**PLANNING STATEMENT (APPLICATION NUMBER: D/25/0093)**

**ADDRESS:**
Windacres Farm, Church Street, Rudgwick, West Sussex, RH12 3EG

**DESCRIPTION:**
Prior Notification for Change of Use of Agricultural Building to a single dwellinghouse

**RELEVANT PLANNING HISTORY:**

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| DC/20/0550 | Retrospective application for the retention of an agricultural storage building | Application Permitted on 13.05.2020 |
| DC/20/0549 | **Retrospective application for the retention of a lean-to agricultural storage building** | Application Permitted on 13.05.2020 |
| DC/20/0596 | Prior Notification for the erection of a tractor shed | Prior Approval Required and PERMITTED on 19.05.2020 |
| DC/20/1071 | Prior notification for the erection of an agricultural tractors and implements shed with hardstanding | Prior Approval Required and PERMITTED on 08.07.2020 |
| DC/20/1458 | Change of use from an agricultural building into a residential dwelling (C3 use) with agricultural occupancy condition. | Application Refused on 09.10.2020 |
| DC/20/1524 | Relocation of stationing container as temporary residential accommodation for 12 months (see application DC/20/1458) | Decline to Determine on 28.08.2020 |
| DC/21/0185 | Erection of a detached two storey rural workers dwelling. | Application Refused on 14.05.2021 |
| DC/21/1200 | Temporary stationing of residential cabin. | Application Refused on 08.09.2021 |

**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 one single dwellinghouse.

**RELEVANT PLANNING POLICIES**
National Planning Policy Framework

**CONSULTATIONS RESPONSES**

**WSCC Highways:** The movements associated with agricultural use 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. **The prior approval is therefore considered acceptable in highway terms.**

**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 –**

**(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 established agricultural unit into a single dwelling under Q(ai) 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,**

**(b) in the case of a building that was (but is no longer) part of an agricultural unit**

**(c) (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.**

N/A

**(d) 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 dwellinghouse would not exceed 81sqm so would be in accordance with these criteria.

**(e) 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 development would not be contrary to Q.1 (d).

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

The building is not subject to an agricultural tenancy.

**(g) 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;**

From research into the planning history of the site and the information submitted, the development would not be contrary to Q.1(f).

**(h) 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,**

The planning history for the site indicates that the holding has benefitted from prior approvals for the erection of new buildings, with notifications determined in 2020.

**(i) 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—**

**(j) 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),**

No part of the development would extend beyond the external dimensions of the building at any given point.

**(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,**

Not relevant to this assessment with Class Q(a) being relevant as there would be no extension to the building.

**(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);**

The part of the building proposed for conversion is in good structural condition, with the building being a modern substantial construction.

**(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 a scheduled monument and does not contain one.

**(n) the building is a listed building**

The building is not listed.

**(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 proposed dwelling would have only one bedroom and would be approximately 81mq such that it is a sufficient scale to be in accordance with NDSS.

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

The agricultural building can be accessed by vehicles on the existing access

**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 as the Local Highways Authority, no objection to the proposal has been raised. It is not anticipated that the proposal would represent a significant intensification in terms of vehicle movements relative to existing agricultural operations. While the existing access is single carriageway, this is not unexpected to a rural location with good visibility along the main axis of the highway. There is no evidence that this existing access is inadequate or that the proposal would unacceptably influence the function or safety of the highway network. The proposal is not therefore considered to result in harm to the function or safety of the public highway network.

**(b) noise impacts of the development**

It is not considered that any agricultural operations, machinery and vehicle movements nearby the development would result in unacceptable levels of noise or harm to the occupants of the proposed residential unit that would warrant an objection on these grounds.

**(c) Contamination risks on the site**

The notification relates to a modern agricultural building, which has since completion only been used for its intended purpose, being the storage of hay. In accordance with strict Health & Safety guidance no hazardous materials have been stored in this purpose-built properly ventilated lean-to part of the main building

**(d) flooding risks on the site**

The site lies outside of any designated Flood Zone.

**(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**

Given the location and siting of the proposed single dwelling unit within the agricultural building overlooking fields, there is no potential for the occupiers of the dwelling to be adversely impacted by any agricultural activities on the wider site by reason of noise and general disturbance associated with these activities.

**(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 application site is located within a countryside location and would not result in a particularly urban or residential appearance, installing minimal fenestration and doors where necessary such that it would result in a utilitarian modern barn appearance. The proposal would not give rise to an unacceptable visual appearance from the public realm.

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

There is a minimum of one window per habitable room such that there are no objections in this regard.

**CONCLUSION**

The proposal has been considered in relation to all relevant conditions, limitations, and restrictions of Class Q in Part 3. As reasoned in detail 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.

GJA/2025