

CLASS R STATEMENT

**NOTIFICATION OF CHANGE OF USE OF AGRICULTURAL BUILDING TO
COMMERCIAL B8 STORAGE USE (Less than 150m.sq)**

Site: Clemsfold Farm,
Guildford Road,
Horsham,
West Sussex,
RH12 3PW





PARTICULARS

Document Title	CLASS R STATEMENT
Proposal - NOTIFICATION	Change of use of agricultural building to commercial B8 Storage use – Less than 150m.sq
Applicant Details	Mr N Smith
Site Details	Clemsfold Farm, Guildford Road, Horsham, West Sussex, RH12 3PW
Prepared by	Melanie Bingham-Wallis Planning Director
Agent details	Foxes Rural Ltd Bullbanks Farm Halstead Road Eight Ash Green Colchester Essex CO6 3PT



INTRODUCTION

This statement has been prepared by Foxes Rural Limited on behalf of Mr N Smith in support of a prior notification for the change of use of part of an agricultural building to a flexible commercial use falling within Class B8 (storage and distribution) of the Use Classes Order, pursuant to Class R of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The application site is Clemsfold Farm, Guildford Road, Clemsfold, Horsham, West Sussex, RH12 3PW.

The notified floor area does not exceed 150 square metres and this notification is therefore made under paragraph R.3(1)(a) of Class R, which requires the developer to provide to the local planning authority the date on which the flexible use will commence, the nature of that use, and a plan indicating the site and the building which has changed use. Prior approval is not required in respect of a notification of this type.

This statement demonstrates that the building subject to this notification meets the qualifying conditions set out in Class R and that no bar to the exercise of the permitted development right applies.

Enclosures

The statement should be read in conjunction with the accompanying documents listed below.

Reference	Description
Floor and elevation plans	Refer to plans for scale
Location map plan	Scale 1:35,000
Site location plan	Scale 1:1,250
Block plan	Scale 1:500
Planning Statement	
Planning Forms	Submitted via Planning Portal

STATEMENT OF EXPERIENCE

This planning statement has been prepared by Melanie Bingham-Wallis. I am a farm planning director employed by Foxes Rural Limited which specialises in rural planning matters. The company regularly advises on agricultural related planning applications, justifications and proposals Nationwide.

The company is registered with the Royal Institution of Chartered Surveyors and the Central Association of Agricultural Valuers.

SITE OVERVIEW

The application site comprises a Dutch barn and associated paddock land extending to approximately 3.41 acres (1.38 hectares) in total, situated on Guildford Road, Clemsfold, to the north of Horsham, West Sussex. The site address is Clemsfold Farm, Guildford Road, Clemsfold, Horsham, West Sussex, RH12 3PW. The site was purchased by the current owner, Mr N Smith, in early 2025.

The site falls outside the built-up area boundary as defined in the Horsham District Planning Framework 2015 and is therefore categorised as countryside for planning purposes. The site is accessed directly from the A281 Guildford Road via an existing informal track, which is shared with the neighbouring properties at Nos. 1 and 2 Clemsfold Farm Cottages and the former Clemsfold Farmstead to the east. The character of the surrounding area is rural, comprising scattered residential dwellings, pasture land, and the former farm complex to the east of the application building.



Fig 1: Ariel image of Clemsfold Farm (Source: Landstack) Building indicated by red line

Yellow dots: Listed Buildings

Pink line – Public Right of Way

THE BUILDING

The principal structure on the site is a Dutch barn measuring approximately 26.5 metres in width, 7.5 metres in depth and 8.4 metres in height to the apex of its curved roof. The barn is of steel frame construction with corrugated sheeting to the roof and to the upper portions of the southern and western elevations. The northern and eastern elevations are predominantly open-sided. The barn has an internal floor area of approximately 198.7 square metres and is arranged over six bays.



Fig 1 – North Elevation

Source: Sales particulars – Batcheller Monkhouse



Fig 2 - South elevation

Source: Sales particulars – Batcheller Monkhouse

RELEVANT PLANNING HISTORY

The site has an established planning history in respect of Class R permitted development, which is directly material to this notification.

In August 2020, a prior notification was submitted under reference DC/20/0641 seeking prior approval for the change of use of the entire barn (198.7 square metres) to a flexible commercial use under Class R. That application was refused on the sole ground that insufficient information had been provided to demonstrate that the proposed use would not give rise to unacceptable noise impacts on the occupiers of the neighbouring residential properties, having regard to the open-sided construction of the barn. The Council was satisfied in respect of all other matters, including highways, contamination, and flooding.

Following that refusal, a further prior notification was submitted in July 2020 under reference DC/20/1227, this time for the change of use of 140 square metres of the barn to Class B8 storage and distribution use, being an area below the 150 square metre threshold at which prior approval is required under paragraph R.3(1)(a) of Class R. The Council reviewed the notification against the qualifying conditions and confirmed on 26 August 2020 that prior approval was not required and raised no concerns with the notification. The remaining 58.7 square metres of the barn was retained in agricultural use.

That determination is of direct relevance to the present notification. The Council's assessment under DC/20/1227 confirms that the building was in sole agricultural use as part of an established agricultural unit on 3rd July 2012, that it meets the qualifying conditions for Class R, and that the LPA raised no objection to the notification of a sub-150 square metre B8 use within the barn. It is understood that the Class R use established by that notification was not implemented and has since lapsed, such that the barn reverts to its lawful agricultural use. The present notification is submitted on the same basis and in respect of the same floor area, re-establishing the B8 commercial use over the four eastern bays of the building.

THE PROPOSAL

Clemsfold Farm is comprised of a number of buildings of varying age and construction. The building subject to this application is a Dutch barn set away from the older courtyard buildings constructed in mid 19th century and within a field adjacent and to southwest of this historic farmstead. The subject building measures the 26.5 metres in width, 7.5 metres in length and has a maximum height of 8.5 metres, with an internal floor area of approximately 198.7 square metres. This notice relates to 140m² of the building's floor area. Both the building and older farmstead



are accessed by an existing track direct from A281 – Guildford Road. The building is in agricultural use for the storage of hay and agricultural machinery. The two western bays are to be retained in that agricultural use.

This notification concerns the change of use of the four eastern bays, amounting to an area of 140 square metres, from agricultural use to a flexible commercial use falling within Class B8 (storage and distribution) of the Schedule to the Use Classes Order, pursuant to Class R of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The intended use of the notified area is the storage use only of caravans and vehicles. No internal or external alterations to the building are proposed as part of this notification.

CLASS R CHANGE OF USE (UNDER 150M.SQ)

This is a formal notification to Horsham District Council LPA for a change the use of an area of the building which has remained under agricultural use – an area of 140m.sq.

Development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use—

(a) falling within one of the following provisions of the Use Classes Order—

(i) Class B2 (general industrial) of Schedule 1;

(ii) Class B8 (storage or distribution) of Schedule 1;

(iii) Class C1 (hotels) of Schedule 1;

(iv) Class E (commercial, business or service) of Schedule 2; or

(v) Class F.2(c) (outdoor sport or recreation) of Schedule 2; or

(b) for the provision of agricultural training.

Development not permitted

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

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

(i) on 3rd July 2012.

(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 building which was brought into use after 3rd July 2012, for a period of at least 10 years before the date development under Class R begins.

R.1(a) requires that the building was used solely for an agricultural use as part of an established agricultural unit on 3rd July 2012, or, if not in use on that date but in use before it, when it was last in use.

The building subject to this notification is a Dutch barn erected in 1948 pursuant to planning permission reference SF/7/48. It has been in continuous agricultural use throughout its operational life, latterly for the storage of hay and agricultural machinery. There is no evidence that the building has at any time been used for any purpose other than agriculture.



The building forms part of an established agricultural unit at Clemsfold Farm. The definition of an established agricultural unit is that provided in the interpretation provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which defines it as "agricultural land which is occupied as a unit for the purposes of agriculture". The building has throughout its history been occupied as part of such a unit, supporting the agricultural activities of the holding.

For the avoidance of doubt, the qualification of the building for Class R has been confirmed by the determination of prior notification DC/20/1227 by Horsham District Council on 26 August 2020. In that notification, the Council assessed the building against the Class R qualifying conditions, including the requirement at R.1(a), and confirmed that prior approval was not required and raised no concerns with the notification. The officer assessment expressly confirmed that the building constituted an existing agricultural storage unit and that the notification accorded with the provisions of Schedule 2, Part 3, Class R of the GPDO 2015. That determination provides direct and specific LPA confirmation that the building met the qualifying conditions for Class R, including that it was in sole agricultural use as part of an established agricultural unit on 3rd July 2012.

The current notification is submitted on the same basis. The building has not changed its physical form or its lawful use since the 2020 notification was determined. The qualifying conditions under R.1(a) are met.

(b) the cumulative floor space of buildings which have changed use under Class R within an established agricultural unit exceeds 1000 square metres.

It is confirmed that the floor space of building which will change use under Class R within an established agricultural unit would measure 140sqm and does not exceed 1000 square metres. Therefore Class R.1(b) has been complied with.

(c) the site is, or forms part of, a military explosives storage area.

The site does not form part of a military explosives storage area. Class R.1(c) has therefore been complied with.

(d) the site is, or forms part of, a safety hazard area; or

The site does not form part of a safety hazard area. Class R.1(d) has therefore been complied with.

(e) the building is a listed building or a scheduled monument.

R.1(e) provides that development is not permitted by Class R if the building is a listed building or a scheduled monument.

The building subject to this notification is not a listed building and does not form part of a scheduled monument. It is therefore not excluded from Class R on this basis.

It is noted for completeness that two Grade II listed buildings are located within the former Clemsfold Farm complex to the east of the application barn: a granary (list number 1462900) and a barn (list number 1462894). Both are in separate ownership and occupation and do not form part of the established agricultural unit from which the application building operates. The proximity of those designated assets is not material to the qualifying conditions under R.1(e), which relates solely to whether the building subject to the notification is itself a listed building or scheduled monument. The application building is neither. R.1(e) is therefore satisfied.

Conditions:

R.2.(d) where the site is to be used for general industrial purposes within Class B2, it must only be used for the processing of raw goods, excluding livestock, which are produced on the site and are to be sold on the site, or raw goods mentioned together with goods ancillary to the processing of those raw goods.



The condition at R.2(d) applies solely to development under Class R where the proposed use falls within Class B2 (general industrial) of Schedule 1 to the Use Classes Order. This notification does not propose a Class B2 use. The notified use is Class B8 (storage and distribution), being the storage of caravans and vehicles. The condition at R.2(d) is therefore not engaged and does not apply to this notification. Class R.2(d) is accordingly satisfied.

Class R.3(1) states that: R.3— (1) Before changing the use of the site under Class R, and before any subsequent change of use to another use falling within one of the use classes comprising the flexible use, the developer must—

(a) where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit does not exceed 150 square metres, provide the following information to the local planning authority-

- (i) the date the site will begin to be used for any of the flexible uses;**
- (ii) the nature of the use or uses; and**
- (iii) a plan indicating the site and which buildings have changed use.**

It is confirmed that the total combined floor space in the building(s) (previously and in this proposal) changed to a flexible use under this permitted development right would total 140m.sq and therefore does not exceed 150 square metres. Class R.3 (1)(a)(i)(ii)(iii) is therefore applicable. This notification is accompanied by a plan indicating the site and the buildings which will change use.

The Change of use will commence 1st June 2026.

The legislation does not require analysis of the following impacts and risks for a floor area below 150.m.sq –

- Transport and Highways
- Noise
- Flooding
- Contamination

However, a storage use has been selected due to the minimal noise generation and low level of traffic movements in connection with the use. Furthermore, storage use does not give rise to contamination risks. The site lies in flood zone 1.

CONCLUSION

This notification has been submitted on behalf of Mr N Smith pursuant to paragraph R.3(1)(a) of Class R of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), for the change of use of 140 square metres of the agricultural building at Clemsfold Farm to Class B8 storage and distribution use namely the storage of caravans and vehicles.

The notified floor area does not exceed 150 square metres and prior approval is therefore not required. This statement has demonstrated that the building satisfies all of the qualifying conditions under Class R, that none of the bars to permitted development at R.1(a) to (e) apply, and that the notification requirements at R.3(1)(a)(i) to (iii) have been met. The qualification of the building for Class R is confirmed by the Council's own determination of prior notification DC/20/1227 in August 2020.

It is submitted that this notification complies in full with the requirements of Class R and that the Council should confirm that prior approval is not required.



Melanie Bingham-Wallis

**PLANNING DIRECTOR
FOR AND ON BEHALF OF FOXES RURAL LIMITED**

Date: 28th April 2026