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20 May 2026
OUR REF: tpb_pa_3

Dear Ms Smith

POTATO BARN KINGSTON FARM KINGSTON LANE EAST PRESTON BN16 1RS
RESUBMISSION OF PRIOR APPROVAL FOLLOWING REFUSAL OF K/3/26/PD
CLASS Q OF PART 3, SCHEDULE 2 OF THE TOWN AND COUNTRY PLANNING
(GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER (2015) (AS AMENDED)
PLANNING COMPLIANCE STATEMENT

Proposal / Purpose of Statement

1. I am instructed by Mr C Walters & Mr T Walters (the Applicants) to prepare a Planning Compliance Statement in support of an application to Arun District Council for a determination as to whether prior approval is required for a change of use from agricultural use to residential (Use Class C3 dwellinghouses) at Potato Barn, Kingston Farm, Kingston Lane, East Preston.
2. The submission has been prepared following the Council's refusal to grant prior approval under **K/3/26/PD** for the following proposal:

"Prior approval under Schedule 2, Part 3, Class Q for the conversion of existing barn into 3 No. dwellings."

3. The prior approval was refused on 5 May 2026 on the following grounds only:

1 The proposal fails to accord with Q.3(1) in that the curtilage of the proposed dwellings includes land to the south of a ditch which is not closely associated with and serving the purposes of the building, in conflict with Q.3(1)(a) and the area of the curtilage of the proposed dwellings exceeds the area occupied by the building in conflict with Q.3(1)(b).

2 The proposal includes extensive hardstanding and fencing within the proposed curtilage, including the widening of the access road. These works go beyond those

which are reasonably necessary for the building to function as a dwelling and are not identified as permitted works under Q.1(j). The proposals are therefore in conflict with Q.1(j).

4. The Applicants and Project Team have carefully analysed the refusal grounds which has informed this resubmission.
5. The purpose of this compliance statement is to first analyse the refusal of **K/3/26/PD** and identify the areas of common ground between parties for this resubmission. It then outlines the changes made to the proposal, which is then followed by an assessment against the two refusal grounds. The statement ends with a short conclusion.

Assessment of K/3/26/PD

6. From reviewing the Officers Report for **K/3/26/PD**, the following matters can be assessed as common ground between parties for the purposes of this resubmission.

Analysis of Permitted Development Descriptions – Q1	
Q1(a)	The site remains part of an agricultural unit and was in agricultural use until September 2024
Q1(b)	Not Applicable
Q1(c)	The development proposed consists of 3 units, and these do not exceed 150sqm as shown on the submitted plans.
Q1(d)	The number of dwellings on site would not individually or cumulatively exceed 10, nor would it exceed 1000sqm.
Q1(e)	The site is occupied under an agricultural tenancy, and express consent has been obtained from the landlords and tenant. Statutory declarations have been submitted to demonstrate this.
Q1(f)	Will comply.
Q1(g)	Complies – no development has been carried out under Classes A(a) or B(a) of Part 6.
Q1(h)	No extensions are proposed; the proposed works do not exceed the existing external dimensions by more than 0.2m.
Q1(i)	No extensions are proposed.
Q1(j)	A structural survey was submitted with the application that concluded that the building is suitable for conversion without the need for extensive structural alteration. The proposed works to remain largely related to the insertion of windows and doors, and are not considered to go beyond what is "reasonably necessary".
Q1(k)	The site is not on article 2(3) land
Q1(l)	The site is outside of any of these areas.

Q1(m)	There are no scheduled monuments on site.
Q1(n)	The barn is not listed.
Q1(o)	The buildings are capable of complying with the Nationally Described Space Standards.
Q1(p)	The building has a suitable existing vehicular access to the public highway.

Assessment of Conditions – Q2

Transport & Highways	Access to the building is via an existing rural track, which is surfaced with hardcore. Despite its character, the road was assessed as being suitable for multiple dwellings and poses no safety concerns. WSCC Highways raised no objection. No recorded accidents have been identified. The potential increase of up to six vehicles was assessed as not being a material intensification of use. Given the low traffic speeds, no harm was identified to the users of the shared footpath. It was assessed that the site also provides sufficient space for parking.
Noise & Contamination	The proposed residential use would be expected to generate less noise than the former agricultural use. The building's former use as storage did not raise concern regarding contamination. Environmental Health were consulted on the application and raised no objection, but recommended a standard condition regarding unexpected contamination.
Flooding	The site is within Flood Zone 1, and is at future risk of flooding from rivers and sea according to EA mapping. The Council's recently published SFRA shows the site not to be at risk of flooding in the future accounting for climate change. Recent communication with the EA indicates that there known issues which climate change modelling in the Arun area as shown on the Flood Risk Map for Planning, and that the Council's SFRA should be relied upon to understand whether a site is at risk of flooding in the future accounting for climate change. On this basis, the site would not be considered at future risk of flooding. There are areas of surface water flood risk which are in the vicinity of the site. These do not encroach within the building footprint, although they are located immediately adjacent to the building at points. An FRA was submitted which provided an overview of flood risk on site. It was assessed by the Council that there is no opposition to the application on grounds of flood risk.
Suitability of Site	Q.2(e) does not apply a test as to the sustainability of the location. The site is located outside of the Built Up Area Boundary, and it is likely that occupiers would require private vehicle in order to access employment and services. However, it was assessed that the location was not impractical, as access to the site is achievable and the site is within proximity of other rural dwellings, and

	there are no logistical constraints preventing conversion in terms of provision of basic services to the building.
Visual Impact	The dwelling would be in a rural location, which would be visible from the nearby PROW. The conversion would alter appearance of the building and the wider site, due to the insertion of fenestration and cladding, and the parking which would be associated with residential use of the building. Whilst the change of use would be visually apparent from the rear and the PROW, which turns north alongside the rife when it reaches the end of Kingston Lane, the location of the barn is not so isolated or so prominent that this alteration would result in harm to the visual amenity of the area which would justify refusal of this permission.
Design & External Appearance	No extensions to the building are proposed. The proposals include the introduction of glazing and openings, which are permitted under the legislation and necessary to ensure adequate natural light for future occupants. The level of windows proposed provided less glazing than the approved scheme for 4no. dwellings under K/9/25/PD . In the context of a conversion, and for the purposes of the prior approval, the design and external appearance of the unit was assessed as being satisfactory. An appropriate choice of materials can be secured via condition.
Natural Light	The proposals include the insertion of fenestration, and all bedrooms and habitable rooms have a window. The proposed dwellings would have sufficient natural light.

Amended Proposal

7. The following amendments have been made to the prior approval proposal:

- Reduction in size of curtilage to the north, east, south and west of the building.
- Reconfiguration of car parking spaces on existing hard standing.
- Removal of parking spaces to east of access road.
- Removal of widening of vehicular access.

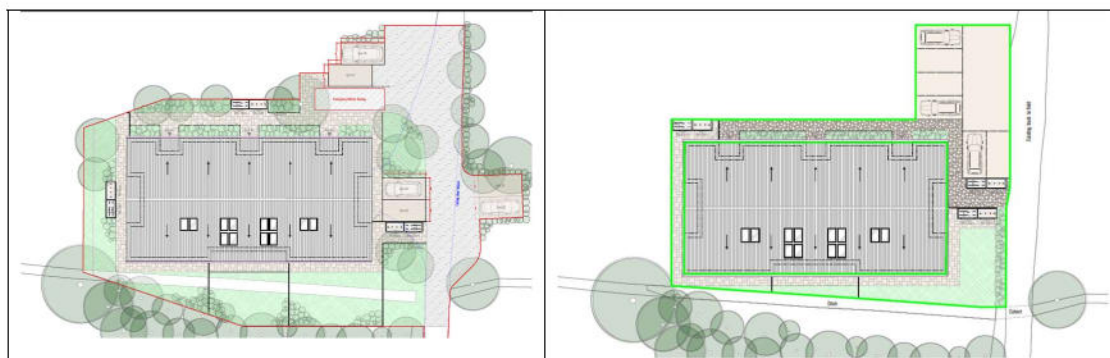


Figure 1: Site Plan for K/3/26/PD (left). Amended Site Plan (right).

8. The size of the curtilage measures 383.5sqm, with the footprint of the existing barn being 387.5sqm.

Assessment Against Refusal Grounds

(i) Assessment Against Clause Q.3.(1)

9. The amended plans have significantly reduced the size of the curtilage, in response to the first refusal ground. To the north and east of the building, the curtilage is now the same as the area approved under **K/9/25/PD**. To the south of the building, the proposed curtilage does not go to the south of the ditch. It was outlined in the Officer Report that the area to the north of the ditch could reasonably be considered the curtilage of the building, as general maintenance and access to plant would be required on this southern elevation. To the west, the curtilage is actually narrower than the curtilage which was granted under **K/9/25/PD**.
10. Therefore, in relation to Q.3.(1)(a), the now amended curtilage is land which is immediately around the building and closely associated with and serving the purposes of that building, thereby fully meeting this criterion.
11. In relation to Q.3 (1)(b), the proposed curtilage is 383.5sqm and therefore not larger than the land area of the building (387.5sqm).
12. With reference to the above assessment, the amended proposal fully addresses Clause Q.3.(1).

(ii) Assessment Against Clause Q.1.(j)

13. Given the significant reductions to the proposed curtilage, it now aligns very closely to the curtilage approved under **K/9/25/PD** and removes widening the access road. There is significantly less hardstanding and no fencing. The works around the building are therefore works which are de-minimis and can be assessed as being reasonably necessary for the building to be used as a dwellinghouse.
14. For the above reasons, the amended proposal now fully addresses Clause Q.1.(j).

Conclusion

15. I trust this statement outlines the significant common ground between parties for the purposes of this resubmission. The amended proposals positively respond to the Council's decision under **K/3/26/PD** and fully addresses the two remaining grounds.
16. On this basis it has been demonstrated that the change of use would meet all the requirements of Class Q of the GPDO.
17. We therefore look forward to receiving the Council's confirmation that prior approval is not required. Please do not hesitate to contact me if you need anything during the application process.

Yours sincerely


Neal Thompson BSc (Hons) MSc MRTPI
ROBINSON ESCOTT PLANNING