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The Planning Inspectorate
Temple Quay House
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Bristol
BS1 6PN

NJA Ref: 24/199

2 June 2026

FINAL COMMENTS

Dear Sir/Madam,

PINS Ref: **6007717**
Appellant: **Mr and Mrs Sherlock**
Site: **Duckmoor Barn, Wooddale Lane, Billingshurst, West Sussex, RH14 9DZ**

Thank you for your communication of 20 May 2026. On behalf of the Appellant, please find enclosed final comments in respect of the Local Planning Authority's (LPA) Statement of Case.

If you have any queries or require any further information, please do not hesitate to contact me.

Y[redacted]

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For and on behalf of NJA Town Planning Ltd

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Appeal Ref: **6007717**

Appellant: Mr and Mrs Sherlock

Site: Duckmoor Barn, Wooddale Lane, Billingshurst, West Sussex, RH14 9DZ

APPELLANT'S FINAL COMMENTS

Comments on the Local Authority's Statement of Case

1. These final comments from the Appellant have been prepared in response to the LPA's Statement of Case. The LPA maintains its two reasons for refusal, however, no new substantive evidence has been introduced beyond that already addressed within the Appellant's Statement of Case. The Appellant addresses each reason for refusal in turn below.

   Reason for Refusal 1 - Building Operations Falling Outside the Scope of Class Q(c) and Q.1(j) of the GPDO

2. The LPA does not dispute the central finding of the submitted Structural Report prepared by Finite Design Ltd, namely that the primary steel portal frame forming the appeal building remains structurally sound and capable of supporting the proposed conversion works without substantial structural intervention. As confirmed within the Structural Report, ***"the primary structure appears to be square and sound with all the principal members in place"*** and ***"the existing frame will be suitable without any major repairs or structural works."***

3. The LPA instead seeks to place significant weight on the condition of the roof cladding, external enclosure and isolated fire damage to part of the structure. However, the appeal proposal expressly excludes the heavily fire-damaged western bay from the conversion works. The retained section of the building, which forms the subject of the Class Q conversion, retains its principal structural frame and roof structure.

The LPA asserts that the proposal would "likely" require new foundations and structural supports, this is a speculative statement. No engineering evidence has been submitted by the LPA to contradict the submitted Structural Report, which confirms that the existing frame is capable of supporting the proposed conversion without major structural works. The Council's concerns regarding foundations are therefore unsupported by evidence.

4. The Appellant also notes that the LPA places weight on the fact that the wider barn structure would remain partially retained outside the residential envelope. However, Class Q does not require the entirety of an agricultural building to be converted as part of a proposal, this is discussed further below. The GPDO does not prevent partial conversion, nor does the retention of a separate section of agricultural building alter the assessment of whether the converted part is structurally capable of residential use. No inconsistency arises between the Structural Report and the submitted drawings, as the proposal has consistently been presented as a partial conversion, with only the structurally suitable section being converted.

5. Importantly, the Council has not identified any element of the proposal which would involve the demolition and reconstruction of the primary structural frame forming the conversion building. Rather, the proposal retains and reuses the existing steel portal frame, with works limited principally to replacement cladding, enclosure, insulation and domestic openings, all of which are typical and commonly accepted components of Class Q conversions.

<u>Reason For Refusal 2 - Unacceptable Relationship Between the Proposed Dwelling and the Retained Agricultural Building Under Class Q2(1)(e)</u>

6. The Council accepts that its concerns do not relate to the principle of residential development in the countryside generally, but instead arise from the "physical arrangement and configuration" of the building itself. However, the Appellant considers that the LPA significantly overstates the implications of the retained building arrangement and fails to properly apply the limited scope of assessment under Class Q.

7. Importantly, the GPDO does not require the entirety of an agricultural building to be converted to residential use, nor does it require all surrounding or adjoining agricultural floorspace to cease functioning independently. Partial conversions of agricultural buildings are common under Class Q and the retention of adjoining

agricultural or storage space does not, in itself, render a proposal impractical or undesirable.

8. The Planning Practice Guidance (PPG) identifies examples of undesirable locations as those involving intensive agricultural activities such as ***"If it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals"*** (Paragraph: 109 Reference ID: 13-109-20150305). No such circumstances exist in this case. The Council has not identified any evidence that the retained space generates, or is likely to generate, levels of noise, odour, disturbance or activity that would make residential occupation impractical or undesirable.

9. The Council's concerns are hypothetical and based on what may potentially occur at some unspecified point in the future. The suggestion that the retained space could theoretically generate complaints regarding noise, lighting, vehicle movements or disturbance is speculative and unsupported by evidence. The prior approval process under Class Q must be based on evidence and the actual current circumstances of the site, rather than assumptions regarding possible future activity.

10. The Council's position would create an unreasonably restrictive interpretation of Class Q whereby agricultural buildings could only be converted where complete physical and operational separation from all adjoining agricultural floorspace could be achieved. That is not a requirement of the GPDO and is not supported by the wording of Class Q.2(1)(e).

11. When assessed against the actual circumstances of the site, the proposal would not result in an impractical or undesirable form of development. The Council's concerns remain speculative, unsupported by evidence and insufficient to justify refusal under Class Q.2(1)(e).

Summary

12. The LPA's Statement of Case introduces no substantive new evidence to justify either reason for refusal. In respect of Reason for Refusal 1, the Council does not dispute the submitted Structural Report which confirms that the primary steel portal frame remains structurally sound and capable of conversion without substantial rebuilding. The Council's concerns instead rely largely on speculation regarding foundations and structural intervention, unsupported by any contrary engineering evidence. Properly

assessed, the proposal comprises works reasonably necessary to facilitate residential use and therefore falls within the scope of Class Q(c) and Q.1(j).

13. In respect of Reason for Refusal 2, the Council has failed to demonstrate that the retained agricultural floorspace would give rise to unacceptable living conditions or render the proposal impractical or undesirable under Class Q.2(1)(e). The concerns raised are hypothetical and unsupported by evidence of any intensive or harmful agricultural activity.

14. Overall, the Appellant considers that the Council's case relies upon an unduly restrictive interpretation of Class Q unsupported by the wording of the GPDO, the PPG or relevant appeal decisions. The proposal represents the lawful conversion of an existing agricultural building and fully accords with the requirements of Class Q.

15. The Appellant also notes that the Council is currently unable to demonstrate a five-year housing land supply, which further reinforces the benefits of bringing an existing rural building back into productive residential use.

16. For the reasons set out above, and within the Appellant's Statement of Case, it is respectfully requested that the appeal be allowed.