Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0808
Warren Wood Barn , Hammerpond Road, Plummers Plain, West Sussex, RH13 6PE

DESCRIPTION:

Internal alterations to create an office and WC (Lawful Development Certificate - Proposed).

RELEVANT PLANNING HISTORY:

DISC/23/0255	Approval of details reserved by condition 2 to approved application DC/23/1443	Application Permitted on 27.02.2024
DC/23/1443	Retrospective planning: Erection of a forestry drying and processing barn	Application Permitted on 19.09.2023
DC/21/1895	Erection of a two storey detached barn (Part-Retrospective).	Application Refused on 14.01.2022

PLANNING ASSESSMENT

The main consideration is whether the proposed alterations would represent development fall within the definition of 'development' as set out in Section 55 of the Town and Country Planning Act 1990 (as amended) (herein referred to as the TCPA).

Section 55(1) of the TCPA (as amended) defines development as “the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any *material change in the use* of any buildings or other land.

Section 55(1A) of the Act continues that “for the purposes of this Act “building operations” includes –
(a) demolition of buildings,
(b) rebuilding,
(c) structural alterations of or additions to buildings, and
(d) other operations normally undertaken by a person carrying on business as a builder.”

Section 55(2) of the TCPA (as amended) outlines the operations or uses of land that shall not be taken for the purposes of the Act to involve development of the land. This includes at (a) the carrying out for the maintenance, improvement or other alteration of any building of works which: affect only the interior of the building, or do not materially affect the external appearance of the building.

The plans as submitted indicate that partitions would be installed in the south-eastern portion of the building to create an office, kitchenette, and w.c/shower. These works would affect only the interior of the building, and would not therefore be deemed to be development under Section 55 of the TCPA.

The subject building was granted planning permission under DC/23/1443 with a condition requiring that the barn be used for agricultural purposes as follows:

***Regulatory Condition**: The development hereby permitted shall be used for agricultural/forestry purposes only, as defined in Section 336(1) of the Town and Country Planning Act 1990.*

Reason: The site lies in a countryside location where only development types specified in Policy 26 of the Horsham District Planning Framework (2015) would normally be permitted

The Planning Statement submitted and further email correspondence received, outlines that the office would be ancillary to the forestry activities undertaken on site. The information submitted continued that the resulting office, kitchenette and w/c would not materially alter the function of the barn as an agricultural building, and no material change of use would occur.

The proposed office, kitchenette, and w.c/shower would be considered ancillary to the primary use of the barn for agricultural purposes, with the level of accommodation provided not considered to represent a material change of use. The building would therefore remain in agricultural use, in compliance with the relevant condition.

For the above reasons, the proposed development is not considered to represent development as defined by Section 55 of the Town and Country Planning Act 1990 (as amended) and the use of the building would remain in agricultural practice as defined by section 336(1) of the Town and Country Planning Act 1990. The use of the building for these stated purposes would therefore be in compliance with condition 3 of planning approval reference DC/23/1443.

Recommendation: Application Permitted

1 The proposed works would not represent development as defined by Section 55 of the Town and Country Planning Act 1990 (as amended) and the use of the building would remain in agricultural practice as defined by section 336(1) of the Town and Country Planning Act 1990. The use of the building for these stated purposes would therefore be in compliance with condition 3 of planning approval reference DC/23/1443.

Plans list for: DC/24/0808
(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 & Block plan	Location and Block Plan	WBH0160.10	27.05.2024
Elevation & Floor plan	Existing Plans	WBH0160.20	27.05.2024
Elevation & Floor plan	Proposed Plans	FP0160.30	27.05.2024

DELEGATED

Case Officer sign/initial J.Burrowes Date: 30.07.2024

Authorising Officer sign/initial TDale Date: 30.07.2024