From: Planning@horsham.gov.uk
Sent: 19 November 2024 09:30
To: Planning
Subject: Comments for Planning Application DC/24/1681

Categories: Comments Received

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 19/11/2024 9:29 AM.

Application Summary

Address:	Nash Manor Lower Nash Nutbourne Lane Nutbourne West Sussex RH20 2HS
Proposal:	Prior Notification for Change of Use from an Agricultural Building to 2no dwellinghouse (C3 Use Class).
Case Officer:	Bethan Tinning

Click for further information

Customer Details

Address:	Upper Nash Farm Nutbourne lane Pulborough

Comments Details

Commenter Type:	Neighbour
Stance:	Customer objects to the Planning Application
Reasons for comment:	- Other
Comments:	The information provided in the present application contains several key deficiencies which make it impossible to establish that the criteria for Class Q permitted development have been met. Specifically, 1) The "established agricultural unit" on which the site (the former barn which is the subject of the present Class Q application) must be or must have been part, is neither identified nor proven to be "established". Having lived opposite the site since 2003, I know for a fact that between 2012 and 2020 the site and the surrounding land was used solely for equestrian purposes. Evidence for this sole equestrian use was submitted by Upper Nash Farm on 22/01/2022 in connection with an earlier Class Q application (DC/ 21/5824) for very same agricultural building - see page 3, last paragraph and page 4 of these submissions, [redacted]

[redacted] Sites used solely for equestrian purpose, even with the 2024 amendments to the Class Q criteria, are not deemed to be part of an agricultural unit. Therefore the Applicant has not demonstrated that the site is or was part of an "established agricultural unit" and, consequently, it is not eligible for Class Q.
2) The Applicant bases the present application on the premise that the site (the former barn) is an agricultural building that was (but is no longer) part of an established agricultural unit, and also that the site was not part of an established agricultural unit on 24 July 2023. However, no date is given to define exactly when the site ceased to be part of an established agricultural unit. This date is required to establish whether Q1(b)(iii) has been breached, as discussed below.
3) The present application fails to provide the date on which the site (the former barn) ceased to be used for non-agricultural purpose. Again, this information is required to establish whether Q1(b)(iii) has been breached, as discussed below.
These details, together with incontrovertible evidence to prove the same, must be provided to enable the planning officer to determine Class Q eligibility.
Notwithstanding these deficiencies, information previously submitted by the Applicant in connection with their earlier Class Q change of use application (DC/21/5824) clearly indicates that cessation of the site as being part of an established agricultural unit occurred sometime before 20 December 2021. See page 2 of the Applicant's covering letter dated 20 December 2021 filed with DC/21/5824, in which the Applicant states: "The building is not part of any agricultural, forestry or equestrian land holding".
The Applicant also explains on page 2 of his 20 December 2021 letter that "the existing building is used as ancillary storage for Nash Manor, as well as informal storage for cars and building materials."
This being the case, the Development is NOT permitted under Class Q because it contravenes Q1(b)(iii).

Class Q1. Development is not permitted by Class Q if-
.....
(b) in the case of a site that was (but is no longer) part of an established agricultural unit-
.....
(iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose.
Q1(b)(iii) means that since ceasing to be part of an established agricultural unit, the site must ONLY have been used for agricultural purposes and that ANY post cessation non-agricultural purpose renders the site ineligible for Class Q.

Consequently, although the Applicant has submitted in his present Class Q application (DC/24/1681) that "The barn has been used for agricultural storage for Nash Manor", this use does not meet the criteria for Class Q. By the Applicant's own admission in DC/21/5824, the site was used for non-agricultural purposes: ancillary storage for the house and for storing cars and building materials, at a time when it had already ceased to be part of an established agricultural unit (i.e. before 20 December 2021). This non-agricultural use plainly contravenes Q1(b)(iii) and therefore development of the site by Class Q is NOT permitted.

Kind regards