

From: Katherine Luxton <katherineluxton9@msn.com>
Sent: 15 January 2025 16:14:07 UTC+00:00
To: "Hamish Evans" <Hamish.Evans@midsussex.gov.uk>
Cc: "David Chewter" <david@chewterestatesltd.co.uk>
Subject: Re: DM/24/2936 Springfield Farm Lewes Road Scaynes Hill RH17 7NG
Attachments: 2013 Barn approval Richard Wood consultation.pdf, Aquatic Number for Pond.pdf, Holding Number Confirmation.pdf, Maps showing barn and pond on complete holding.pdf

Good Afternoon Hamish

Further to our previous emails, please find attached the following documents:

Report from the then Rural Estates Surveyor, Mr Richard Wood, confirming the farming uses and requirement for the agricultural building and land area to allow approval of the building, the subject of this current application under Class Q, by Mid Sussex District Council on an Agricultural Determination / Prior Notification reference 13/03625. This approval proves the council's confirmation of agricultural use and holding.

DEFRA Registration (Previously MAFF) for the Agricultural registration with accompanying plan confirming the Holding and area reference 42/450/0118.

Plans showing the approved barn within the registered agricultural land.

Additional DEFRA Registration of the subsequent pond reference EW065-P-535R.

It is obvious that the proposal before you complies with all of the criteria required for submission under the current Class Q legislation as amended 2024. The building itself does not have to be in current use for agriculture solely and no change of use has formally occurred. It has to be within a registered agricultural unit, which it is. Therefore this can continue to be assessed as such.

In respect of assessment under Class Q we believe that we have put forward all the details required to enable approval for conversion to residential in respect of location, access to the highway, noise, sustainability, living space standards and need for housing.

We hope that this can now be positively assessed as submitted and look forward to hearing from you.

Kind regards

Katherine

Katherine Luxton



Ashdown Planning Consultants

1A Beechview Parade, Walshes Road, Crowborough TN6 3RA
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From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Sent: 13 January 2025 15:20
To: Katherine Luxton <katherineluxton9@msn.com>
Cc: David Chewter <david@chewterestatesltd.co.uk>
Subject: RE: DM/24/2936 Springfield Farm Lewes Road Scaynes Hill RH17 7NG

Dear Katherine,

Thank you for the below emails. I am happy to wait for additional information, please could these be provided asap as I believe the determination date for the application is 29.01.2025.

Thank you,
Kind regards,

Hamish Evans
Planning Officer
Direct Line: 01444 477228
hamish.evans@midsussex.gov.uk
www.midsussex.gov.uk
Working Together for a Better Mid Sussex

From: Katherine Luxton <katherineluxton9@msn.com>
Sent: 13 January 2025 10:20
To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>

Cc: David Chewter <david@chewterestatesltd.co.uk>

Subject: Re: DM/24/2936 Springfield Farm Lewes Road Scaynes Hill RH17 7NG

Dear Hamish

I do apologise. My most recent email mistakenly quoted the previous legislation. Q1 (b) (iii) as you are citing, is part of the 2024 amended legislation and reads as follows:

(iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose,

The building has not ceased to be part of an established agricultural unit. We are getting the DEFRA information, registration number and boundary map to you as soon as possible. Could you hold the application please for this? We are confident that it complies with legislation under Class Q, as amended.

Kind regards

Katherine

Katherine Luxton



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From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Sent: 10 January 2025 15:01
To: Katherine Luxton <katherineluxton9@msn.com>
Cc: David Chewter <david@chewterestatesltd.co.uk>
Subject: RE: DM/24/2936 Springfield Farm Lewes Road Scaynes Hill RH17 7NG

Dear Katherine,

Thank you for the below and all well here, I hope you are too.

Your comments below are noted, unfortunately I have limited evidence before me that the building has been used for agricultural purposes. The interior of the building appears to have been partitioned into separate rooms with insulation and internal wiring etc this isn't something you would expect to see for an agricultural building. The equipment within the building doesn't seem to be for the purposes of agriculture and there does not appear to be a wider agricultural using being undertaken anymore.

As such it is currently my opinion that the site is no longer part of an established agricultural unit and since ceasing to be part of an established agricultural unit the building has been used for non-agricultural purposes. Therefore the proposal does not comply with (b)(iii) of Q.1 of Class Q, Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

Taking into account the above unfortunately I will be looking to recommend refusal of the application to my line manager. Whilst I appreciate the above is disappointing I hope it is of use.

Thank you,
Kind regards,

Hamish Evans
Planning Officer
Direct Line: 01444 477228
hamish.evans@midsussex.gov.uk
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From: Katherine Luxton <katherineluxton9@msn.com>
Sent: 10 January 2025 10:48
To: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Cc: David Chewter <david@chewterestatesltd.co.uk>
Subject: Re: DM/24/2936 Springfield Farm Lewes Road Scaynes Hill RH17 7NG

Hello Hamish

Happy new Year, I hope you are well?

Thank you for your email, which I disagree with.

We spent a great deal of time checking the requirements to submit under Class Q, including previous cases at High Court and the pages of advice and legislation to ensure that this qualified.

The agricultural building in question was approved under an Agricultural Determination by the council on the 19th November 2013. 13/03625 refers. The Rural Estates Surveyor, Richard Wood, was consulted on this and confirmed a need for the barn to serve the agricultural holding at that time. There is still agricultural use on the nearby land, but it has changed over the years and does not require this building now.

The principal qualifying criteria is that the building was in agricultural use on 20 March 2013. If the building is in agricultural use after that date, a period of 10 years must pass before development under Class Q begins.

A period of 10 years in this case would be November 2023. Therefore this qualifies.

Regarding your site visit, the building is currently used for a mixture of storage including agricultural, but not commercial B2/B8 or Class E. As the building is no longer necessary for the agricultural holding practices, then over the last year or so, outside of the required 10 year period, the applicant has also stored personal property and materials in the building. However, it has been in agricultural use for the required period of at least 10 years since November 2013, which would have been November 2023.

The storage containers are not related to the use of this building and would be removed of course to facilitate conversion works. Happy to discuss these as a separate matter if necessary, but they should not form part of the application considerations for permitted development.

Happy to discuss with you further.

Kind regards

Katherine

Katherine Luxton



Ashdown Planning Consultants

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From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Sent: 09 January 2025 15:16
To: katherineluxton9@msn.com <katherineluxton9@msn.com>
Subject: DM/24/2936 Springfield Farm Lewes Road Scaynes Hill RH17 7NG

Dear Katherine,

I hope all is well. Regarding the above application I have visited the site and there doesn't appear to be any agricultural use being undertaken at the building or the wider site. There were a significant amount of storage containers at the site and the existing building appears to be used under class B2/B8 or class E rather than for agricultural purposes. As such the proposal wouldn't be able to be converted by Class Q, Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). I recommend withdrawing the application and submitting a full planning application for the proposal.

Please could you let me know your comments on the above and how you would like to proceed?

Thank you,
Kind regards,

Hamish Evans
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Working Together for a Better Mid Sussex

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