



Appeal Decision

Site visit made on 28 August 2025

by J Heppell BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st October 2025

Appeal Ref: APP/D3830/W/25/3364775

Springfield Farm, Lewes Road, Scaynes Hill, West Sussex RH17 7NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr D Chewter against the decision of Mid Sussex District Council.
 - The application Ref is DM/24/2936.
 - The development proposed is described as “application under prior approval to comply with Class Q permitted development criteria”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Under Article 3(1) and Schedule 2, Part 3, Class Q of the GPDO, planning permission is granted for development consisting of a change of use of a building that is part of an established agricultural unit (EAU) and any land within that building’s curtilage to a use falling within Class C3 (dwellinghouses) together with building operations reasonably necessary to convert or extend the building. Limitations to the development permitted under Class Q are set out in GPDO paragraph Q1.
3. Paragraph Q1(a) states that development is not permitted by Class Q if, in the case of a site that is part of an EAU, the site was not part of the EAU on 24 July 2023 (criterion (i)); or, where the site became part of the EAU after 24 July 2023, for a period of at least 10 years before the development under Class Q begins (criterion (ii)).
4. Paragraph Q1(h) states that development is not permitted by Class Q which would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any 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).
5. Paragraph Q1(i) states that development is not permitted by Class Q if the development under Class Q(b) would result in an extension that, amongst other criteria, is sited anywhere other than to the rear of the existing building (criterion ii), or extends beyond a wall that forms a side or principal elevation of the existing building (criterion vi).
6. The application form does not specify extensions to the existing building. However, the plans before me propose the addition of three porches onto the walls of the building in addition to the change of use and other necessary operational development. I invited

comments from the parties on this element of the proposal in the context of the limitations to Class Q.

7. The appellant submitted an amended Site Location Plan (Drawing No 243234/01A) which includes within the blue line all the land owned by the appellant. As the change does not materially alter the proposals, no parties are prejudiced by the change, and I have therefore determined the appeal on the basis of the amended plan.

8. I saw on my site visit that the part of the first floor area of the building labelled as "Room 5" on the First Floor Plan Existing (Drawing no 243234/05) has been subdivided into smaller rooms. This discrepancy has not affected my assessment of the proposal.

Main Issue

9. The Council refused prior approval on the basis that the development failed to comply with the provisions of paragraph Q1(a) of the GPDO. It did so because it found insufficient evidence to demonstrate that the building had been used for the purposes of agriculture and that it formed part of an EAU on 24 July 2023.

10. In addition, the proposed porches require consideration against the limitations in paragraphs Q1(h) and Q1(i), notwithstanding that the Council raised no concern in this regard.

11. Consequently, the main issue in this appeal is whether the proposed development would be granted planning permission by Article 3(1) and Schedule 2, Part 3, Class Q of the GPDO, with particular reference to the limitations at paragraphs Q1(a), Q1(h) and Q1(i).

Reasons

Paragraph Q1(a)

12. The appeal site consists of a two storey L-shaped building which was granted approval in 2013 as a feed store and implement shed¹.

13. For Class Q, paragraph X of the GPDO defines an EAU as "agricultural land occupied as a unit for the purposes of agriculture on or before 20th March 2013 or for 10 years before the date the development begins". As the Council's Decision Report for the feed store and implement shed approval confirms that on 19 November 2013 Springfield Farm was an agricultural unit, it is reasonable to assume that it was already an EAU on or before 20 March 2013.

14. On the evidence before me, Springfield Farm is still in existence with the same boundaries as in 2013. I therefore find there is a strong probability that the appeal site was part of an EAU on 24 July 2023, in accordance with paragraph Q1(a)(i) of the GPDO.

15. The purpose of an Agricultural Holdings Certificate (AHC) is to ensure that anyone with an agricultural tenancy is notified of a planning application. Thus, the AHCs brought to my attention do not provide determinative evidence about whether the site is part of an agricultural unit, and I give them minimal weight.

16. Whether or not the 2013 proposal to introduce a breeding flock of ewes and to graze cattle and alpaca on the land came to fruition, this is not pertinent to satisfying

¹ LPA reference 13/03625/AGRDET

the requirements of Class Q. Moreover, the building itself does not need to be or have been used for agriculture for the purposes of a trade or business under the provisions of paragraph Q(a)(i) of the GPDO.

17. Taking all this together, I find the appeal site is part of an EAU and therefore the proposal accords with paragraph Q1(a) of the GPDO.

Paragraphs Q1(h) and Q1(i)

18. There is no suggestion that the porches would protrude by less than 0.2 metres.

19. Paragraph Q1(i) does not permit an extension anywhere other than to the rear of the existing building and does not permit an extension beyond a wall that forms a side or principal elevation of the building.

20. Even if I were to accept the appellant's argument that the current rear of the building faces the highway, only two of the proposed porches would be on that side of the building. Therefore, the third porch would extend a wall that forms a side or principal elevation. This would be the case notwithstanding that it would be open sided and would not provide habitable space. I therefore find the proposal would not accord with paragraph Q1(i) and as a consequence it would not accord with paragraph Q1(h).

21. Consequently, although I have found no conflict with paragraph Q1(a), the conflict I have found with paragraphs Q1(h) and Q1(i) leads me to conclude the proposed development would not be granted planning permission by Article 3(1) and Schedule 2, Part 3, Class Q of the GPDO.

Conclusion

22. For the reasons given above, I conclude that the appeal should be dismissed.

J Heppell

INSPECTOR