

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0613	Case Officer:	Hamish Evans
Application Type:	Prior Not. - Agric. to Flexible Use		
Proposal:	Enlargement of existing unit (Unit 2) within building to north side of barn by expanding into barn to provide meeting room, breakout room and extra office space. Conversion of barn to west side of enlarged space to new unit with doors and windows.		
Site:	Danworth Farm, Cuckfield Road, Hurstpierpoint, West Sussex, BN6 9GL, , ,		
Validation Date	12 Mar 2025	Overall Expiry Date:	4 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Prior Approval is Granted	Recommendation Date:	28 Apr 2025
Target Date:	7 May 2025	Recommending Officer Signature:	Hamish Evans

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	2 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0613

**Danworth Farm, Cuckfield Road, Hurstpierpoint, West Sussex, BN6 9GL, ,
Enlargement of existing unit (Unit 2) within building to north side of barn by expanding into barn
to provide meeting room, breakout room and extra office space. Conversion of barn to west side
of enlarged space to new unit with doors and windows.
Mr Jeremy Ventham**

SUMMARY OF REPRESENTATIONS

No third-party representation letters have been received in respect of this application.

SUMMARY OF CONSULTEES

WSCC Highways

No objection.

Environment Agency

No comment.

MSDC Contaminated Land

No objection, subject to conditions.

PARISH COUNCIL OBSERVATIONS

Hurstpierpoint and Sayers Common Parish Council

Should give permission.

INTRODUCTION

This application seeks a determination under the prior notification procedure as laid out under Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a change of use of an agricultural building to office space, kitchen, meeting room and breakout room at Danworth Farm Cuckfield Road Hurstpierpoint BN6 9GL.

RELEVANT PLANNING HISTORY

None relevant.

SITE AND SURROUNDINGS

The site is located within the countryside and within Flood Zone 1. The site consists of several agricultural buildings, commercial buildings, office buildings and agricultural fields. The application building is a single storey building which is characterised by timber clad and metal clad walls, metal sheet roofing and dark uPVC window and door frames. There is a significant area of hardstanding to the south and west of the site. The site is accessed from Danworth Farm which is a private road located to the north of the application building. Existing agricultural, commercial and office buildings are located to the north and east of the existing building. These buildings are single storey in their scale and characterised by a variety of external materials. Agricultural fields are located to the south and west of the site.

APPLICATION DETAILS

This application seeks a determination under the prior notification procedure as laid out under Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a change of use of an agricultural barn to office space, kitchen, meeting room and breakout room.

The existing building consists of a gross external floor space of 265 sq m, and the application is to convert the majority of the building. Access will be from Danworth Farm, via the existing entrance and the private road. The extensive area of hardstanding immediately to the south and west will be used for vehicular parking.

LEGAL FRAMEWORK AND LIST OF POLICIES

Under the provisions of Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Prior Notification of the development must be submitted to the Local Planning Authority for consideration as to the transport and highways impacts of the development; noise impacts of the development; contamination risks on the site; and flooding risks on the site.

The proposal will be tested against the relevant criteria of Schedule 2, Part 3, Class R of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

Permitted development

R. Development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use—

(a) falling within one of the following provisions of the Use Classes Order—

- (i) Class B2 (general industrial) of Schedule 1;
 - (ii) Class B8 (storage or distribution) of Schedule 1;
 - (iii) Class C1 (hotels) of Schedule 1;
 - (iv) Class E (commercial, business or service) of Schedule 2; or
 - (v) Class F.2(c) (outdoor sport or recreation) of Schedule 2; or
- (b) for the provision of agricultural training.

Development not permitted

R.1 Development is not permitted by Class R if—

(a) the building was not used solely for an agricultural use as part of an established agricultural unit—

- (i) on 3rd July 2012;
- (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a building which was brought into use after 3rd July 2012, for a period of at least 10 years before the date development under Class R begins;

(b) the cumulative floor space of buildings which have changed use under Class R within an established agricultural unit exceeds 1,000 square metres;

- (c) the site is, or forms part of, a military explosives storage area;
- (d) the site is, or forms part of, a safety hazard area; or
- (e) the building is a listed building or a scheduled monument.

Conditions

R.2 Development is permitted by Class R subject to the following conditions—

- (a) a site which has changed use under Class R may, subject to paragraph R.3, subsequently change use to another use falling within one of the use classes comprising the flexible use;
- (b) for the purposes of the Use Classes Order and this Order, after a site has changed use under Class R the site is to be treated as having a sui generis use;

(c) after a site has changed use under Class R, the planning permissions granted by Class E of Part 7 of this Schedule apply to the building, subject to the following modifications—

(i) "curtilage" has the meaning given in paragraph X (interpretation) of this Part;

(ii) any reference to "office building" is to be read as a reference to the building which has changed use under Class R;

(d) where the site is to be used for general industrial purposes within Class B2, it must only be used for the processing of—

(i) raw goods, excluding livestock, which are produced on the site and are to be sold on the site, or

(ii) raw goods mentioned in paragraph (i) together with goods ancillary to the processing of those raw goods.

R.3— (1) Before changing the use of the site under Class R, and before any subsequent change of use to another use falling within one of the use classes comprising the flexible use, the developer must—

(a) where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit does not exceed 150 square metres, provide the following information to the local planning authority—

(i) the date the site will begin to be used for any of the flexible uses;

(ii) the nature of the use or uses; and

(iii) a plan indicating the site and which buildings have changed use;

(b) where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit exceeds 150 square metres, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(i) transport and highways impacts of the development;

(ii) noise impacts of the development;

(iii) contamination risks on the site; and

(iv) flooding risks on the site,

and the provisions of paragraph W (prior approval) apply in relation to that application.

(2) Subject to sub-paragraph (3), development under Class R of the type described in paragraph R.3(1)(b) must begin within a period of 3 years starting with the prior approval date.

(3) Where, in relation to a particular development under Class R of the type described in paragraph R.3(1)(b), planning permission is granted on an application in respect of associated operational development before the end of the period referred to in sub-paragraph (2), then development under Class R must begin within the period of 3 years starting with the date that planning permission is granted.

(4) For the purposes of sub-paragraph (3), "associated operational development" means building or other operations in relation to the same building or land which are reasonably necessary to use the building or land for the use proposed under Class R.

Interpretation of Class R

R.4 For the purposes of Class R, "flexible use" means use of any building or land for a use falling within the list of uses set out in Class R and change of use (in accordance with Class R) between any use in that list.

ASSESSMENT

According to the application form:

- The application consists of a change of use of an agricultural barn to office space, kitchen, meeting room and breakout room
- The use of the site was solely for agricultural use as part of an established agricultural unit on 3 July 2012
- The total combined floorspace in the building exceeds 150 sq m but not 1000 sqm
- None of the land is within the excluded definitions of the legislation.

On this basis, there is no conflict with R and R.1. In respect of the conditions listed in R.2, these are noted. In respect of condition R.3(a), this does not apply. In respect of condition R.3(b), the following assessment is made:

Transport and highways impacts

The application has been assessed by the Local Highway Authority. The Highway Authority has raised no objection to the proposal on highway safety or capacity grounds. The access is deemed acceptable in visibility terms and anticipated road speeds. Parking provision is deemed acceptable. The Highway Authority do not anticipate that the traffic generated by this change of use would result in an increase over the potential traffic generated through the agricultural use. Overall, it is not considered that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the highway network.

Noise impacts of the development

The nearest residential property to the site is some 45 metres away from the application building and the proposed use is to be similar to other uses within the surrounding buildings. The Council's Environmental Protection Team have recommended conditions to protect the amenities of existing residential properties. Taking into account the above the proposal would be acceptable in terms of its noise impacts.

Contamination risks on the site

The Council's Contaminated Land Officer has reviewed the application in terms of potential contamination risks. No objection is raised to the proposal in this respect however it is recommended that a number of conditions are imposed to ensure any potential contamination risks are assessed.

Flooding risks on the site

The site is not located within Flood Zones 2 or 3 and it is not within an area of surface water flood risk. The Environment Agency has been consulted but no response has been received. The proposal would not seek to increase the footprint of the existing building and the proposed external alterations relate to the fenestrations of the building. As such it is not considered that an objection can be raised on flood risk grounds.

CONCLUSION

Based on the above assessment, it is considered that the proposal is permitted development under Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). To summarise, it is considered that the proposal would have an acceptable impact in relation to highways matters, noise, contamination and flooding risks. As such prior approval is granted and the development can therefore proceed in accordance with the submitted details and the conditions as set out on the decision notice.

Decision: Prior Approval is Granted

Case Officer: Hamish Evans