

Appeal 6008220

Interested party comments

Appeal type	Planning
Appeal procedure	Written
Appeal site	Pemberley Copsale Road, Maplehurst, RH13 6QY
Appellant contact details	[REDACTED] [REDACTED]
Local planning authority	Horsham District Council
Application number	DC/26/0279

Interested party 1

Comments

1. Appeal statement

This is an appeal under Section 78 of the Town and Country Planning Act 1990 against Horsham District Council's decision on application DC/26/0279, relating to the Prior Notification for Change of Use of part [REDACTED] g to 1 dwellinghouse (C3).

Concerning : [REDACTED].

Site: Pemberley, Copsale Road, Maplehurst, West Sussex RH13 6QY.

Inspectorate reference: 6008220.

Core assertion: The proposed development is not an agricultural use in practice, represents a domestic dwelling on a site occupied primarily for residential use with equestrian activity, and should be considered as a rural dwelling with appropriate policy considerations.

2. Facts on the Ground

The site known as Pembroke is not actively used for agricultural operations. It functions as a domestic setting with:

4 horses kept on-site.

A resident who stays on-site in a caravan for extended periods (most of the time).

The on-site use demonstrates residential/dwellings activity rather than agricultural activity typically required to justify the conversion of agricultural buildings under C3/U. (Evidence to be provided: travel diaries, on-site usage records, welfare/feeding schedules, and any grazing management evidence.)

Key implications:

Conversion would be tantamount to creating a new dwelling in a location that is effectively a residential-curtilage extension rather than continuing an agricultural enterprise.

The threat of sprawl and erosion of countryside character is heightened where on-site use is dominantly residential.

3. Grounds of Appeal

a) Conflict with the intended agricultural use exemption

The prior notification regime for change of use of agricultural buildings (to C3) is predicated on active agricultural operation as the principal activity on site. In this case, Pembroke does not appear to be used primarily for agriculture; it is domesticated with equestrian use and a resident living on-site in a caravan.

The change of use would convert an agricultural building into a dwelling, but the actual land-use pattern does not align with a viable agricultural operation, undermining the justification for a C3 dwelling under permitted conversion policies.

b) Rural character and countryside openness

The site lies in a visually sensitive rural lane network along Copsale Road. Increasing residential presence here would contribute to ribbon development and undermine countryside openness and rural character, contrary to local plan designations protecting open countryside.

c) Flood risk and surface water/drainage implications

Residential use on a former agricultural building may alter surface water runoff and drain down-stream liabilities. A robust Flood Risk Assessment (FRA) and SuDS strategy should be required, given potential changes in occupancy patterns, facilities, and access.

d) Transport, access, and highway safety

Rural access constraints, including narrow lanes and limited turning radii, are exacerbated by even a single dwelling, particularly if caravans and ancillary vehicles are present for extended periods. This could impact road safety and the surrounding highway network.

e) Biodiversity, soils, and agricultural land

The site's current use, including equestrian activity, may have associated habitat value. However, the shift toward a dwellings-led use with year-round occupancy could increase disturbance to any hedgerows, soils, and nearby farmland operations. [Read more](#)

Supporting documents

No documents

Interested party 2

Comments

I do not support this appeal and ask the planning inspectorate to uphold the local authority's decision to refuse the planning request for the following reasons:

- loss of General Amenity
- Overdevelopment
- the application does not meet the criteria for permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015, Class Q of Schedule 2- agricultural buildings to dwellinghouses for the following reasons:

1. The applicant is not an agricultural worker, nor is the site currently used for agricultural purposes, nor is there any permitted use as an agricultural business.

2. The site and stable building proposed for development has been solely used for private equestrian leisure purposes since the erection of the stable building was approved by HDC in 2004 (DC/04/1463). The decision notice permitting the construction of the building in 2004 clearly defines the site's permitted use as private equestrian and places specific restrictions on any business, livery, and agricultural use.

In addition, the applicant has previously defined the site's use for private equestrian leisure purposes in the two previous unsuccessful applications to develop the building into a dwelling (DC/21/1946 and DC/19/2117), Both of these previous planning attempts were also dismissed on appeal by the planning inspectorate.

2. The Class Q criteria clearly states that a site which formed part of a mixed use of agriculture and (non-agricultural) equestrian use, or agricultural activities which do not form a trade or business, would not benefit from the permitted change of use.

3. The cumulative floor space of the existing building proposed for change of use exceeds the 450 square metres permitted under the Class Q criteria. The floor plan for the proposed new dwelling shows an area which is to be retained for use as an 'agricultural store'. I am concerned that this is a cynical attempt to manipulate the development to fall within the permitted 450 square metres defined by the Class Q criteria, and object the buildings use as an agricultural storage facility

Given there is no current, or permitted, agricultural use on the site, and therefore, no necessity for any agricultural storage, this area of the proposed plan is a great concern.

4. My property adjoins the proposed development and I am concerned that the applicant proposes to run an agricultural business from the site, without permission to do so and in contravention of the conditions placed on the original planning approval for the stable building proposed for change of use. I object to the site being used as an agricultural business as this would impact on my right to amenity and the enjoyment of my property. The track that leads to the proposed dwelling runs the length of my property and is within metres of my house, any agricultural machinery using this track to access the proposed agricultural storage area would result in a significant increase in noise and intrusion for me.

4. The applicant has made two previous unsuccessful attempts to obtain planning permission to develop the site and convert the stable into a dwellinghouse (DC/21/1946 and DC/19/2117), and I believe the current application under the Class Q criteria is an inappropriate and disingenuous attempt to circumvent the planning framework under which they were refused.

6. Irrespective of the Class Q criteria, the proposed development would still be contrary to policies 1, 2, 3, 20, and 26 of the Horsham District Planning Framework (HDPF) 2015, and contrary to the aims of the Nuthurst Parish Planning Framework (NPPF), paragraph 79. The proposed site for this single dwelling lies well outside of

unclassified settlement of Maplehurst and is considered countryside for planning purposes and the site proposed for development is, therefore, an unsustainable location [Read more](#)

Supporting documents	No documents
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