



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0664

Land To The North of Hillybarn Farmhouse, Hillybarn Road, Ifield, West Sussex,

DESCRIPTION:

Prior Notification for Change of Use of Agricultural Building to 5nos dwellinghouses (C3 Use class).

RELEVANT PLANNING HISTORY:

DC/26/0214	Prior Notification for Change of Use of an Agricultural Building to 5no. dwellinghouses (C3 Use Class).	Prior Approval Required and REFUSED on 26.03.2026
DC/25/1901	Creation of a two pitch settled gypsy accommodation site.	Application Permitted on 03.04.2026

SITE AND SURROUNDINGS:

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

The subject building for the change of use is located near the western edge of the field and is in a state of disrepair following an arson attack in 2025, which has almost completely destroyed the southern third of the building. 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. The remainder of the site is an open field, with trees along the entire field margin and a small grouping of trees immediately to the east of the subject building.

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. dwelling houses, varying in size from 1-bed to 3-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 - Strategic Policy: Sustainable Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 26 - Strategic Policy: Countryside Protection
Policy 33 - Development Principles
Policy 38 - Strategic Policy: Flooding
Policy 41 - Parking

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 subject to conditions.

The Preliminary Contamination Risk Assessment prepared by EAS Ltd dated January 2023 has identified a number of potential issues with the use of the site for residential development, including the asbestos containing materials and residues from the open burning of controlled wastes.

If the application is approved, a series of conditions should be applied.

WSCC Highways: No Response.

Parish Comments:

None received

Representations:

3 letters of Objection have been received from 3 addresses, objecting to the application on the following grounds:

- Increase in traffic (both construction and operation) on an unmaintained road.
- Additional pressure on electricity supply.
- Lack of mains sewer connection.
- Materials have not been specified.
- Rusper is already meeting its housing allocation share.
- Will impact footpath through the site.
- Impact to wildlife and habitats.
- Concerns around previous contamination on site.
- Limited access to services for occupants.
- Site is located under Gatwick Airport's flightpath and would be against general policy to limit development under flight path.

No letters of support have been 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

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 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 (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 that Schedule or to extend that building.

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 a 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 metres,

From the submitted Plans and Elevations (drawing no. 2602HI_200) and Application Form it can be confirmed that no individual dwellinghouse will exceed 150 square meters. The largest of the five dwellinghouses would have a GIA of 68.80m².

(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 332.41m² 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 metres 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 (drawing no. 2602HI_200).

- (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,

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),**

The previous Prior Approval application at this site (ref. DC/26/0214) was refused on the grounds that the building did not appear structurally sound enough to take the loading from the external works to provide for residential use (NPPG, 2023). This decision was taken primarily due to the significant damage caused to the southern section of the building as a result of a fire in 2025. It is noted that this application proposes to demolish this section of the building and utilise the northern section only to provide 5 smaller dwellings.

The northern section of the building appears to be structurally stable and capable of conversion to function as a dwellinghouse, albeit no structural report has been submitted. The proposal would involve the installation of windows and doors as well as replacement exterior walls however, this is within what is allowed by (i) (aa). It is therefore considered that the proposal meets the requirements set out by (j).

- (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 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 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**

It is considered that the proposal would be capable of meeting the relevant space standards.

- (p) the building does not have suitable existing access to a 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 concerns around increased traffic were raised within representations, particularly in relation to equestrian riders and dog walkers.

WSCC Highways were consulted as part of the application but provided no response. However, they responded to the previous application (DC/26/0214) advising that there was no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern. It was 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. As the access and number of dwellings proposed has remained the same, it is considered acceptable to rely on these comments for this application.

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 to secure parking provision via condition in the event the application is permitted.

(b) noise impacts of the development,

Paragraph 187 of the NPPF prevents new and existing development 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. In addition, Paragraph 191 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 upon health and quality of life.

The agricultural building is located in an open field with limited built development nearby. There is a stable 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.

It is noted that concerns have been raised within representations around the proposals proximity to Gatwick Airport located some 2.5km to the north-east, which were echoed by HDC Environmental Health who raised concerns specifically around the exposure of future occupants to adverse levels of aircraft noise. Though proximity to an airport is not a consideration for this type of application, the planning condition recommended by Environmental Health requiring a scheme of noise mitigation will be applied.

(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.

The applicant has submitted a Preliminary Contamination Risk Assessment (EAS Ltd, January 2023) which HDC Environmental Health have been consulted on. The assessment has identified a number of potential issues with the use of the site for residential development, including asbestos containing materials and residues from the open burning of controlled waste.

HDC Environmental Health Officers have advised that these concerns can be alleviated by attaching a series of conditions ensuring that a preliminary risk assessment, site investigation scheme and detailed 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 (dwellinghouses) 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 some 60m to the south. The submitted documents state that the proposal would involve the installation of windows, doors and wall materials to the existing structure as well as partial demolition of the southern section damaged by fire.

In its current state, the agricultural building 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 external form would remain largely similar, with some domestication expected from the installation of windows and doors. 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, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

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

Recommendation: Prior Approval Required and PERMITTED

Conditions:

- 1 **Pre-Commencement Condition:** Prior to the commencement of development (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 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. The site investigation shall be designed and implemented in accordance with BS10175:2026 Investigation of potentially contaminated sites- Code of practice.

c) An options appraisal and remediation strategy, based upon the site investigation results and detailed risk assessment (b), giving full details of 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).

- 2 **Pre-Commencement Condition:** Prior to commencement of development (other than demolition), a scheme of noise mitigation and mechanical ventilation sufficient to prevent overheating and maintain thermal comfort shall be submitted to and approved in writing by the Local Planning Authority. The Assessment of ventilation capacity shall be based on the CIBSE overheating position statement and shall demonstrate that CIBSE TM59 methodology has been used and CIBSE TM49 modelling requirements have been suitably considered as part of the modelling. Any mechanical ventilation shall have due regard to the ANC Acoustics Ventilation and Overheating: Residential Design Guide 2020. The scheme shall include but not be limited to:

a) The performance details and a glazing plan with supporting technical specifications sufficient to achieve the habitable room standards as detailed in BS8233:2014 with no relaxation for exceptional circumstances and appropriate consideration of L_{Amax} (including details of post construction validation measurements).

b) Prior to occupation a site visit shall be carried out by a suitably qualified person and a final verification report submitted to and approved in writing by the Local Planning Authority.

All work must be carried out by a suitably qualified person and the approved noise, vibration attenuation and ventilation measures shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

Reason: In order to protect the amenities of future residents, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 3 **Pre-Commencement (Slab Level) Condition:** No external works to the building shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roof of the building has been submitted to and approved by the Local Planning Authority in writing. All materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 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 [1] 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.

No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority.

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).

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/26/0664

(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		2602HI_000	23.04.2026
Block plan	Proposed	2602HI_001	23.04.2026
Plans	Existing and Proposed Floor Plans and Elevations	2602HI_200	23.04.2026

DELEGATED

Case Officer sign/initial Sophie Moore Date: 02/06/2026

Authorising Officer sign/initial Adrian Smith Date: 03/06/2026