



**Horsham
District
Council**

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0814

New House Farm, Broadwater Lane, Copsale, West Sussex, RH13 6QW

DESCRIPTION:

Prior Notification for change of use of agricultural buildings to 7 dwellinghouses.

RELEVANT PLANNING HISTORY:

None.

SITE AND SURROUNDINGS:

The application site forms part of the existing agricultural holding of New House Farm which lies to the west of Broadwater Lane. It comprises a number of buildings of various sizes and design merit, which were last in use for the milking of cattle and associated agricultural storage. The application relates to two buildings on site, referred to in the submitted documents as 'Tyler' barn and 'Building 2'. The former is a precast concrete framed building while the latter is of brick and blockwork construction. Both are clearly visible from the road, although 'Building 2' is less prominent.

There is limited built development in the immediate vicinity of the application site, though this does increase as you head south along Broadwater Lane. The majority of development consists of detached dwellings which are set back from the road and vary in design. The character of the surrounding area is inherently rural with clear agricultural and equestrian influence.

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 7no. dwellinghouses (6 x 4-bed and 1 x 3-bed).

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

Nuthurst Neighbourhood Plan 2015

Policy 10 – Housing Design

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

A preliminary risk assessment including a site walkover should be provided to ensure that the site can be made safe and suitable for the development.

WSCC Highways: No Objection

The movements associated with agriculture have done so safely with no known highways safety concerns, and C3 residential uses are considered less intensive. The LHA therefore consider the prior approval acceptable in highway terms.

Southern Water: No Objection

Southern Water has no objection in principle to this application but we are unable to comment fully until details of the proposed means of foul/surface water disposal have been submitted for our review.

Parish Comments:

Nuthurst Parish Council: Objection

- Proposal conflicts with the overarching strategy and hierarchical approach on concentrating development within main settlements and is contrary to the adopted Neighbourhood Plan.
- Proposal lacks detail on how it will meet design requirements outlined within Policy 10 of Nuthurst Neighbourhood Plan.
- There is inadequate infrastructure in the proposed location to support the development.
- Increase traffic burden on a narrow country lane.
- No information provided on the impact on nature/biodiversity nor water neutrality.
- Property is ineligible for Class Q development as has not been in agricultural use for approx. 20 years.
- Building is not appropriate for conversion.

Representations:

2 letters of Objection have been received from 2 addresses, objecting to the application on the following grounds:

- Increased light, noise and traffic pollution.
- Bats likely to be living in the barn as many in the area.
- Additional traffic would cause an issue and development is located on a tight corner.
- Water neutrality.
- No visitor parking provided and no parking available on Broadwater Lane.
- Design of the proposed dwellings would result in an overdeveloped appearance.
- Inadequate services (i.e. schools, doctors) to facilitate development.

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. It is noted that Nuthurst Parish Council disputes this fact, stating that the cattle/milking parlour has not been in use for approx. 20 years. Despite the absence of cattle, the building is clearly agricultural and contains equipment which evidences this use. There are no previous planning applications which have allowed for a change of use. Therefore, without clear evidence that the site is not an agricultural unit, 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 Proposed Ground Floor and First Floor Plans (drawing no. 168_05 and 168_06) it can be confirmed that no individual dwellinghouse will exceed 150 square meters. The largest of the 7 dwellinghouses would have a GIA of 146.5m².

(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 number of dwellinghouses having a use falling within Class C3 will not exceed 10, as there are only 7 dwellinghouses proposed and no cumulative influence from other Class Q permissions. Furthermore, the cumulative floor space of the proposed dwellinghouses is 984m² 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,

There is no evidence to suggest that 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),**

Though a small extension is proposed to the rear of both Building 1 and 2, these meet the requirements of paragraph Q1(i) and therefore paragraph Q1(h) is not considered relevant.

(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,

A small extension is proposed to the rear of both Building 1 and 2 to facilitate the development. Following consideration of the submitted plans, it is considered that the extensions do not meet any of the criteria set out above.

- (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),

A Structural Report dated 25th November 2025 has been submitted as part of the application which concludes that the structural form and condition of the buildings is such that they are capable of the proposed conversion without significant reconstruction.

The proposal would require the installation of doors, windows, rooflights, external walls and first floors as well as insulation and replacement wall and roof cladding however, this is within what is allowed by (i)(aa). It is therefore considered that the proposal meets the requirements set out by (j).

In respect of the demolitions, whilst a large at some 435sqm, within the context of the scale and form of the building these are considered reasonably necessary to allow for the conversion, in compliance with (j)(ii).

- (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 7 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 Broadwater Lane, which is a two-way, single carriageway road subject to a 60mph speed restriction. Each dwelling will be provided with 2 vehicle parking spaces as indicated on the Proposed Ground Floor Plan (ref. 168_05), with no provision made for cycle parking. WSCC Highways were consulted as part of the application and advised that they consider the prior approval to be acceptable in highways terms.

It is noted that representations have raised the issue of lack of provision of visitor parking on site, given that Broadwater Lane does not have capacity for on-street parking. It is considered that although allocated visitor parking has not been provided for, there is ample space on site for visitors to park their vehicles without impacting Broadwater Lane.

(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 buildings are located adjacent to Broadwater Lane and in close proximity to an existing residential dwelling at New House Farm. The next nearest residential property is Meadowside approx. 75m to the north. 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 particularly when compared with the noise associated with agricultural production.

(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.

No information has been provided relating to contamination risk on site, which has been flagged by the Council's Environmental Health Team. They have recommended that a Preliminary Risk Assessment be provided as a minimum to ensure the site can be made safe and suitable for development. It is considered appropriate to secure this via pre-commencement condition, should the application be permitted.

(d) flooding risks on the site,

When consulting the Environment Agency Flood Risk Mapping tool, it is clear that the site is not located within Flood Zones 2 or 3 and does not pose a surface water flood risk either now or in the future. It is therefore concluded there is no flood risk at the site.

(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 designations. The agricultural buildings are located approx. 12m north of the existing dwelling at New House Farm, separated by a driveway and garage building. There are windows on the northern elevation of the existing dwelling and four windows proposed on the southern elevation of proposed Units 1 & 2, three of which are within habitable rooms. It is therefore proposed that a condition be applied to require a frosted glazed window within the ensuite of Unit 1 and the first-floor ensuite of Unit 2 for privacy reasons. It is not considered necessary to request the same for bedroom 3 of Unit 1 given that the existing garage building prevents views in. No other impacts upon amenity have been identified.

(f) the design or external appearance of the building, and

The existing buildings, though of no particular architectural merit, are considered typical of agricultural use and thus blend in with the rural character of the area. The proposal would not result in a significant change in the scale, height or massing of the existing buildings however it would introduce a total of 28 rooflights along the principal roof elevation which is likely to lead to an overly domesticated appearance particularly given the prominence of the roof when viewed from Broadwater Lane. In addition, the materials proposed (metal standing seam roof, timber feather-edge cladding, black aluminium windows) would lead to a 'industrial modern' appearance which is more in keeping with a suburban residential development than a converted former agricultural building.

It does not appear that the applicant has considered the design of surrounding residential development, in particular the existing dwelling at New House Farm which is a traditional brick building with a clay tile roof, nor considered the recommendations set out in the Nuthurst Parish Design Statement (2016). It is therefore concluded that the design and external appearance of the building is not appropriate in this location.

(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.

From the submitted plans (ref. 168_08, 168_07, 168_06, 168_05) it appears that all habitable rooms would benefit from adequate natural light, though it is noted that the first-floor rooms in Units 2-7 rely completely on the installation of rooflights which have been deemed to result in an overly domesticated appearance. Without these, bedrooms 2 and 4 of Units 2-6 and bedroom 4 of Unit 7 would not benefit from adequate natural light.

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
	984	1195	-211
		Total Gain	0
		Total Demolition	211

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: Prior Approval Required and REFUSED

Reason(s) for Refusal:

1. The development would be of a design and external appearance that would fail to reflect the characteristics and vernacular of the host building and rural locality. The development would not therefore be permitted by Class Q, Q.2 (f) of Part 3 within Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

NOTE TO APPLICANT

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction work, an investigation of the sewer will be required to ascertain its ownership before any works commence on site. If this happens, please call Southern Water's Customer Service Desk on 0330 303 0119

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/26/0814

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents not approved:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		168_01	19.05.2025
Floor plan	Existing	168_02	19.05.2025
Roof plan	Existing	168_03	19.05.2025
Elevation plan	Existing	168_04	19.05.2025
Plans	Proposed Ground Floor	168_05	19.05.2025
Plans	Proposed First	168_06	19.05.2025
Roof plan	Proposed	168_07	19.05.2025
Elevation plan	Proposed	168_08	19.05.2025
Supporting Statement	Planning	NONE	19.05.2025
Supporting Docs	Structural Report	NONE	19.05.2025

