25th November 2024

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Horsham District Council Planning

Dear Sir/Madam,

Re: Prior Notification of Proposed Agricultural Building at 'Field of Dreams', Betley Lane, Henfield, BN5 9QT.

On behalf of our client Ms Gardner, we are seeking confirmation from Horsham District Council that Prior Approval is not required to implement Class A of Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The notification relates to a proposed agricultural building to be constructed at 'Field of Dreams', Betley Lane, Henfield, BN5 9QT ('the site').

Together with this covering letter, the application submission includes the following information:

- Completed Application Forms;
- Planning Fee;
- Location Plan;
- Existing Block Plan;
- Proposed Block Plan;
- Proposed Site Plan;
- Proposed Floor Plan and Elevations.

The submission, including this covering letter provides all the relevant information required to meet the conditions identified in Part 6, Class A.2 (2) (i) and (ii).

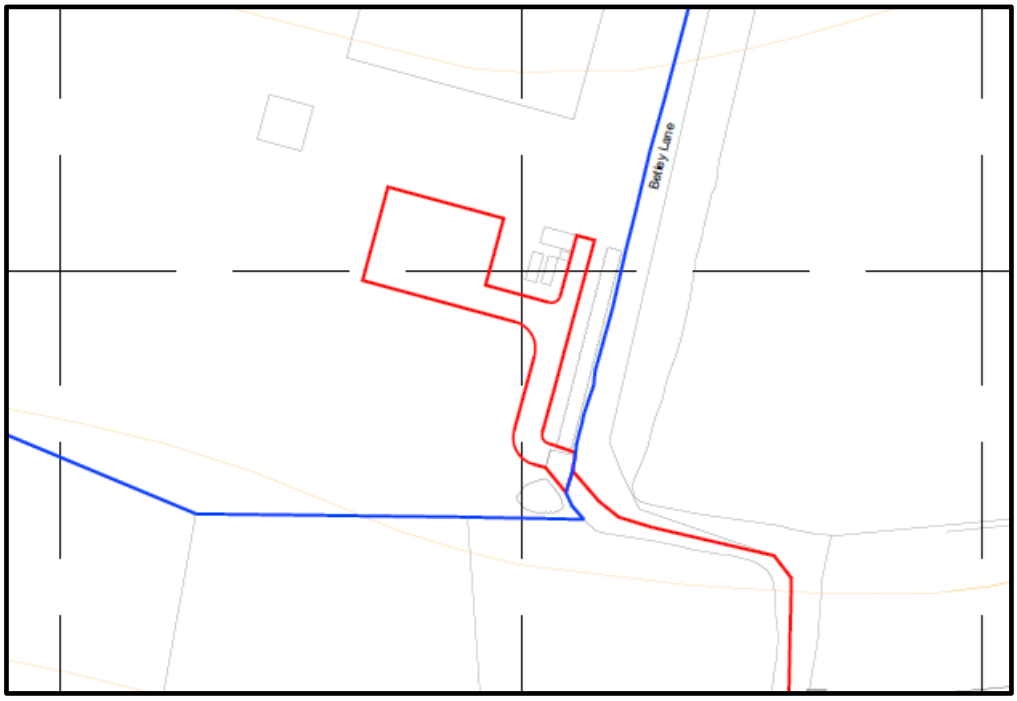
The Site – 'Field of Dreams'

The application site is located within 7.5ha of land, located to the west of Betley Lane, near Henfield.

The vehicular access lies to the south east of the proposed agricultural building.

The applicant purchased the land over three years ago and the land has been used for producing hay since that time. The hay is taken from the land to be sold as there are currently no suitable storage facilities on the land. Prior to this, the land was used for growing ryegrass for sileage and hay for animal consumption for many years.

Location Plan:



The Proposal

The proposal is to construct an agricultural building for the purpose of storing hay and agricultural equipment required to maintain the land and produce the hay. A 3m concrete skirt is proposed around the building which is recommended by the barn supplier.

The proposed building is 20 metres in length and 12 metres in width. The eaves height of the building is 4 metres and the total ridge height is 5.5 metres.

The building consists of vertical timber weatherboarding (castle boarding treated pine) and green steel sheet roof. The building has four bays.

The design of the building is simple and functional, and has been designed to meet the specific needs of the agricultural operation. It will be well located close to the access on to the land and is well placed for the agricultural operation on the land.

The remainder of this Covering Letter addresses the proposal in relation to the requirements set out within Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Schedule 2, Part 6, Class E

Part 6, Class A of the General Permitted Development Order states that permitted development consists of the following:

'The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of –

(a) Works for the erection, extension or alteration of a building; or
(b) Any excavation or engineering operations,

Which are reasonably necessary for the purposes of agriculture within that unit.'

Class A.1 sets out the circumstances where development is not permitted.

The proposed building is considered to be permitted development, for the following reasons:

(a) The development would not be carried out on a separate parcel of land forming part of the unit which is less than 1ha in area;
(b) It would not consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A (e) begins;
(c) It would not consist of or include the erection, extension or alteration of a dwelling;
(d) It would involve the provision of a building designed for agricultural purposes
(e) (ii) The ground area of the building would not exceed 1000m^2;
(f) The height of the building would exceed 3 metres (5.5 metres) but it is not within 3 km of the perimeter of an aerodrome;
(g) The site is not within 3km of an aerodrome and would not exceed 12 metres in height;
(h) No part of the development would be within 25 metres of the metalled part of a trunk road or classified road;
(i) The proposed building would be within 400 metres of the curtilage of a protected building. However, it will not be used for livestock or for the storage of slurry or sewage sludge;
(j) It would not involve excavations or engineering operations on article 2(4) land which are connected with fish farming; or
(k) The building would not be used for storing fuel or waste from a biomass boiler or anaerobic digestion system. The proposed building will be used for storage of hay and agricultural machinery associated with the agricultural business operating on the land.

Class A.2 (Conditions)

Class A.2 provides conditions whereby development under Class A for the erection of a building is permitted. Development is permitted by Class A subject to the following conditions:

(a) Where development is carried out within 400 metres of a protected building, the building should not be used for accommodating livestock or for the storage of slurry or sewage, for housing a biomass boiler or anaerobic digestion system of for the storage of fuel or waste from the boiler or system of for housing a hydro-turbine. It is confirmed that the development will be within 400 metres of the curtilage of a protected building, however it will not be used for livestock or for the storage of slurry or sewage sludge;
(b) The proposed development does not involve the extraction of minerals or the removal of minerals;
(c) Waste materials will not be brought on to the land from elsewhere;

Part (2) specifies that development consisting of the erection of a building is permitted by Class A subject to conditions as follows:

(i) The developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building or, as the case may be, the siting and means of construction of the private way;
(ii) The application must be accompanied by a written description of the proposed development and of the materials to be used and a plan indicating the site together with any fee required to be paid;
(iii) Sets out that development must not begin must not begin before (aa) to (cc) have occurred.

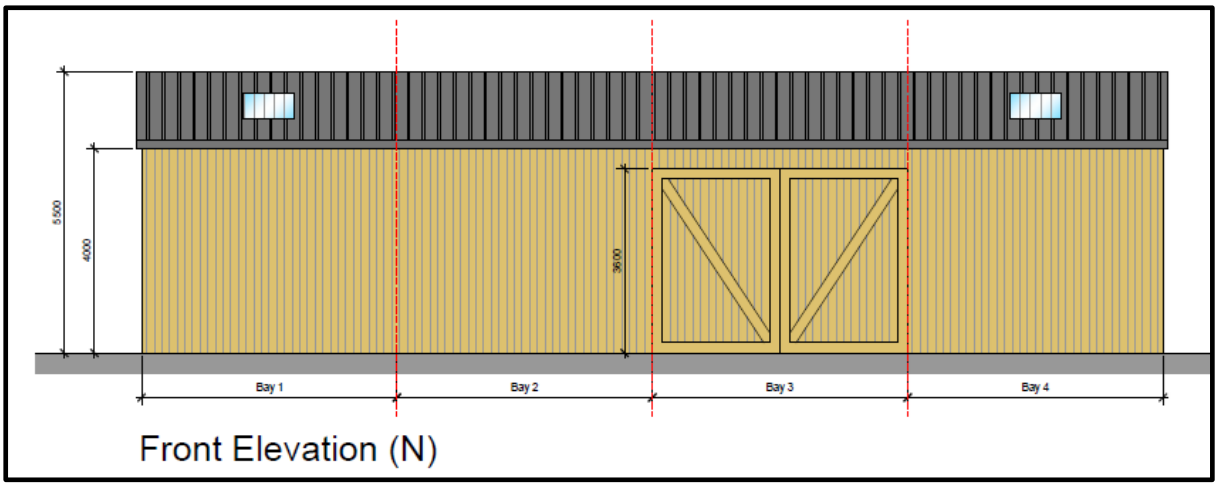
This application constitutes the submission under Class A.2 for a determination as to whether the prior approval of Horsham District Council will be required for the siting, design and external appearance of the building.

The agricultural business has been operating for over 3 years, it involves making hay on the land, which is then sold locally. As there are no buildings on the land which are suitable for storing the hay and machinery, the hay is taken from the land to be sold on. Some of the hay that is kept on the land is stored under tarpaulins which is not ideal as it risks becoming damaged and not suitable for sale. A building for storing the hay and machinery on the land will allow the business to be more productive.

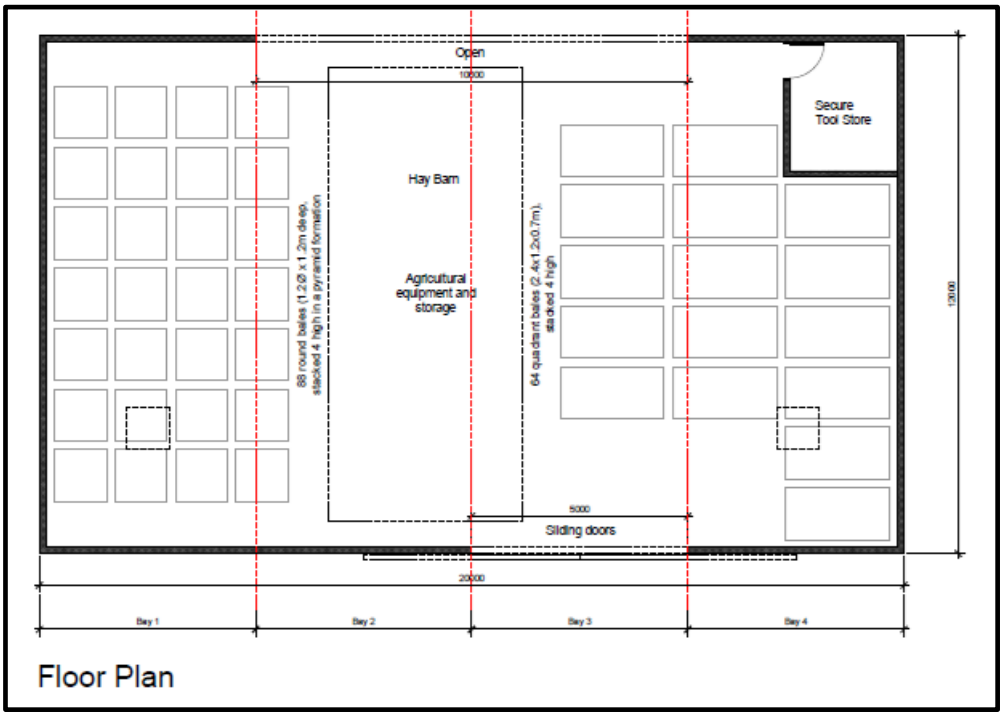
The proposed siting of the building has been selected as it is close to the access. It is therefore not within an isolated location, being close to Betley Lane.

The design of the proposed building is a simple, functional utilitarian structure to support the immediate needs of the existing agricultural business operating at Field of Dreams.

The external appearance consists of simple timber weatherboarding and green steel sheet roof. These materials are used on many agricultural buildings throughout the countryside and will fit well with the rural location.



The agricultural building will provide a clean, dry storage area that is purpose built for the storage of hay and machinery associated with the agricultural work on site. There are currently no buildings on the land which can serve this purpose and therefore the building is reasonably necessary for the agricultural operation.



As such it is considered that prior approval of these details should not be required by Horsham District Council.

Class A.2 (2) (i) states that:

The application must be accompanied by a written description of the proposed development, the materials to be used and a plan indicating the site together with any fee required to be paid;

The written description of the proposed development has already been provided earlier within this covering letter which includes the dimensions of the building and the materials proposed to be used. A location plan with a scale has been provided which shows the proposed location of the building together with the land parcel the building will be situated within. The planning fee shall be duly paid by our client. The requirements of Class A.2 Part 2 (b) are therefore considered to be met.

Class A.2 sets out further conditions (iii) (aa), (bb) and (cc) which relate to the commencement of development, the display of a site notice should prior approval be required, the development being carried out in accordance with the submitted details and finally, the time period within which the development should be carried out.

Conclusion

This prior notification application seeks confirmation from Horsham District Council that prior approval is not required for the erection of an agricultural building to support the agricultural enterprise at Field of Dreams. The application is submitted in order to comply with Schedule 2, Part 6, Class A.2 Part 2 (i). It concludes that the proposed agricultural building is reasonably necessary for the purposes of agriculture under Class A (a) and is considered permitted development under Class A.1 (a) – (k). The conditions set out within Class A.2 have been duly met through the submission of the application supporting particulars.

We trust that on this basis that Horsham District Council will be able to confirm within 28 days that prior approval will not be required for the proposed agricultural building.

If there are any further questions or further information is required in relation to the application please do not hesitate to contact us.

Yours Faithfully,



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