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**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015 - SCHEDULE 2, PART 3, CLASS Q**

REFUSAL

REFERENCE: DM/24/2913

DESCRIPTION: PRIOR NOTIFICATION APPLICATION FOR THE CHANGE OF
USE OF A BUILDING FROM AGRICULTURAL USE TO
RESIDENTIAL (C3) WITH ASSOCIATED OPERATIONAL
DEVELOPMENT

LOCATION: PELLINGS BARN, MILL LANE, SAYERS COMMON, WEST
SUSSEX

DECISION DATE: 25 FEB 2025

CASE OFFICER: HAMISH EVANS - HAMISH.EVANS@MIDSUSSEX.GOV.UK

The Council hereby confirm that **prior approval is refused** for the above development in
accordance with the information submitted:

Information submitted by the Developer

Plan Type	Reference	Version	Submitted Date
Location Plan	127_01 rev a		
Block Plan	127_02 rev a		28.11.2024
Existing Floor Plans	127_03 rev a		28.11.2024
Existing Roof Plan	127_04 rev a		28.11.2024
Existing Elevations	127_05 rev a	1	28.11.2024
Existing Elevations	127_06 rev a	2	28.11.2024
Sections	127_07 rev a	ex	28.11.2024
Proposed Floor Plans	127_08 rev a	ground	28.11.2024
Proposed Floor Plans	127_09 rev a	first	28.11.2024

Proposed Roof Plan	127_10 rev a		28.11.2024
Proposed Elevations	127_11 rev a	1	28.11.2024
Proposed Elevations	127_12 rev a	2	28.11.2024
Sections	127_13 rev a	pr	28.11.2024
Topographical Survey			28.11.2024
General		wider ownership	28.11.2024

The reasons for the Council's decision are:-

1. In this instance, the local planning authority considers that the prior approval process cannot be utilised as the proposed change of use would result in a "more vulnerable" form of development as defined by Annex 3 of the NPPF, and the site is located within an area of flood risk which is equivalent of flood zone 3b. As such the PPG states that development of this type should not be permitted. The Council's Drainage Engineer objects to the proposal on flood risk grounds and the lack of evidence that the development and site users could be kept safe for the lifetime of the development. Therefore, the proposal fails Q.2(1)(d), Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.



Ann Biggs
Assistant Director Planning and Sustainable Economy

REPDAZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

However, if

- (i) this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- (ii) an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
 - 28 days of the date of service of the enforcement notice, or
 - within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).