Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0825
Woodhouse Farm , Wheatsheaf Road, Woodmancote, West Sussex, BN5 9BA

DESCRIPTION:
Prior Notification for conversion of existing agricultural building to 6No. dwellinghouses.

RELEVANT PLANNING HISTORY:

DC/20/0815	Erection of an agricultural grain storage barn	Application Permitted on 30.06.2020
DC/21/2257	Removal of part of existing agricultural building and conversion of remaining sections to form 4no two-storey dwellings.	Under Consideration
DC/22/0564	Prior notification for the erection of a barn for wood, machine and general farm storage.	Prior Approval Required and REFUSED on 12.04.2022
DC/23/1005	Prior Notification for Change of Use of Agricultural Building to 5no. dwellings (C3 Use Class)	Prior Approval Required and PERMITTED on 06.07.2023
DC/24/0704	Prior Notification for Change of Use of Agricultural Building to 3No dwellinghouses (Class C3)	Prior Approval Required and PERMITTED on 01.07.2024
DC/24/1692	Prior Notification for Change of Use of Agricultural Building to 5no. dwellings (C3 Use Class)	Prior Approval Required and PERMITTED on 20.12.2024
DC/25/0320	Prior Notification for Change of Use of Agricultural Building to 6no. dwellinghouses.	Prior Approval Required and REFUSED on 25.04.2025
DC/25/0375	Erection of an agricultural storage barn.	Application Permitted on 27.06.2025

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 6 new dwellings.

The building currently has prior approval to form 5 new dwellings under DC/24/1692. The cattle shed to the south has prior approval to form 3 units under DC/24/0704.

RELEVANT PLANNING POLICIES
National Planning Policy Framework

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: Comment. If the application is approved, the conditions recommended for approved application DC/24/1692 should be applied. However part d) to condition 1 as set out in the decision notice for DC/24/1692 should be amended to read:

d) A verification plan providing details of the data collected that demonstrates that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

WSCC Highways: No Objection: -

WSCC as the County Highway Authority has considered this prior notification application for the conversion of an existing agricultural barn into 6 residential units with 14 car parking spaces. No objection is raised.

Access to the dwelling houses is taken from the B2116 Wheatsheaf Road which has a 60mph speed limit and provides good visibility in both directions. From here a private access track known as Wheatsheaf Road to Woodhouse Farm provides access to the dwellings.

The proposal will see an increase in daily trips however any agricultural vehicle movements associated with the barns will cease and as such the size of vehicles using the access will be smaller.

Parking for 14 vehicles has been provided at 2 spaces per dwelling. WSCC car parking guidance for this area has been considered and given the rural location this falls into parking behaviour zone 2 with a residential parking demand of 1.7 spaces per dwelling. Therefore 12 spaces per dwelling is considered to be in line with current guidance.

Whilst access to local bus and rail services are not within walking distance, cycling could be an option and as such cycle storage (1 space per dwelling) should be provided for in each dwelling house, or in sheds in gardens or a communal store.

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:
None received

Representations:
Eight representations have been received, objecting to the proposal for the following reasons: -

- No structural report has been submitted with the application to demonstrate that the existing building is capable of conversion without substantial works amounting to a demolition and rebuild.
- The design is out of keeping with the locality.
- No sustainable transport assessment has been submitted to assess the number of vehicle movements associated with 6 houses and 14 vehicles, on top of the other recently approved houses within the area.
- Level of on-site parking provision.
- The lane is a single track constructed of deteriorating tarmac/concrete with minimal spaces for passing. Furthermore, the vehicle visibility splays at the end of the junction with the B2116 have not been tested for a high speed (60mph) road. This junction has poor visibility and is unsafe as it currently stands, let alone with 14 extra vehicles.
- The submission suggests 6 two bedroom houses, however, each house is clearly laid out as a three bed.
- External lighting will be visually harmful.
- Impact on noise levels.
- Impact on wildlife.

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 –

(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.

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 agricultural unit, the site was not part of the established 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 —

(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.

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 site was in agricultural use as part of an established agricultural unit, operating for commercial purposes, at the time of the original Prior Approval back in 2019. From a site visit, the building appears to continue to be used for agricultural storage, with no evidence to show that it is not. On the basis of evidence available to the Local Planning Authority, and on a balance of probability, it would be considered that the site would have been part of the established agricultural unit on 24th July 2023.

(c) 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,

None of the proposed dwellings would have a floorspace of over 150 square metres. Each dwelling is indicated to comprise a floor area of 106.4 square metres or 107.4 square metres.

(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.

The development would comprise of 6 new dwellings with a cumulative floor space of 642.4 square metres. There is previous development under class Q at the agricultural holding that is extant under DC/24/0704 for 3 residential units totalling 318 square metres. This totals less than 10 units (9) and less than 1,000 square metres (960.4) across the agricultural holding. 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 site is not occupied under an agricultural tenancy

(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;

There are no agricultural tenancies that the LPA is aware of. The proposal is considered to meet the requirements of (f).

(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) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out

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

No development would result in external dimensions extending beyond the existing building.

(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,**

No development would result in external dimensions extending beyond the existing 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);**

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.'

Replacement external materials and new windows/doors will be installed. The glazed balconies would be installed to the first-floor rear elevation. The balconies would not protrude from the building and would be inside the existing footprint. The extent and nature of these works is not considered to go beyond that permitted by this limitation.

(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 does not.

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

The site is / does not.

(n) the building is a listed building

The site is not.

(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

All proposed dwellings would comply with the nationally described space standards

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

The building would make use of the existing access to the public highway

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

West Sussex County Council, as the Local Highways Authority, have been consulted as part of this prior notification process and raised no objection.

Their response asked for additional information in relation to parking and limits to the accessway, and a parking plan has subsequently been provided.

In line with the previous response from the LHA it is not considered that the proposal would result in a significant intensification of vehicle movements, beyond existing agricultural vehicle movements, and would represent a minor change within the context of the highway network.

The existing yard leads directly onto an unadopted track, with ample visibility at the point of access onto the private highway. There is no record of unsafe operation where the unadopted highway adjoins to Wheatsheaf Road (B2116), and it is considered that the proposal would not detrimentally influence public or private highway safety or operation.

(b) noise impacts of the development

Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Paragraph 198 continues that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions, and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and the quality of life.

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. The nature and extent of noise disturbance arising from the proposed residential use(s) would not be considered to adversely impact on neighbouring occupiers and users of land.

(c) Contamination risks on the site

Paragraph 198 continues that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions, and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Commercial or agricultural buildings can be subject to significant contamination risks arising from their use, construction and storage of machinery equipment fuels or other chemicals. Potentially hazardous materials may also be incorporated in made ground, yards and hard standings.

No information in respect of Contamination Risk has been submitted in support of the application. While it would be beneficial to provide this information up front, it is considered that a suitably worded condition could be imposed if the application were approved.

(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

Paragraph 109 of the Planning Practice Guidance states that *"Impractical or undesirable are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would "not be sensible or realistic", and undesirable reflects that it would be "harmful or objectionable".*

Agricultural activities undertaken in close proximity to the buildings subject of this notification, and resulting residential units, could impact upon the amenities/wellbeing of future occupants by reason of noise and odour disturbance. This would, potentially, fall beyond the control of future occupants, and could be of some scale given the range of existing facilities. It is, though, acknowledged that the prior approval of the Authority has previously been given, where it was concluded that there would be no conflict. There have been no material changes to the spatial context since the previous Prior Approval, and there is no justifiable reason to reach a different conclusion.

The application site benefits from a pre-existing highway access and is not located in proximity to any sensitive industrial or utility facilities. There is no evidence before the authority that a change of use would prove impractical in this instance.

It was considered as part of a preceding application on the site, that: -

The insertion of first floor windows to the front of the building and full height 1st floor windows to the side of the building are considered to have the potential to create unacceptable overlooking to the adjacent property at the Granary. The Granary is located around 11 metres from the building and these additional windows would create additional views into the rear garden that currently do not exist.

The proposed design reflects the relationship previously identified (above) as a cause of concern. To overcome this a condition is recommended to require the first-floor windows be obscurely glazed (and fixed shut below 1.7m above floor level). While this approach would allow windows to be retained at first-floor level the obscure glazing / opening restriction would prevent any unacceptable harm.

(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 proposed works would involve the alteration and addition of windows and doors into the building, including glazing to the rear of the building in the form of enclosed balconies at first floor level. The rear glazing and balcony sizes have been reduced since concern was pervsiously raised.

The proposed external alterations, including the installation of timber clad walls and brick plinth, are considered to retain the overall character and appearance of the building. While the proposal would introduce a number of domestic styled window openings, which would further domesticate the building, it is considered on balance that these are acceptable. The proposal is therefore considered to retain the overall rural and utilitarian character of the building.

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

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.

the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

Paragraph X of Part 3 states that curtilage means –

(a) *the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or*
(b) *an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building,*

whichever is the lesser".

It is unclear how the curtilage would apply in this case, as the red line has been drawn widely around the parking area and no garden areas are shown. It is assumed that small private gardens are proposed but there are other areas of garden that are not clear if they are communal or what they are for. The planning statement says at paragraph 6.31 that the proposed domestic curtilage to serve the dwellings comprises a modest area of ground immediately behind the building. This matches the existing footprint of the building. This is considered acceptable.

Conclusion

The proposal has been considered in relation to all relevant conditions, limitations, and restrictions of Class Q in Part 3. As reasoned in detailed 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, subject to the conditions listed below.

Recommendation: Prior Approval Required and PERMITTED

Conditions:

1 **Pre-Commencement Condition**: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site, including the identification and removal of asbestos containing materials, shall each be submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) Based on the site investigation results and the detailed risk assessment (b) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: As this matter is fundamental 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 dealt with in accordance with the National Planning Policy Framework.

2 **Pre-Occupation Condition:** No part of the development hereby permitted shall occupied until the first-floor windows to the western (front) and southern (side) elevations of the building have been fitted with obscured glazing. No part of those windows that are less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with the National Planning Policy Framework.

Water Neutrality

The Applicant is advised that 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.

In order to demonstrate water neutrality, 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. Further details can be found through:-

https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district/regulation-77-conservation-of-habitats-and-species-regulations

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Plans list for: DC/25/0825

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

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	16.05.2025

Location plan		NONE	16.05.2025
Block plan		01B REV A	16.05.2025
Floor plan	Proposed section	02 REV D	16.05.2025
Elevation plan	Proposed	03 REV B	16.05.2025
Supporting Statement	Planning	NONE	16.05.2025

DELEGATED

Case Officer sign/initial Kate Turner Date: 10.07.2025

Authorising Officer sign/initial Guy Everest Date: 10.07.2025