Horsham District Council

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: DC/25/0763
Your ref: APP/Z3825/W/25/3374524
Contact: 01403 215 429
Email: Bethan.Tinning@horsham.gov.uk
Date: 24.11.2025

Dear Sir/Madam,

APP/Z3825/W/25/3374524 - Hayes Farm, Gay Street, Pulborough, West Sussex, RH20 2HL

Following the submission of the appeal against the refusal of a prior notification for the change of use from light industrial workshop to single residential dwelling, the Local Planning Authority would refer the Inspector to the Delegated Report, and would like to reiterate the reasons for refusal as follows:

Refusal Reason 1: -

The proposal would be located within part of a building retained for agricultural use. Given this relationship, there is the potential for future occupiers of the dwelling to be adversely impacted by the agricultural activities undertaken within the adjoining building and wider surroundings, contrary to MA.2(1)(d) of Class MA of Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

The application was refused on the grounds of the adverse impacts of the agricultural activities on the future occupiers of the development, contrary to MA.2(1)(d) of the GDPO (2015). The Appellant's appeal statement states that the proposal addresses the reason for refusal and fully aligns with all the criteria under Class MA.

The Appellant argues that the proposal relates only to the light industrial workshop and not the agricultural section. However, the building remains partly in agricultural use and the requirement of Class MA is to consider the whole building and its context. The retained agricultural use is within the same structure, meaning the conversion is a part conversion, and the relationship between the uses cannot be disregarded. The Appellant's appeal statement also describes the retained use as machine storage and light farming activities. However, agricultural activity is inherently unpredictable and can fluctuate and intensify without planning control. Therefore, there is the potential for noise to have adverse impacts on the future occupants of the residential use, which would make the location undesirable for residential occupation.

The test under MA.2(1)(d) is forward-looking at whether '*the intended occupiers of the development'* would be adversely affected. MA.2(1)(d) of Class MA, explicitly requires consideration of whether the location or siting makes the dwelling impractical or undesirable. It is the Council's view that the residential use and agricultural use would inherently conflict, resulting in the potential for adverse impacts on future occupiers. While the Appellant has suggested noise mitigation and acoustic insultation, this cannot be enforced under the prior notification and it is the existing relationship between uses which should be assessed, not potential improvements. The proximity to the retained agricultural use would introduce

potential adverse impacts, where the occupiers would not be able to control this, making the location undesirable for residential occupation and therefore the reason for refusal is justified.

Conclusion

The Council therefore remain of the view that the scheme as submitted would be contrary MA.2(1)(d) of Class MA of Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. The Inspector is therefore respectfully requested to dismiss the appeal. However, should the Inspector be minded approve the appeal, a List of Suggested Conditions is attached to this letter.

Yours sincerely,

Bethan Tinning
Planning Officer

List of Suggested Conditions

1. **Approved Plans**

2 **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.

(b) 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.

(c) 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.

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