



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0214

Hillybarn Farmhouse, The Mount, Ifield, West Sussex, RH11 0LF

DESCRIPTION:

Prior Notification for Change of Use of an Agricultural Building to 5no. dwellinghouses (C3 Use Class).

RELEVANT PLANNING HISTORY:

DC/19/2310	Retrospective application for the removal of 10m of hedging, the creation of new road access, installation of perforated pipe into existing ditch and laying of hardstanding.	Application withdrawn
DC/22/1918	Prior Notification for Change of Use of Agricultural Building to residential (Use Class C3) to form 5no dwellinghouses.	Application approved on 04/12/2022.
DISC/25/0201	Application for Approval of Details Reserved by Condition 1(a) to approved application DC/22/1918	Application Permitted on 20/08/2025
DC/25/0447	Erection of 4no. new build dwellings and amended access details. (Alternative to permission granted under DC/22/1918 Prior Approval of Proposed Change of Use of Agricultural Building to form 5 dwellinghouses).	Application refused on 09/09/2025

SITE AND SURROUNDINGS

The site is located on the eastern side of Hillybarn Road/The Mount which is a single-track road with passing places and has two potential access points. There is limited built development in the immediate vicinity aside from a stables and associated buildings to the south of the site, which gives the site a rural feel.

The agricultural building proposed for the change of use is located near the western edge of the field and is considered to be in a state of disrepair, with the southern third of the building almost completely destroyed following an arson attack in 2025. The remainder of the building's exterior is a patchwork of wood, corrugated plastic and wire mesh and looks to be currently in use as storage. There are two metal storage containers also located on site, one near to the northern access point and one immediately to the east of the agricultural building.

The remainder of the site is an open field, with a group of trees immediately to the east of the agricultural building and along the entire field margin.

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 5no. dwellinghouses, which vary in size from 2-bed to 5-bed and will each include a garden to the rear.

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Horsham District Planning Framework (HDPF, 2015)

Policy 1- Sustainable Development
Policy 24- Environmental Protection
Policy 26- Countryside Protection
Policy 33- Development Principles
Policy 41- Parking

REPRESENTATIONS AND CONSULTATION 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:

Southern Water

Southern Water can facilitate water supply to service the proposed development and require a formal application for connection to be made by the applicant or developer.

WSCC Highways

In summary, the movements associated with agriculture have done so safely with no known highway safety issues, and C3 residential uses are considered less intensive. West Sussex County Council (WSCC), in its role as LHA, have 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.

HDC Environmental Health

Recommended a series of conditions relating to land contamination.

Parish Comments:

Rusper Parish Council: Objection.

- Design
- Highway Access and Parking
- Loss of General Amenity
- Overdevelopment
- Privacy, Light and Noise
- Trees and Landscaping

Representations:

1 letter of Objection has been received, objecting to the application on the following grounds:

- Overdevelopment
- Design
- Highway Access and Parking
- Loss of General Amenity
- Private, Light and Noise
- Trees and Landscaping

No letters of Support have been received.

HUMAN RIGHTS AND EQUALITY

Under the Equality Act 2010, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality, fostering good relations in respect of Race, Disability, Gender including gender reassignment, Age, Sexual Orientation, Pregnancy and maternity, Religion or belief. The Equality Act 2010 will form part of the planning assessment below.

Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application.

Consideration of Human Rights and Equalities forms part of the planning assessment below.

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 five dwellinghouses 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 –

- (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 is no longer) part of an established agricultural unit and any land within that building's curtilage,**

to a use falling within Class C3 (dwellinghouse) 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 that Schedule or to extend that building.

Prior approval consent is sought to convert the existing agricultural building to 5no. dwellinghouses under Q(a)(i), as above.

Class Q(c) permits only building operations reasonably necessary to convert an existing agricultural building to residential use. Planning Practice Guidance paragraph 105 makes clear that the permitted development right assumes that the agricultural dwelling is capable of functioning as a dwelling and prevents rebuilding.

In this case, the southern third of the building has been damaged by fire and does not currently benefit from a roof structure or external walls on three sides. In addition, the exterior walls of the remaining part of the building are a patchwork of corrugated metal, breezeblocks, wire mesh and weatherboard and therefore replacement exterior walls and associated works to create a weather-tight structure are likely to be required.

It is therefore concluded that the works would not represent conversion of an existing building, but the reconstruction of fundamental structural elements required to make the building functional as a dwelling. The proposal therefore does not fall within the scope of Class Q(c).

Q1. Development is not permitted by Class Q if –

- (a) in the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit –**
- (i) on 24th July 2023, or**
 - (ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins,**

The submitted application form confirms that the site is currently part of an established agricultural unit and was part of this unit on 24th July 2023. Previous applications submitted at this site are consistent with agricultural use and without evidence to the contrary, it is considered the site would meet the requirements of (a)(i).

- (b) in the case of a site that was (but is no longer) part of an established 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,**

As stated above, the site is part of an agricultural unit and therefore point (b) does not apply.

- (c) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeds 150 square meters,**

From the submitted Block Plan and Application Form it can be confirmed that no individual dwellinghouse will exceed 150 square meters. The largest of the five dwellinghouses will have a GIA of 148.9m².

- (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.**

It is clear from the submitted Application Form that the number of dwellinghouses having a use falling within Class C3 will not exceed 10, as there are only 5 dwellinghouses proposed and no cumulative influence from other permissions. Furthermore, the cumulative floor space of the proposed dwellinghouses is 646.85m² and therefore does not exceed the requirements of point (ii).

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

The applicant has confirmed in the submitted Application Form that the site is not currently occupied under any agricultural tenancy agreements.

- (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 applicant has confirmed in the submitted Application Form that no agricultural tenancy agreements have been terminated in the year before the development is proposed to begin for the purpose of carrying out the proposed change of use.

- (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,**

No development under Class A(a) (the extension or alteration of an agricultural building on units >5ha) or Class B(a) (the extension or alteration of an agricultural building on units <5ha) has been carried out on the established agricultural unit in the last 10 years.

- (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 meters to accommodate building operations allowed by paragraph Q.1(j)(i),

The applicant has confirmed in the submitted Application Form that the building will not be extended as part of the proposed development. This is evidenced by the submitted Existing and Proposed Plans and Elevations.

- (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
(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,

As stated above, the building will not be extended as part of the proposed development.

- (j) the development under Class Q(c) 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(j)(i),**

As discussed under point Q, to all appearances the existing agricultural building is of poor structural quality and a structural report has not been submitted with the application demonstrating that the building can be converted. In the absence of this information, it is the Officers view that the building is not structurally strong enough to take the loading which comes from the external works to provide for residential use (NPPG, 2023) and therefore cannot be considered under Part Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

(k) the site is on article 2(3) land,

The site is not 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 designated as a site of special scientific interest, nor does it form part of one. The site is not a safety hazard area or a military explosives storage area.

(m) the site is, or contains, a scheduled monument,

The site is not, nor does it contain a scheduled monument.

(n) the building is a listed building,

The building proposed to be changed into 5 dwellinghouses is not a listed building.

(o) the existing building, excluding any proposed extension under Class Q(b) but including any 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

It is considered that the proposal would meet the relevant space standards.

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

It is considered that the proposal would have suitable access to the public highway.

Q2. (1) Where the development proposed is development under Class Q(a) together with development under Class Q(c), 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 proposal would utilise the existing access from Hillybarn Road/The Mount, a single-track road subject to a 40mph speed restriction. It should be noted that representations raised 'Highways Access and Parking' as a reason for comment, citing that residents would be forced to rely on motor vehicles in a rural area frequently by equestrian riders and dog walkers.

WSSC Highways were consulted as part of the application and advised that there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern. They stated that a change of use from agricultural to residential would generally result in a reduction in material use at the site, with only the nature of trips changing rather than frequency.

No information has been submitted in relation to parking provision at the site; however, there appears to be adequate space on site for both parking and turning to be accommodated. It is therefore deemed appropriate for parking provision to be secured via condition.

(b) noise impacts of the development

Paragraph 187 of the NPPF requires development to prevent from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 191 of the NPPF states that development should mitigate and reduce potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life.

The agricultural building is located in an open field with limited built development nearby. There is a stables and associated buildings to the south as well as a small collection of residential dwellings further to the west. The proposed future use of the agricultural building is residential; therefore, it is considered unlikely that there will be a significant change in noise levels when compared with the noise associated with agricultural production. HDC Environmental Health were consulted as part of the prior notification and raised no concerns regarding noise impacts of the proposed development.

(c) contamination risks on the site

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 grounds, yards, and hardstanding. Risks arising from the use therefore require evaluation by the applicant.

HDC Environmental Health were consulted as part of the prior notification and raised issues around land contamination risk at the site. These concerns can however be alleviated by attaching a series of conditions ensuring that a preliminary risk assessment, site investigation scheme and risk assessment be undertaken pre-commencement, as well as a contamination verification plan at pre-occupation stage.

(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 (dwellinghouse) of Schedule 1 to the Use Classes Order

The site is not affected by any statutory or non-statutory landscape, biodiversity or heritage designation. The agricultural building is located approximately 60m from the nearest neighbouring amenity (Hillybarn Farmhouse) and therefore it is thought that impact upon neighbouring amenity would be limited.

(f) the design or external appearance of the building, and

The application site is located within a countryside location, with the nearest built development located 350m to the southwest. The submitted documents state that the proposal would involve the installation of windows, doors, roofing and wall materials to the existing structure. Where the building has been damaged by fire however, it is likely that more substantial works would be required.

The agricultural building in its current state is considered to detract from the rural landscape and tranquillity of the area, with the proposal likely to improve the buildings aesthetic and visual merit. The building would remain largely similar in terms of its original external form; however, the addition of windows and doors would be likely to result in the building appearing more domestic in character. Overall, it is concluded that the design is largely in keeping with the original building and character of the area.

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

The submitted plans indicate that all habitable rooms would benefit from adequate natural light.

Recommendation: Prior Approval Required and REFUSED

Reason(s) for Refusal:

1. Given the damage to the existing agricultural building it is likely that it will require reconstruction of fundamental structural elements to allow the building to function as a dwelling. It is concluded that the works would not represent a conversion of an existing building and therefore the proposal does not fall within the scope of Class Q(c).

NOTE TO APPLICANT

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/26/0214

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

Schedule of plans/documents not approved:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Preliminary Contamination Risk Assessment	NONE	06.02.2026
Elevation & Floor plan	Existing and Proposed	2602HI_200	06.02.2026
Location plan		2602HI_000	06.02.2026
Block plan		2602HI_001	06.02.2026

DELEGATED

Case Officer sign/initial Sophie Moore Date: 06/03/2026

Authorising Officer sign/initial Adrian Smith Date: 26/03/2026