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Mid Sussex District Council
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23rd October 2024

Dear Sir/Madam

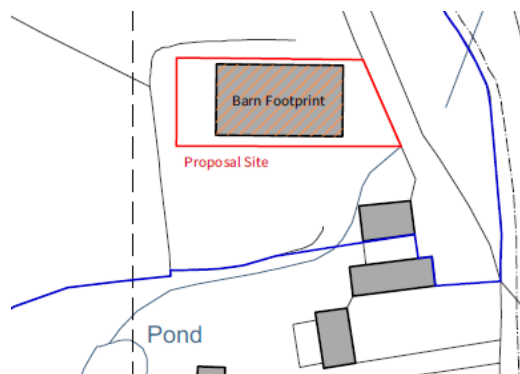
**Pollards Farm Ditchling Road Ditchling Common Ditchling RH15 0SE
Change of use of agricultural barn to a residential dwelling (C3)
Town & Country Planning (General Permitted Development) Order 2024**

We write on behalf of the owner of Pollards Farm (Dim South Ltd) in relation to the proposed change of use of the barn from agricultural to a residential dwelling (C3). The proposal for conversion to a self-contained house is submitted under Class Q of the 2024 GPDO and prior approval is sought for matters relating to transport, noise impact, land contamination, flood risk, siting, design and natural daylight.

Prior Approval for the conversion of Pollards Farm Barn was granted on appeal on 27th June 2019 (APP/D3830/W/18/3219104) and subsequently by the District Council on 7th June 2022 (DM/22/0797). The applicant is seeking a further consent for a similar development but with insulated external cladding (as allowed under the 2024 updated GPDO) and an alternative window arrangement and internal layout.

Application Site

The application relates to a disused agricultural barn at Pollards Farm which is located off Ditchling Road on the eastern edge of Burgess Hill.



Site Location Plan



RTPI

mediation of space · making of place

Chartered Town Planners

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Brighton, BN1 6SB
Registered in England and Wales

The barn is timber clad and comprises an open side (previously used for hay storage) and an enclosed half (previously used for the storage of farm machinery) and measures 15m long by 9m wide. Vehicle access is off the driveway which serves the main house (known as Pollards Farm).



The application site also includes a small parcel of disused land which borders onto the curtilage of Pollards Farm Cottage.

The barn is associated with the agricultural fields to the north which are also owned by the applicant. A Statutory Declaration by Mr Kevin Foord has previously been submitted to the District Council which confirmed that the barn has been used in connection with the cultivation, harvesting and maintenance of the Pollard Farm fields since the summer of 1998.

Application DM/18/4018 (Allowed on Appeal 27th June 2019)

An application for determination as to whether prior approval is required for the change of use of the barn to a house was allowed on appeal in June 2019 (DM/18/4018). In granting prior approval, the Inspector provided the following conclusions:

- ***“Having taken into account the Hibbitt case, and all the evidence, I consider that the proposed works would amount to conversion of the barn and not re-building of it.***
- ***The barn is capable of functioning as a dwelling following building works reasonably necessary to convert it.***
- ***Evidence has been submitted to demonstrate that the building was used solely for agricultural purposes on 20 March 2013. I give that evidence significant weight and I am satisfied that this was the case.***
- ***For the reasons given above, I conclude that the appeal should be allowed and prior approval granted.”***

Application DM/22/0797 (Granted on 7th June 2022)

Prior Approval for the same proposals was subsequently granted by the Local Planning Authority and is valid until 7th June 2025. The delegated report includes the following conclusions:

- *The local planning authority is satisfied that the building is capable of conversion, subject only to the carrying out of such building works as are reasonably necessary as set out in class Q.1(i).*
- *The block plan provided includes a proposed curtilage of the building (as outlined in red on the plan) which would include the building (with an area of land around all four sides of the building). As the proposed conversion would have a floorspace larger than the surrounding land around the building within the redline it is considered that the proposal would meet the requirement of Class X.*
- *It is considered that there would be no reason to resist the proposal on the basis of traffic generation.*
- *There are not considered to be any noise impacts from the proposal that would justify withholding approval.*
- *The Council's Drainage Engineer has been consulted on the application and requested the submission of a Flood Risk Assessment. Following the submission of this information the Drainage Engineer has no objection to the proposal subject to compliance with the conclusions and recommendations within the assessment, with details of foul and surface water being a matter for building control.*
- *The location of this barn is beyond the built up area of Burgess Hill and within the designated Countryside Area of Development Restraint, but this cannot be a consideration in the determination of this application. A new residential dwelling house on this site would be grouped with the three other neighbouring dwellings. The spacing of the barn relative to the other units would allow the residents to live independently and without adverse impact upon each other's amenities.*
- *The proposed design utilises architectural elements present in the existing building.*
- *Proposed plans and elevations submitted show that all habitable rooms will be served by windows and roof lights, providing adequate levels of natural light.*

Proposed Change of Use

Prior approval is sought for a change of use of the barn to a 4-bedroom house (C3). The open sides of the barn are to be enclosed, and windows and doors will be inserted as shown on application drawing 16019-P-110 Rev G. Any additional structural supports will be added internally.

The house will be set within the curtilage shown on drawing 16019-P-001 which will also provide private amenity space to the rear and car/cycle parking accessed off the shared lane.

General Permitted Development Order 2024

Class Q of the GPDO states that the following qualifies as permitted development:

(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.*

The proposed change of use meets the requirements of Part Q as follows:

- The building was used solely for agricultural purposes on 24th July 2023. The Statutory Declaration by Mr Foord confirms that the barn has been used for the keeping of agricultural machinery/equipment continuously since 1998. The declaration also confirms that this machinery has been used to cultivate, harvest and maintain the Pollards Farm fields and hedgerows.
- The proposed house would have a floorspace of 135m² and would therefore be below the 150m² limit.
- The cumulative number of separate dwellinghouses within the agricultural unit (i.e.1) would not exceed the limit (10).
- The site is not occupied under an agricultural tenancy and no agricultural tenancies have been terminated in the last year.
- No development has taken place on the site under Class A(a) or Class B(b) of Part 6 of the Schedule.
- The development would not result in the external dimensions of the building extending beyond the external dimensions of the existing building other than the proposed shutters on the north elevation. These would protrude by a maximum of 0.2m and would therefore be within the allowance of Part Q1(h)(ii).
- The conversion under Class Q will not consist of building operations other than the installation or replacement of windows, doors, roofs, exterior walls, and water, drainage, electricity or gas services.
- The application site is not on article 2(3) land.
- The property is not part of a site of special scientific interest, a safety hazard area or a military explosives storage area.
- The barn is not listed or a scheduled monument.

Conditions

This application seeks prior approval from the District Council of matters relating to transport, noise impacts, contamination risks, flooding risks, siting, floorspace and natural light on the following basis:

Highways – The proposed dwelling will utilise the existing site access which has generous vehicle visibility splays. The conversion of the barn to a single dwelling will not result in a significant change in the character or volume of traffic on the nearby road network and there are therefore no highway safety or capacity grounds on which to resist the proposals. The previous application (DM/22/0797) was not resisted by the County Council Highway Authority accordingly.

Noise Impacts of the Development – There are not considered to be any noise impacts associated with the proposed use or from surrounding land uses on the future occupants of the dwelling.

Flood Risk – The application site is located within Flood Risk Zone 1 and is not therefore within a zone where the GPDO requires the Environment Agency to be consulted. The submitted Flood Risk Assessment by Meridian Civils sets out a series of mitigation measures to ensure resilience over the lifetime of the development. These recommendations were previously accepted by the District Council Drainage Engineer.

Contamination – The barn was used for the storage of hay and agricultural equipment. Whilst there has been no history of contaminants on the site, the Council's Contaminated Land Officer previously concluded that appropriate mitigation measures should be secured by planning conditions.

Siting – The District Council previously concluded that a new house on this site ***“would be grouped with the three neighbouring dwellings. The spacing of the barn relative to the other units would allow the residents to live independently and without adverse impact upon each other's amenities.”***

Design & External Appearance - The proposed conversion has been sensitively designed to suit the setting and to indicate the former agricultural use of the building. The District Council concluded that the previous proposals would maintain a rural/industrial appearance which would complement the other barns. Whilst a different window arrangement is now proposed, the overall agricultural character of the barn would be retained.

Natural Light in all Habitable Rooms - All the proposed ground floor habitable rooms will have at least one full height window whilst the open plan living/kitchen/dining space will have five. The 1st floor bedroom will have two vertical windows and a rooflight. The proposed house would therefore receive significantly higher levels of daylight and outlook when compared to typical houses.

Nationally Described Space Standards – Since April 2021, the national minimum floorspace standards have applied to all new dwellings including those allowed through the prior approval process. The proposed conversion would create a 4-bedroom (8 person) house with a floorspace of 135m² and would thereby comfortably exceed the relevant minimum of 124m².

Conclusions

The above assessment demonstrates that all the relevant criteria set out in the General Permitted Development Order can successfully be achieved and prior approval should therefore be granted. The conversion of Pollards Barn to residential use has already been allowed on appeal and approved by the District Council and the minor revisions to the

proposed design are considered appropriate for the building and the local setting. We trust the planning authority will support the proposed change of use accordingly.

Applicant/Developer Details

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Agent Details

All communication is to be made via Nick Stickland (Stickland Wright Architects) at the following address:

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Application Documents

- Prior Approval Application Form
- Site Location Plan & Block Plan – 16019-P-001A
- Existing Floor Plan & Elevations – 16019-P-100A
- Proposed Floor Plan & Elevations – 16019-P-110G
- Proposed Sections – 16019-P-111E
- Aerial Photographs – 16019-P-200A
- Statutory Declaration by Mr K Foord
- Invoices from Mr K Foord
- Structural Engineer Statement by Haworth McCall
- Flood Risk Assessment by Meridian Civils

Yours faithfully

Lewis & Co Planning

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