

MID SUSSEX DISTRICT COUNCIL

Planning Department
Oaklands
Oaklands Road
Haywards Heath
RH16 1SS

11 September 2026

Dear Sir or Madam

**APPLICATION FOR PRIOR APPROVAL UNDER CLASS Q: CHANGE OF USE OF BARN TO DWELLINGS
ALDERS FARM, BRIGHTON ROAD, HURSTPIERPOINT, HASSOCKS BN6 99EE**

Introduction

On behalf of our client, [REDACTED], please find enclosed Prior Approval application in relation to the change of use of one building and land within its curtilage to a use falling within Class C3, together with building operations reasonably necessary to convert the building at Alders Farm, Brighton Road, Hurstpierpoint, Hassocks, BN6 9EE under the provisions of Schedule 2 Part 3, Class Q of the Town and County Planning (General Permitted Development) England Order 2015 (as amended) (GPDO).

This document provides an overview of the site, its context and the proposal before assessing it against the provisions of Class Q of the Town and Country Planning (General Permitted Development) England Order 2015 (as amended).

In accordance with Paragraph W (a) of Part 3 of the Town and County Planning (General Permitted Development) England Order 2015 (as amended), this supporting covering letter provides a written description of the proposed development, this application is also accompanied by the following plans:

- Covering Letter (This letter)
- Location Plan (Ref. 26 04 /100 A)
- Block Plan (Ref. 26 04 /101 A)
- Existing Plans & elevations (Ref. 26 04 / 010 A)
- Proposed Plans & Elevations (Ref. 26 04 / 010 A)
- Environment Agency Flood Map for Planning
- Flood Risk Assessment (Phlorum)

Further, the relevant fee has been settled via The Planning Portal.

Overview

The site is situated to the east of the A23 and is accessible from Brighton Road. The application site is part of a larger landholding that extends to approximately 16.48 hectares and comprises a mix of woodland and

pastureland. Which has previously been used predominantly for agricultural activities involving the keeping and rearing of livestock.

The wider site is bordered to the north by a woodland shaw, to the east by a tree belt then residential properties and their associated gardens, to the southeast and south by Brighton Road and to the west by the A23.

The site is located with Flood Risk Zone 1, an area identified to have a low probability of flooding. The site is located just outside of the South Downs National Park, which falls to the south of Brighton Road.

The building, to which this application relates is a steel portal building located to the north of the application site, within close proximity to the existing private access, which enables direct access onto Brighton Road.

Assessment

This section assesses the proposal against Schedule 2 Part 3, Class Q of the Town and County Planning (General Permitted Development) England Order 2015 (as amended) (GPDO). Subject to the requirements/conditions, Class Q allows:

Class Q — buildings on agricultural units and former agricultural buildings to dwellinghouses

Permitted development

Q. Development consisting of—

(a) a change of use of—

(i) a building that is part of an established agricultural unit and any land within that building's curtilage, or

(ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage,

to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,

(b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or

(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

Paragraph Q.1 identifies the circumstances in which development is not permitted under Class Q. The proposal's compliance with each limitation is assessed below:

Q.1 – Development is not permitted by Class Q -		
Paragraph	Requirement	Assessment
Q.1(a)	In the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit— (i) on 24th July 2023, or (ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins,	The application site forms part of an established agricultural unit which was operational prior to and on 24 July 2023 and remains operational at the time of this application. The agricultural enterprise continues to operate from the wider holding, with the applicant currently keeping livestock including sheep, goats, geese, ducks and chickens. The applicant also holds a County Parish Holding (CPH) number, CPH 42/343/0242, providing further evidence of the established agricultural nature of the wider holding. The site's connection to the wider agricultural enterprise is further demonstrated by its planning history. Planning permissions 13/03364/FUL and DM/16/4199 establish the site's connection with an active rural/agricultural enterprise, including provision for temporary accommodation for a rural worker. More recently, application DM/24/1662 provides further evidence of the building's agricultural use, confirming that the building was in agricultural use as at 20 March 2013. This was supported by correspondence from the applicant dated 22 August 2024, confirming that the agricultural enterprise remains operational, with livestock including pigs, goats, chickens, ducks and geese. The evidence demonstrates that the application site formed part of the established agricultural unit on 24 July 2023 and continues to form part of that unit. The proposal therefore complies with paragraph Q.1(a)
Q.1(b)	In the case of a site that was (but is no longer) part of an established agricultural unit— (i) the site was part of an established agricultural unit on 24th July 2023,	Paragraph Q.1(b) is not relevant to this proposal.

Q.1 – Development is not permitted by Class Q -	
	(ii)where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or (iii)since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose,
Q.1(c)	the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeds 150 square metres. The proposal would provide four dwellinghouses with the following total floor areas (GIA): Unit 1: 149.6 m². Unit 2: 149.6 m². Unit 3: 149.6 m². Unit 4: 149.6 m². The proposal would provide four dwellinghouses with a combined floor area of approximately 598.4 m². Additionally, no individual dwelling would exceed 150 m². The proposal therefore complies with paragraph Q.1(c)
Q.1(d)	the development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) of this Part) would result in— (i)the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 10, or (ii)the cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres, The proposal would provide four dwellings with a combined floor area of 598.4 m². The development would therefore not result in the cumulative number of Class Q dwellinghouses exceeding 10 or the cumulative Class Q floor area exceeding 1,000 m². The proposal complies with paragraphs Q.1(d)(i) and Q.1(d)(ii).
Q.1(e)	the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained, The site is not occupied under an agricultural tenancy. The proposal therefore complies with Paragraph Q.1(e).

Q.1 – Development is not permitted by Class Q -

Q.1(f)	less than 1 year before the date development begins— (i)an agricultural tenancy over the site has been terminated, and (ii)the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use,	The site has not been under an agricultural tenancy, within the last year. The proposal therefore complies with Paragraph Q.1(f).
Q.1(g)	development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins,	No development under Class A(a) or Class B(b) has been carried out during the period of the last 10 years. The proposal therefore complies with Paragraph Q.1(g).
Q.1(h)	(h)the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than— (i)extension of the building allowed by paragraph Q.1(i); (ii)protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i),	The development would not result in external dimensions of the building extending beyond the external dimensions of the existing building. The proposal therefore complies with Paragraph Q.1(h).
Q.1(i)	the development under Class Q(b) would result in an extension that— (i)has more than one storey, (ii)is sited anywhere other than to the rear of the existing building, (iii)extends beyond the rear wall of the existing building by more than 4 metres, (iv)has eaves the height of which exceed the height of the eaves of the existing building, (v)is higher than whichever is the lower of— (aa)the highest part of the roof of the existing building, or (bb)a height of 4 metres above the ground, (vi)extends beyond a wall that forms a side or principal elevation of the existing building, or	The development does not incorporate an extension. The proposal therefore complies with Paragraph Q.1(i).

Q.1 – Development is not permitted by Class Q -

	(vii)would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and— (aa)the hard surface was not provided on the land on or before 24th July 2023, or (bb)where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins,	
Q.1(j)	(j)the development under Class Q(c) would consist of building operations other than— (i)the installation or replacement of— (aa)windows, doors, roofs, or exterior walls, or (bb)water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse, and (ii)partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j)(i),	Building operations proposed, as identified within the supporting plans, comprise the installation of windows and doors and the installation of a first-floor level. There are no building operations proposed outside of that identified within Q.1(j). The proposal therefore complies with Paragraph Q.1(j).
Q.1(k)	(k)the site is on article 2(3) land,	The site is not on article 2(3) land. The proposal therefore complies with Paragraph Q.1(k).
Q.1(l)	(l)the site is, or forms part of— (i)a site of special scientific interest; (ii)a safety hazard area; (iii)a military explosives storage area,	The site does not form part of a SSSI, safety hazard area or military explosives storage area. The proposal therefore complies with Paragraph Q.1(l).
Q.1(m)	the site is, or contains, a scheduled monument,	The site is not, and does not contain, a scheduled monument. The proposal therefore complies with Paragraph Q.1(m).

Q.1 – Development is not permitted by Class Q -								
Q.1(n)	the building is a listed building,	The building is not a listed building. The proposal therefore complies with Paragraph Q.1(n). The proposal complies with the nationally described space standard. As shown within the table below, which is based on two storey units, comprising three bedrooms, with the maximum number of occupancies. <table border="1"> <thead> <tr> <th>Proposed GIA</th><th>NDSS minimum</th><th>Difference</th></tr> </thead> <tbody> <tr> <td>149.6 m²</td><td>102 m²</td><td>+47.6 m²</td></tr> </tbody> </table> In addition to the above, the proposal provides more than the minimum built in storage, required by the standards. The proposal therefore complies with Paragraph Q.1(o).	Proposed GIA	NDSS minimum	Difference	149.6 m²	102 m²	+47.6 m²
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Q.1(p)	the building does not have suitable existing access to a public highway	The building has an existing suitable access to Brighton Road (B2117). West Sussex County Council commented on the existing access, during the course of determination for application DM/24/1662 and stated <i>“From inspection of WSCC mapping, there are no apparent visibility concerns with the existing point of access on Brighton Road. An inspection of collision data supplied to WSCC by Sussex Police over a period the past five years reveals there have been no recorded collisions within the vicinity of the site access. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.”</i> The proposal therefore complies with Paragraph Q.1(p).						

Conditions

The GDPO at Q2-(1) identifies that where the development proposed under Class Q(a), development is permitted subject to the condition that before, beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required, to the following matters.

Transport and Highways Impacts

The site is accessible via an existing driveway, which provides direct access to Brighton Road. This access has served the site for several years, and always been adequate.

The West Sussex County Council Collision Locations Map does not identify any recorded collisions in the vicinity of the application site along Brighton Road. The nearest recorded collisions are predominantly classified as “slight” and are located along the A23.

West Sussex County Council's Transport and Highways service was consulted in June 2026 in relation to a full application for a residential use at this location and confirmed that there was no evidence to suggest that the existing access has been operating unsafely or that the proposal would exacerbate any existing highway safety concern.

Furthermore, the existing access has not been altered since Prior Approval was granted by virtue of DM/24/1662, in respect of which similar conclusions were reached. It is therefore considered that the highway and transport impacts of the proposal remain acceptable to the Council.

Noise Impacts

The proposed development is not considered likely to result in an unacceptable noise impact upon neighbouring residential amenity. The closest neighbouring residential properties are Nos. 1 and 2 Alders Cottages, located to the east of the application site and accessed from Brighton Road. Given the separation distance, intervening topography and the existing noise environment associated with Brighton Road, it is not considered that the proposed development would result in an unacceptable increase in noise or disturbance to these neighbouring properties.

The potential noise impacts associated with the proposed residential use have also previously been considered under planning application DM/24/1662, where they were not identified as giving rise to an unacceptable impact upon amenity.

Contamination Risks

The Government's Planning Practice Guidance confirms that contamination is a material consideration where there is reason to believe that contamination could be present and that the risk should be assessed having regard to potential sources, pathways and receptors.

The proposed development would introduce a residential use to the site. Having regard to the existing site circumstances and the nature of the proposed use, there is no evidence to indicate that the application site is affected by contamination that would prevent the proposed residential use.

There is no known history of contamination associated with the application building or the land immediately surrounding it, and there is no evidence of significant contaminative uses, substances or activities having taken place within the application site.

The site has also previously been considered in respect of contamination under planning application DM/24/1662, where no unacceptable contamination risks were identified. On this basis, it is considered that the proposed development would not give rise to unacceptable risks from contamination and that the site is suitable for its proposed residential use.

Flooding Risks

The National Planning Policy Framework (NPPF) seeks to minimise the risks to development arising from all sources of flooding, taking account of the impacts of climate change, and directs development towards areas at lower risk of flooding.

The site is located within Flood Risk Zone 1 and identified to have a low probability of flooding from rivers and seas. The site is identified to have a surface water flood probability of 1%, this is not expected to rise as identified by data provided for 2061 to 2125.

Finished floor levels will be set a minimum of 300mm above adjacent external ground levels to provide resilience against surface water flooding. This will ensure the development remains above the predicted 1% annual probability flood level, as identified within the Flood Risk Assessment provided by Phlorum.

The flooding risks of the site have not changed since application DM/24/1662, during which, the Council's Drainage Engineer was consulted and raised no objections. Therefore, the flooding risks remain acceptable.

Location and Siting

The Planning Practice Guidance (05 03 2015) states that *"When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval"*. It also identifies that "Impractical" or "undesirable" are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would "not be sensible or realistic", and undesirable reflects that it would be "harmful or objectionable".

This is considered in detail within the determination of *East Hertfordshire District Council v Secretary of State for Communities and Local Government*, and *Tepper* [2017] EWHC 465 (Admin) (9 March 2017). Which confirms that this piece of legislation is intended to lead to development that would not ordinarily be contemplated by the undiluted application of, for instance, policies in the Framework relating to location.

The site is in relative proximity to existing residential dwellings and has its own road access, ensuring that its conversion would not be impractical. The site is therefore considered to be sited in a practical and desirable location.

This proposal, relates to the same site which was assessed within application DM/24/1662 and was considered to be satisfactory.

Design and External Appearance

The proposal is capable of being converted in its current form, as confirmed by application DM/24/1662. The proposal aims to retain the character of the existing building and conversion works are limited to the installation of windows, doors.

The Planning Practice Guidance states *"Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q."*

The external appearance of the proposal is therefore largely unchanged, with the existing building fabric retained. Where new windows and doors are proposed, these would be double glazed and designed to reflect the character and proportions of the existing building.

Natural Light

Paragraph W(2A) states that *“where the application relates to prior approval as to adequate natural light, the local planning authority must refuse prior approval if adequate natural light is not provided in all the habitable rooms of the dwellinghouses.”* Where habitable rooms are defined as any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms.

The proposal has been designed to satisfy the criteria set out within Daylight in Buildings Standards (BS EN 17037:2018+A1:2021) and all habitable rooms have the provision of adequate natural light.

It is respectfully submitted that, prior approval should not therefore be required from the Local Planning Authority in relation to the provision of adequate natural light in all habitable rooms of the dwellinghouses, in accordance with Paragraph Q.2 (1) (g)

Conclusion

In light of the above the proposal constitutes permitted development in accordance with Schedule 2 Part 3 Class Q(a)(iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Prior Approval should not be required in relation to the transport and highways impacts, noise impacts, contamination risks, flooding risks, practicality or desirability, design and external appearance or provision of natural light.

The proposal is a modest and to facilitate a residential use and results in a smaller GEA of residential use than that already approved within DM/24/1662. Therefore, it is respectfully requested that Prior Approval is given.