-application, would prove substantially similar to the extent of adaptations resulting from the provision of new timber cladding with insulation behind. Notwithstanding the extent of external surfaces to be replaced, therefore, on the basis of information provided to the Authority it is considered that these works are reasonably necessary as permitted by paragraph Q.1(i)(i).

It is noted that the proposal would involve the formation of internal divisions, though, such works would not amount to a form of development by virtue of S.55(2) of the Town and Country Planning Act 1990. As confirmed under paragraph 105 of the relevant Planning Practice Guidance, such works are not prohibited by Class Q.

Furthermore, given the retention of existing built-fabric in the form of external blockwork and roofing, in addition to all existing structural framing, it is not considered that the proposed application of replacement cladding and enclosure of an existing opening would amount to a substantial re-build as works going beyond those permitted by paragraph Q.B.

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

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

(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;**

The site is not within any of these areas.

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

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

(m) the building is a listed building

The building is not a listed building

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,

The Local Highways Authority (LHA) do not consider that the proposal would adversely influence highway safety or operation, with no pre-existing evidence of unsafe operation in the vicinity of the application site.

It is unlikely that use of the building for a residential property will result in a materially different number of vehicle movements relative to a commercial agricultural use. Overall no adverse impacts upon the safety or operation of the highway network are anticipated.

(b) noise impacts of the development,

Paragraph 109 of 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.

Paragraph 123 of the NPPF states that 'planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.'

A domestic use of the building as a dwellinghouse would not be considered to result in a level of noise disturbance detrimental to the amenities of existing occupiers or users of land.

(c) Contamination risks on the site,

The application is accompanied by a Phase 1 risk assessment, which identifies a low risk as to the presence of possible contaminants. While this is dated 2015, the applicant has confirmed that the last use of the building was as an equipment and hay store, with no intervening contaminating activities since 2015.

The Council's Environmental Health Department have confirmed that their previous comments are still relevant. This preceding notification was accompanied by the same risk assessment that is provided in support of this notification, and it is not considered that there has been any material change in circumstance that would call into question the validity of the assessment previously considered acceptable or necessitate further investigation.

A condition designed to address unsuspected contamination is recommended however, in the interests of the health and wellbeing of future occupants.

(d) flooding risks on the site,

The proposed buildings are sited within Flood Zone 1 as designated by the Environment Agency and therefore no concern is raised in this respect.

(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 building subject of this notification is situated to the west of a small stable block and in proximity to two existing residential units. There is no evidence of commercial or industrial activity in vicinity to the barn that would give rise to an unacceptable level of noise/odour disturbance that could negatively affect the amenities of future occupiers or their health and wellbeing. It is not considered that such a change of use of land would prove undesirable in this instance. The site benefits from a pre-existing access to a metalled private way. There is no evidence before the authority that a change of use, and associated building operations, would prove impractical.

(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 existing barn possesses an unassuming character and appearance that derives from its utilitarian form, function and use of materials. While the existing building is not considered of any individual architectural merit, the proposed introduction of fenestrations and timber cladding would likely act to provide greater articulation to existing external faces and soften the harsh appearance of the existing building. It is considered that these changes are beneficial, and that the proposal is acceptable in relation to the provisions of paragraph Q.2(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.

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 1no larger four-bedroom dwellinghouse. The dwelling would incorporate 170m2 of internal area which would be much higher than that described for a four-bedroom dwelling (comprising between 90-117m2).

The floor plans also clearly indicate that the dwelling would benefit from more than the prescribed internal storage. The proposed dwelling would therefore provide adequate living and storage space in accordance with national space standards, in accordance with Section (9A) of Article 3 of the Order.

Conclusion

The proposal has been assessed against all relevant conditions, limitations and restrictions of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). For the reasons discussed in detail above it is considered that the proposal would comply with all relevant limitations of Class Q, with the effects of the proposed change of use considered acceptable in relation to the prior-approval matters set out under paragraph Q.2(1). It is, therefore, recommended that prior approval be granted, subject to the conditions listed below.

Other Matters

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 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 could not be carried out until a decision of such application has been made.

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 shall be carried out until a remediation strategy has been submitted to and approved by the Local Planning Authority, in writing, detailing how this unsuspected contamination shall be addressed. The remediation strategy shall be subsequently implemented as approved, unless any variation is agreed in writing with the Local Planning Authority.

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 appropriately addressed in accordance with paragraph Q.2(c) of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the National Planning Policy Framework (2021).

NOTE TO APPLICANT

The applicant is advised that this decision relates solely to whether the Prior Approval of the Local Planning Authority is required, it does not confirm that the proposal represents Permitted Development. *The site lies within the Sussex North Water Supply Zone where Natural England has advised that water extraction cannot be concluded as having no adverse effect on the integrity of the Arun Valley Special Area Conservation (SAC), the Arun Valley Special protection Area (SPA) and the Arun Valley Ramsar Site.*

It is a condition of Permitted Development (Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended) that development likely to have a significant effect on a European Site "must not be begun" until an application has been made to Natural England for its opinion as to whether the development is likely to have a relevant effect. Following this an application must be made to the Local Planning Authority for its approval. No development must be begun until the developer has received written notification of the approval of the local planning authority. For further information on this process see Regulations 75 to 77 of the Conservation of Habitats and Species Regulations 2017 (general development orders).

The applicant is advised that any development commenced without compliance with Regulation 75 of the Conservation of Habitats and Species Regulations 2017 would be in breach of the GPDO and would be subject to potential future enforcement action.

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/25/0830

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		2003CO_000 REV 3	16.05.2025
Floor plan	Existing	2003CO_100 REV 3	16.05.2025
Elevation plan	Existing	2003CO_101 REV 3	16.05.2025
Floor plan	Proposed	2003CO_200 REV 3	16.05.2025
Elevation plan	Proposed	2003CO_201 REV 3	16.05.2025
Supporting Docs	Environmental Risk Assessment	HLEL36506/001R	16.05.2025
Supporting Statement	Planning	NONE	16.05.2025
Supporting Docs	Addendum to Structural Survey	NONE	16.05.2025
Supporting Docs	Soil Sampling Testing and Assessment	NONE	16.05.2025
Supporting Docs	Structural Survey	NONE	16.05.2025

DELEGATED

Case Officer sign/initial Kate Turner Date: 15.07.2025

Authorising Officer sign/initial RHERMITAGE Date: 18.07.2025