



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0965
Oxcopse Farm, Hooklands Lane, Shipley, West Sussex, RH13 8PY

DESCRIPTION:

Prior Notification for Change of Use of Agricultural Building to 2 no. dwellinghouses.

RELEVANT PLANNING HISTORY:

None relevant.

SITE AND SURROUNDINGS:

The application site is located on the west of Hooklands Lane in Shipley and forms part of Oxcopse Farm. The farm has been run as a sheep and dairy farm and comprises a number of buildings set within a 10.2 hectare agricultural holding. The subject application building has most recently been used for storage of agricultural machinery and equipment and contains livestock pens associated with the agricultural use of the holding.

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 to 2no dwellinghouses.

Both dwellings would feature open plan living/kitchen/dining rooms, a utility room, bathroom/shower room, 3 bedrooms and storage space. Unit 1 also features a partial first floor which accommodates the third bedroom. Unit 1 provides 150 sqm of gross internal floor area and Unit 2 provides 143 sqm. Existing wall cladding would be replaced with timber cladding; the existing roof material would be replaced with a metal standing seam roof. The existing building envelope would not be extended at any point.

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: Comment

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.

In accordance with the recommendations of the Planning Practice Guidance, information is required on these matters and a preliminary risk assessment including a site walkover should be provided to ensure the site can be made safe and suitable for the development. In addition, the Structural Report has identified the presence of asbestos containing materials. An asbestos survey undertaken in accordance with HSG 264 should also be provided.

WSCC Highways: Comment

No alterations are proposed to the existing vehicular access arrangement. An inspection of collision data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury accidents within the vicinity of the existing access point onto Hooklands Lane. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

The applicant proposes seven car parking spaces for this development. The WSCC Car Parking Demand Calculator indicates that a development of this size in this location would require at least five car parking spaces. Therefore, the LHA is satisfied with the proposed level of parking provision.

In summary, the movements associated with agriculture have done so safely with no known safety highways concerns, and C3 residential uses are considered less intensive. WSCC in its role as LHA has therefore considered the proposal on that basis. In principle, the current GPDO gives limited ability to consider wider highway and transport impact beyond those set out. The prior approval is therefore considered acceptable in highway terms.

Southern Water: Insufficient Information

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:

Support

Representations:

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

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.

Prior approval consent is sought to convert the existing agricultural building into 2 dwellinghouses under Q(c) as above.

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 residential 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,**

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 application building was part of an established agricultural unit, Oxcopse Farm, on the 24th July 2023 and continues to form part of the farm. The planning statement states that the building has been used for the storage of farming equipment and machinery and prior to this, partially for livestock. It is considered that this would be in accordance with Q.1(a).

- (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.**

The planning statement confirms that the site continues to form part of the established agricultural unit.

- (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,**

The floor space of the proposed dwellinghouse would be 150 sqm and 143 sqm. This would not exceed the 150 sqm allowed under Class Q.1(c).

- (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 proposal is for 2no. dwellinghouses, therefore the total number of dwellings is under 10. The overall cumulative floor space would be 293 sqm which is within the requirement of Class Q.1(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 proposal is considered to meet the requirements of (e).

- (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 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,**

There is no evidence to indicate that development under Class A(a) or Class B(a) of Part 6 has taken place.

- (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 proposal would not result in any extension or enlargement of the existing building. The proposal is considered to meet the requirements of (h).

- (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,**

N/A.

- (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.'

The application is supported by a Structural Report for the building. The report details that the existing structure is a concrete framed double pitched shed with an extension to one long side. The overall building is approximately 18.2 metres deep by 10.6 metres wide plus the side extension of 4.3 metres width. There are 5no. precast concrete portal frames to each side at approximately 4.5 metre span. The roof has asbestos cement 'big six' sheets covering hooked down to 8no precast concrete purlins plus two eaves edge beams. The walls are a mixture of 220mm dense concrete blocks. The floor is a tamped finish concrete slab laid in bays with movement joints between bays. The structural survey concluded that the existing building has been standing without major defects for at least 60 years and can be considered to be a permanent and substantial structure. The size of the structure shows that any proposed conversion of the existing structure could be re-used to provide new residential units without any significant re-construction. The survey concludes that the structure is capable of conversion and would not have a detrimental effect on the building's main structure.

The proposed works will involve the installation of doors and windows, replacement and upgrading of external cladding materials, replacement of roof covering, installation of insulation and internal partition walls and installation of drainage and utility services. The proposal would retain the existing structural frame and overall form of the building. The proposal also involves the partial demolition of the building, the lambing shed, and lean-to will be demolished. This is attached to the existing building, but due to the layout and subdivision of the building, the removal of the lambing shed would be appropriate and would appear reasonably necessary to carry out building operations. It is noted that the static caravan on site would also be removed.

While it is recognised that the proposed conversion would involve some alterations the structural fabric of the building, including partial demolition, the subject building would appear capable of conversion in their own right. Any works to the building are considered reasonably necessary to support a residential use as permitted under Q.1(j), the measures are considered to be of such a degree to amount to a rebuild, and the required works are therefore considered to be reasonably necessary to convert the building.

(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 within any of these areas.

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

The site is not and does not contain a scheduled monument.

(n) the building is a listed building

The building 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

The floor plans demonstrate the GIA of the proposed dwelling would be approximately 150 sqm and 143 sqm, complying with nationally described space standards. The above criteria is therefore met.

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

The site has an existing wide and surfaced access from Hooklands Lane. The Planning Statement details that this serves the mobile home, with the farm also having an alternative access to the north. The above criteria is therefore met.

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

The site has good access onto Hooklands Lane. The addition of two new dwellings to the site will not result in a substantial increase or material change in the character of traffic in the vicinity of the site. There is ample space for the parking of at least 6 vehicles, the location plan indicates an area for a parking forecourt to the east of the building, by the access to the site. WSCC Highways confirmed that C3 residential use would be less intensive than the existing agricultural use and the number of parking spaces provided would be acceptable. As such, no objections are raised on highway grounds.

(b) noise impacts of the development

Paragraph 187 of the NPPF states that planning decisions should prevent 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. Paragraph 198 continues that decisions should ensure that all 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 impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

The proposed development is well located in relation to adjacent residential dwellings and other buildings nearby. The Planning Statement states that there are no nearby uses that would give rise to unacceptable noise impacts for future occupiers. It is considered that the proposed residential use would not be anticipated to generate any harmful levels of noise over and above the existing arrangement, no objections are therefore raised on these grounds.

(c) Contamination risks on the site

Paragraph 187 of the NPPF states that planning decisions should prevent 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. Paragraph 196 of the NPPF states that planning decisions should ensure that a site is suitable for its proposed use, taking account of ground conditions and any risks arising from land instability and contamination.

Commercial and 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 ground, yards, and hard standings. Risks arising from the use therefore require evaluation by the applicant.

No contamination assessment has been provided. The Planning Statement states that the building has an asbestos roof which will need to be disposed of by an appropriately qualified person. Therefore, a

condition requiring further investigation to ensure all possible sources of contamination are investigated will be attached to the permission.

(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 the Schedule to the Use Classes Order

The proposed dwellings would be located approximately 0.9 miles from edge of the Ashington built-up area boundary, which is a medium village and provides a range of services and facilities. There are no nearby neighbours that would be impacted by the proposed development, as the nearest buildings to the site are under the control of the Applicant and used for the storage of farm equipment or are empty. Overall, therefore, the proposed works would not be considered impractical or undesirable as termed at paragraph Q.2(1)(e).

(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 overall form and footprint of the existing building would be retained. The proposed elevations illustrate that the external appearance of the building would be retained with regards to the existing materials. Whilst new openings would be introduced within the structure, it is considered that these would not give the building an overtly domestic appearance beyond that which could be expected as a result of the conversion of a rural building to a residential use. The proposed design and external appearance of the building is therefore acceptable within this rural setting.

(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 objections raised on these grounds.

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:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site 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.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- a) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- b) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.
- c) 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 where required.

The scheme shall be implemented as approved. Any changes to these components require the consent of 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).

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/26/0965

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Location & Block plan	Site Block & Location Plans	182_01	15.06.2026
Floor plan	Floor Plans As Existing	182_02	15.06.2026
Roof plan	Roof Plan As Existing	182_03	15.06.2026
Elevation plan	Elevations As Existing - 1	182_04	15.06.2026
Elevation plan	Elevations As Existing - 2	182_05	15.06.2026
Section plan	Section Existing	182_06	15.06.2026
Floor plan	Proposed Ground Floor	182_07	15.06.2026
Floor plan	Proposed First Floor	182_08	15.06.2026
Elevation plan	Proposed Elevations - 1	182_09	15.06.2026
Elevation plan	Proposed Elevations - 2	182_10	15.06.2026
Section plan	Proposed Section	182_11	15.06.2026
Supporting Statement	Planning	NONE	15.06.2026
Supporting Docs	Structural Report	NONE	15.06.2026

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 31.07.2026

Authorising Officer sign/initial Tamara Dale Date: 04.08.2026