Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/26/1408
Land Parcel 520329 137805, Capel Road, Rusper, West Sussex,

DESCRIPTION:
Change of Use of an agricultural building to a dwellinghouse (Use Class C3) and associated external alterations, including the installation of windows and doors.

RELEVANT PLANNING HISTORY:

DC/21/1832	Installation of windows and doors into an existing agricultural store building.	Application Refused on 17.05.2022
DC/23/1818	Change of use of existing agricultural storage building to 1No residential dwelling and regularisation of the Deemed Consent (DC/14/0882)	Application Refused on 03.06.2024
DC/24/1070	Prior Notification for Change of Use of Agricultural Building to a single dwellinghouse (Class C3)	Prior Approval Required and PERMITTED on 08.11.2024
DISC/25/0125	Approval of details reserved by condition 1(a) to approved application DC/24/1070.	Application Permitted on 03.06.2025
DC/26/0358	Change of use of agricultural building to a dwellinghouse (Use Class C3) and associated external alterations, including the installation of windows and doors.	Pending Consideration

DESCRIPTION OF THE SITE

The application site comprises an existing agricultural barn located within open countryside to the south of Rusper, within Horsham District. The surrounding area is characterised by a predominantly rural landscape consisting of arable farmland, field boundaries, areas of woodland and dispersed agricultural buildings. Development in the locality is limited and generally takes the form of farmsteads, agricultural structures and occasional isolated rural dwellings.

The application building forms part of an established agricultural holding and is experienced within its wider farming context. The site retains a distinctly rural character, with limited domestic influence and strong visual association with the surrounding agricultural landscape.

The building itself is a simple utilitarian agricultural structure of modest scale and appearance. Constructed for agricultural purposes, it displays a functional design with minimal architectural detailing and a limited number of existing openings. The barn has historically been used in connection with the agricultural operation of the wider holding and remains physically and visually related to that use. The site lies outside any defined Built-Up Area Boundary and is within the countryside.

The site extends to approximately 0.1 hectares and the proposal relates to the formation of a single dwelling. As such, the development falls within the category of Schedule 1 development under the proposed National Scheme of Delegation, being small-scale residential development below the relevant site area threshold. The application is therefore capable of determination under delegated powers.

DESCRIPTION OF THE APPLICATION

The application seeks full planning permission for the change of use of the existing agricultural building to a single dwellinghouse (Use Class C3), together with associated operational development including the installation of windows, doors and other external alterations required to facilitate the residential use of the building.

The proposal is materially identical to the scheme currently being considered under application reference DC/26/0358. The principal difference is that the current application has been submitted following changes to the Biodiversity Net Gain regulations, with the site now qualifying for the applicable exemption due to its small size and nature of development.

The development would retain the existing building footprint, scale, form and overall appearance, with no extensions or alterations proposed to the roof structure or overall building envelope. The external works are limited to the insertion of residential fenestration and associated alterations necessary to facilitate the conversion of the building into a dwellinghouse.

The proposal would result in the creation of a single residential unit within an existing agricultural building and would utilise the established access arrangements serving the site.

PLANNING CONTEXT

The site benefits from a relevant and recent planning history, most notably Prior Approval reference DC/24/1070, granted on 8 November 2024, which approved the change of use of the agricultural building to a dwellinghouse under Class Q of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

That Prior Approval establishes a lawful fallback position whereby the building may be converted from agricultural use to a dwellinghouse, subject to the limitations and conditions imposed through the Class Q process. As such, the principle of a residential conversion of the building is capable of being implemented and constitutes a significant material consideration in the assessment of the current application.

The extant Prior Approval demonstrates that the building is capable of accommodating a residential use without substantial rebuilding and that its conversion to a dwellinghouse has previously been found acceptable in principle through the prior approval process. Whilst the current proposal requires assessment on its own planning merits, the existence of this fallback position carries substantial weight in the determination of the application.

The application is also of a scale which falls within Schedule 1 of the Government's National Scheme of Delegation proposals and benefits from the Biodiversity Net Gain exemption applicable to qualifying small sites. Neither matter alters the requirement to assess the proposal against the Development Plan and other material considerations, but they provide relevant context to the consideration of the application.

This version removes references to the "approved Class Q fenestration strategy", which were relevant to DC/26/0358 because that application sought an alternative design to the approved Class Q conversion, and instead focuses on the broader fallback position created by DC/24/1070.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 – Strategic Policy: Sustainable Development
Policy 2 – Strategic Policy – Strategic Development
Policy 3 & 4 – Development Hierarchy and Settlement Expansion
Policy 15 – Housing Provision
Policy 25 – Strategic Policy: The Natural Environment and Landscape Character
Policy 26 – Strategic Policy: Countryside Protection

Policy 30 – Protected Landscapes
Policy 32 – Strategic Policy: The Quality of New Development
Policy 33 – Development Principles
Policy 34 – Cultural and Heritage Assets
Policy 35 – Strategic Policy: Climate Change
Policy 36 – Strategic Policy: Appropriate Energy Use
Policy 37 – Sustainable Construction

Rusper Neighbourhood Plan (2021):
Policy RUS3 – Design
Policy RUS4 – Local Heritage Assets
Policy RUS10 – Dark Skies

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1 – Sustainable Development
Strategic Policy 2 – Development Hierarchy
Strategic Policy 3 Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:
Shaping Development in Horsham (SDPAN)
Biodiversity and Green Infrastructure

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: No Objection (07.10.2026)
Environmental Health confirmed that the contaminated land condition previously imposed under Prior Approval reference DC/24/1070 remains relevant to the current application. As the contamination pre-commencement condition attached to DC/24/1070 has not been discharged, the prior approval has not yet been implemented. Accordingly, Environmental Health advised that the contamination condition should be re-imposed on any planning permission granted under the current application, rather than requiring its discharge prior to determination.

HDC Conservation: No Objection 28.09.2026
The comments for the above application would remain the same as those for DC/26/0358:
'Officers are satisfied the distance to the listed buildings to the north is sufficient that their setting will not be affected by the proposal. To reduce the visual impact of the conversion I have conditions have been suggested.'

WSCC Highways: No Objection (06.10.2026)

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (in line with TR6 paragraph 4) and that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS:
Representations:
None received

Parish Comments:

None received

Member Comments:

None received

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

Principle of Development:

Policies 2 and 3 of the Horsham District Planning Framework (HDPF) establish the District's spatial strategy, directing the majority of development towards sustainable settlements and seeking to maintain the existing settlement pattern. Policy 4 confirms that development outside defined Built-Up Area Boundaries will only be supported in limited circumstances where it accords with the Development Plan and does not undermine the spatial strategy for the District.

The application site lies outside any defined Built-Up Area Boundary and is therefore located within the countryside. Residential development in such locations is generally subject to strict control under Policies 2, 3, 4 and 26 of the HDPF.

Policy 26 seeks to protect the countryside from inappropriate development and permits development only where it has an essential need for a countryside location or otherwise accords with the relevant provisions of the Development Plan. On its own merits, the proposal would not fully align with the spatial strategy established by Policies 2, 3, 4 and 26.

However, the site benefits from Prior Approval reference DC/24/1070, granted on 8 November 2024, for the conversion of the agricultural building to a single dwellinghouse under Class Q permitted development rights. This approval remains extant and establishes a lawful fallback position whereby the building may be converted to residential use.

The existence of this fallback position is a significant material consideration. It demonstrates that the principle of residential occupation of the building has already been accepted through the planning system and could be implemented without the need for a further planning permission. Consequently,

whilst the proposal remains technically contrary to the spatial strategy of the Development Plan, substantial weight must be afforded to the extant Class Q approval.

Furthermore, the proposal would involve the re-use of an existing rural building and would not result in any increase in the building's footprint, scale or massing. The development would make use of an existing structure and would not give rise to encroachment into the surrounding countryside beyond that already capable of occurring under the extant Prior Approval.

Having regard to the extant fallback position and the limited nature of the proposed alterations, the principle of development is considered acceptable, subject to consideration of the detailed impacts of the proposal.

Design and Appearance:

Policy 25 of the HDPF requires development to achieve a high standard of design that responds positively to local character and distinctiveness, whilst Policy 33 seeks to ensure that development respects the character and qualities of the countryside.

In assessing the visual implications of the proposal, significant weight is afforded to the extant fallback position established by Prior Approval reference DC/24/1070, which permits the conversion of the agricultural building to a dwellinghouse.

The proposal would retain the existing building footprint, scale, height and overall agricultural form. No extensions or alterations to the roof structure are proposed, and the fundamental character of the building would remain unchanged.

The external alterations are limited to the insertion of windows and doors required to facilitate residential occupation. Whilst the proposed fenestration would introduce additional domestic features to the building, this must be considered against the baseline position whereby a residential conversion has already been approved. Officers also note that the proposed elevations illustrate windows at first floor level, though the floor plans indicate no first floor. Whilst unconventional, it is not inconceivable that a single storey dwelling with a high ceiling include such windows at this level, especially given the overall height of the dwelling. The resultant appearance would be one of a two-storey dwelling, despite the dwelling be confined to one floor. In any case, their removal would appear disproportionate on the external treatment given the height of the building. As such, no objection is raised to this feature.

The proposed openings are considered proportionate to the scale of the building and would not fundamentally alter its simple agricultural appearance. The structure would continue to be readily understood as a converted rural building and would retain its visual relationship with the surrounding agricultural landscape.

The proposal would not result in any material increase in visual prominence, nor would it erode the wider rural character of the area. The development is therefore considered to accord with Policies 25 and 33 of the HDPF.

Heritage:

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers to give special regard to the desirability of preserving listed buildings and their settings. Policy 34 of the HDPF seeks to conserve and enhance heritage assets and their significance.

The application building is not a designated heritage asset and is located some distance from the nearest listed buildings. Whilst the surrounding countryside contributes to the wider setting of heritage assets within the locality, the building itself does not make a significant contribution to their significance.

The proposal involves only limited external alterations to facilitate the conversion of the building and does not involve any increase in scale, massing or footprint. The development would therefore preserve the setting of nearby heritage assets and would not adversely affect their significance.

Accordingly, the proposal complies with Section 66(1) of the Act and Policy 34 of the HDPF.

Residential Amenity:

Policy 33 of the Horsham District Planning Framework (2015) seeks to ensure that development does not result in unacceptable harm to the amenities of existing or future occupiers, including through overlooking, loss of privacy, overbearing impact, loss of light, or disturbance arising from use.

In assessing residential amenity impacts, it is also necessary to have regard to the extant fallback position established by Prior Approval reference DC/24/1070, which permits the conversion of the existing agricultural building to a single dwellinghouse. That fallback establishes a lawful baseline of residential use of the building, including associated domestic activity and occupation.

The application site is located in a rural context characterised by low-density, dispersed development patterns, with neighbouring residential receptors located at substantial separation distances from the application building. The spatial relationship between the proposed dwelling and surrounding development is such that there is limited direct intervisibility between the site and nearby residential properties.

The proposed development is confined to external alterations in the form of revised fenestration, including the introduction of additional windows at higher level. Whilst elevated glazing can, in certain circumstances, increase the potential for overlooking, the separation distances involved, combined with the orientation of the building and the absence of sensitive private amenity spaces in close proximity, are such that no material loss of privacy would arise.

In addition, the proposal does not involve any increase in the building's footprint, ridge height, or overall massing. As such, there would be no additional overbearing impact, loss of outlook, sense of enclosure, or loss of daylight/sunlight to neighbouring occupiers. The physical relationship between the building and surrounding receptors remains unchanged from that already established under the approved Class Q scheme.

It is further noted that the proposed amendments do not materially alter the nature or intensity of the lawful residential use already permitted on the site. Any residential activity associated with occupation of the building has already been accepted in principle through the extant Prior Approval, and the current proposal does not introduce a greater level of activity, comings and goings, or general disturbance beyond that established fallback position.

Taking these factors into account, and having regard to Policy 33 of the HDPF, the proposal would not result in any unacceptable harm to residential amenity. The development is therefore considered acceptable in this regard.

Other Matters:

Climate Change:

Policies 35, 36 and 37 of the HDPF seek to ensure that development contributes towards climate change mitigation and adaptation.

The proposal relates to the conversion and re-use of an existing building and does not involve substantial new construction. Given the limited scope of the development, no additional climate change mitigation measures are considered necessary beyond those typically associated with the implementation of a residential conversion.

The proposal is therefore considered acceptable in this regard..

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net

Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The application relates to a site measuring approximately 0.1 hectares. The development falls within the definition of a small site and qualifies for the relevant Biodiversity Net Gain exemption. As such, the applicant is not required to submit a Biodiversity Gain Plan or demonstrate the delivery of a 10% net gain in biodiversity. The proposal is therefore exempt from the mandatory Biodiversity Net Gain regime, although biodiversity impacts remain a material planning consideration and have been assessed through the ecological information submitted in support of the application.

Conclusions:

The application seeks planning permission for the change of use of an existing agricultural building to a single dwellinghouse, together with associated external alterations.

The site lies outside any defined Built-Up Area Boundary where residential development would ordinarily be contrary to the spatial strategy established by Policies 2, 3, 4 and 26 of the Horsham District Planning Framework. However, substantial weight is afforded to the extant Prior Approval reference DC/24/1070, which establishes a lawful and implementable fallback position for the conversion of the building to a dwellinghouse under Class Q permitted development rights. As such, the principle of residential occupation of the building has already been accepted and is a significant material consideration in the determination of the application.

The proposed development would retain the existing building envelope and agricultural form, with only limited external alterations required to facilitate the residential use. The proposal would not result in any unacceptable harm to the character or appearance of the countryside, the setting of nearby heritage assets, residential amenity, highway safety, biodiversity or any other material planning consideration. Furthermore, the development benefits from the relevant Biodiversity Net Gain exemption applicable to qualifying small sites.

Whilst the proposal does not fully accord with the Development Plan when considered in isolation, the extant fallback position carries significant weight and materially reduces the degree of conflict with the spatial strategy. Taking all material considerations into account, including the fallback position established through Prior Approval reference DC/24/1070, officers consider that the proposal represents an acceptable form of development.

Accordingly, the application is recommended for approval, subject to the conditions set out below.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide (Zone 1)	135m2	0m2	135m2
		Total Gain	**135m2**
		Total Demolition	**0m2**

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **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, including asbestos contamination, of the site and extant structures shall each be submitted to and approved, in writing, by the local planning authority:

a) A site investigation scheme, based on the preliminary risk assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. The site investigation shall be designed and implemented in accordance with BS10175:2026 Investigation of potentially contaminated sites – Code of practice.

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

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 Policies 24 and 33 of the Horsham District Planning Framework (2015).

4 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a contamination verification plan shall be submitted to and approved, in writing, by the Local Planning Authority. The verification plan shall provide details of the data collected in order to demonstrate that the works set out in Condition 3 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy 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 Policies 24 and 33 of the Horsham District Planning Framework (2015).

5 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of the parking, turning and access facilities for that dwelling have been submitted to and approved by the Local Planning Authority in writing. No dwelling shall be first occupied until the approved parking, turning and access facilities necessary to serve it have been fully implemented. The parking, turning and access facilities shall thereafter be retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation (or use) of the development hereby permitted and thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

9 **Regulatory Condition:** The new windows fitted in the building hereby permitted shall have casements flush fitted with their frames if manufactured in timber or plastic. The frames will be finished in a dark colour similar to the colour of the external walls.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and/or re-enacting that Order with or without modification), no development falling within Classes A, AA, B, C, D, E, F, G and H of Part 1 of Schedule 2 shall be carried out without the express planning permission of the Local Planning Authority first being obtained.

Reason: In the interests of visual amenity and to safeguard the rural character and appearance of the countryside. The Local Planning Authority considers that further uncontrolled extensions, roof alterations, outbuildings, hard surfacing or other domestic paraphernalia could result in the incremental domestication and urbanisation of the site, to the detriment of the building's agricultural character and the wider rural landscape, contrary to Policy 33 of the Horsham District Planning Framework (2015).

11 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection shall be provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

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/26/1408

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	02.09.2026
Block plan		NONE	02.09.2026
Plans	Existing Ground Floor and Roof	WPD1125/A/20 REV A	02.09.2026
Plans	Proposed Ground Floor and Roof	WPD1125/A/22 REV B	02.09.2026
Elevation plan	Proposed	WPD1125/A/23 REV C	02.09.2026
Elevation plan	Existing	WPD1125/A/21 REV A	02.09.2026

DELEGATED

Case Officer sign/initial Daniel Holmes Date: 21.10.2026

Authorising Officer sign/initial RHERMITAGE Date: 28.10.2026