Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1068
Hawkesbourne Park Farm, Rusper Road, Horsham, West Sussex, RH12 4QR

DESCRIPTION:
Prior Notification for the erection of an agricultural shed.

RELEVANT PLANNING HISTORY:

DC/16/1122	Prior Approval for Change of Use of Agricultural Building to Dwellinghouse	Prior Approval Required and PERMITTED on 06.07.2016
DISC/19/0091	Approval of details reserved by conditions 1a, 1b, and 1c on DC/16/1122	Application Permitted 25.04.2019

RELEVANT PLANNING POLICIES

The Town and Country Planning (General Permitted Development) (England) Order 2015
Schedule 2, Part 6, Class A - agricultural development on units of 5 hectares or more

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Rusper Parish Council: No Objection

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 relevant planning policy to determine whether prior approval is required for the proposed development is Part 6 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Class A of Part 6 Schedule 2 of the Town and Country (General Permitted Development) Order 2015 relates to agricultural development on units of 5 or more hectares for among other things, the erection of a building.

As per the planning history on the site, a Class Q prior approval was granted on 06.07.2016 (DC/16/1122), and the necessary pre-commencement conditions to implement the works were discharged on 25.04.2019 (DISC/19/0091). The applicant confirmed in an email to the Council on 21.07.2025 that the works to convert the barn to a dwelling were completed. The Council's building control records detail that the works were 'signed off' by and approved inspector circa 09.04.2019. Whilst the works would therefore have likely been implemented unlawfully before the discharge of the condition, the works would have been carried out before the expiry of the Class Q consent (three years from the granting of consent, 06.07.2019). In any case, the Local Planning Authority consider that the lawful carrying out of the Class Q works to have taken place after the conditions were discharged (April 2019). To this end, Class A.1(b) of Part 6 of the General Permitted Development Order (2015) (as amended) states:

Development not permitted

A.1 *Development is not permitted by Class A if—*

(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins

Given that Class Q consent DC/16/1122 was granted in July 2016, and the works carried out circa April 2019 (prior to the expiry of the consent), in accordance with the provisions of the Order as set out above, works under Class A of Part 6, Schedule 2 of the order (as proposed under this consent) cannot therefore take place until 10 years post the carrying out of works under Class Q (in this case, April 2029). The building subject of the Class Q consent is sited some 12.8m east of the application site area, within the established boundary of Hawkesbourne Park Farm- as such, it is considered to fall within the establish agricultural unit.

With the above in mind, and taking into account that a period of 10 years has not yet lapsed since the carrying out of the consented Class Q works, the application site would not be eligible to benefit from permitted development right provided by Class A of Part 6, Schedule 2 of the General Permitted Development Order (2015) (as amended). Prior approval cannot therefore be granted or considered, and thus the application is refused.

Recommendation: Application Refused

Reason for Refusal:

1 The application site is not eligible to benefit from the permitted development right provided by Class A of Part 6, Schedule 2 of The Town and Country (General Permitted Development) (England) Order 2015 (as amended), owing to the carrying out of works under Class Q of Part 3 of the same Schedule of the Order within a period of 10 years, and is therefore contrary to the provisions of Class A.1(b) of Part 6, Schedule 2 of The Town and Country (General Permitted Development) (England) Order 2015 (as amended).

Plans list for: DC/25/1068
Schedule of plans/documents **NOT approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	30.06.2025
Floor plan	Ground	NONE	30.06.2025
Floor plan	First	NONE	30.06.2025

Elevation plan	North	NONE	30.06.2025
Elevation plan	South	NONE	30.06.2025
Elevation plan	East	NONE	30.06.2025
Elevation plan	West	NONE	30.06.2025
Supporting Statement	Planning	NONE	30.06.2025

DELEGATED

Case Officer sign/initial Steve Astles Date: 22.07.2025

Authorising Officer sign/initial RHERMITAGE Date: 22.07.2025