13th June 2024

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Dear Sir/Madam

**Re: Prior notification for the construction of a Livestock Barn, Field Farm, Sands Lane, Dial Post**

**Introduction**

Please find enclosed a prior notification application for the construction of a livestock building at Field Farm, Dial Post. I have set out below the need for the development, a justification for the agricultural building and how the application complies with the General Permitted Development Order (2015) (as amended). The application is submitted on behalf of the farm tenant (Mr. David Exwood), who is a farm tenant of the Christ Hospital Foundation (CHF). This application is accompanied by a suite of drawings and an agricultural justification report, which provides further detail on the need for the development.

**Planning History**

To the south of the site are two agricultural barns which are used as grain, hay and general purpose agricultural storage for the farm. Horsham District Council (HDC) determined that Prior Approval was not required for the erection of the proposed agricultural barns in March 2019 (ref: DC/19/0306) and May 2021 (ref: DC/21/0935). Most recently a prior notification application was submitted for the proposed site to provide a 1,000m$^2$ livestock barn (ref: DC/24/0494) which was also determined by HDC to not require Prior Approval.

**Need for Development**

Field Farm totals 446 acres (181 hectares) and comprises of approximately 377 acres (152 hectares) of arable land and 45 acres (18 hectares) of grassland. The farm has a requirement for a new building to house cattle livestock to accommodate their growing dairy beef enterprise.

Field Farm comprises two existing agricultural buildings, constructed in 2019 and 2021, which make provision for grain, hay and general purpose agricultural storage, with a total storage space of 1,980m$^2$ across the two buildings. The existing buildings are used throughout the year and therefore cannot be used to house the additional livestock.

The proposed livestock building will provide a total of 1,014m$^2$ of straw yards, rising to 1,282m$^2$ when including the livestock feed passages. The proposed livestock housing is 1.05 times the minimum space requirements for the maximum head of livestock proposed for the holding, based on Red Tractor standards, and can therefore be considered reasonably necessary for the livestock system.

The accompanying agricultural justification report provides further detail on this aspect of the development.

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**Design of the Building**

The barn will be 39.624m long and 36.576m wide to provide two straw bedded cattle yards, with a central feed passage. The height to the ridge of the building will be 11.01m and 5.48m to the eaves.

The building will have pressed concrete panels walling to 2m and Yorkshire boarding from the panels to 0.99m below the eaves on the north and south elevations. The gable ends will also be clad with Yorkshire boarding. The roof will comprise of grey fibre cement sheets, with roof lights, emulating the approved agricultural barns opposite. The building will also have sheeted livestock gates on the east and west elevations, either side of the 4.6m open central feed passage. Solar panels have been incorporated onto the roof of the building to provide sustainable electricity for the farm.

The building is of a typical agricultural design, scale and function and therefore suitable for the purposes of agriculture. The supporting drawings produced by MacConvilles further illustrate the design of the building.

**Compliance with General Permitted Development Order (GPDO) (2015) (as amended)**

On 30 April 2024 legislative changes to agricultural permitted rights were announced with the amendments coming into force on 21 May 2024. With regards to Part 6 (Class A) (Agricultural development on units of 5 hectares or more) (a) of the GPDO, provision is now made for works for the erection, extension or alteration of a building up to 1,500m$^2$, which are reasonably necessary for the purposes of agriculture within that unit **(Appendix A)**.

Further detail demonstrating compliance is set out at Section 5 of the accompanying Agricultural Appraisal.

**Prior Notification Process**

Part 6 (Class A) A.2 2(a) of the GPDO explains that:

*(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, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;*

*(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;*

This application seeks to ascertain whether prior approval is required, and is accompanied by a written description of the proposed development, a plan indicating the site, drawings showing the proposed building.

A payment of £120.00 will be made directly to HDC, which constitutes the requisite fee.

Yours Sincerely

[redacted]

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## Appendix A – Part 6 Class A of the General Permitted Development Order

**Permitted development**

**A. 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.**

**Development not permitted**

**A.1.** Development is not permitted by Class A if—

(a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;

(b) it would 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(a) begins;

(c) it would consist of, or include, the erection, extension or alteration of a dwelling;

(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;

(e) the ground area which would be covered by—

(i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations [F1would exceed 1,000 square metres]; or

(ii)any building erected or extended or altered by virtue of Class A [F2would exceed 1,500 square metres], F3... calculated as described in paragraph D.1(2)(a) of this Part;

(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; F4...

(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—

(i)would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or

(ii)is or would be within 400 metres of the curtilage of a protected building [F5; or

(l) the erection or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument].

**Conditions**

**A.2. -** (1) Development is permitted by Class A subject to the following conditions—

(a) where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development are not used for the accommodation of livestock except in the circumstances described in paragraph D.1(3) of this Part or for the storage of slurry or sewage sludge, for housing a biomass boiler or an anaerobic digestion system, for storage of fuel or waste from that boiler or system, or for housing a hydro-turbine;

(b) where the development involves—
(i)the extraction of any mineral from the land (including removal from any disused railway embankment); or
(ii)the removal of any mineral from a mineral-working deposit,the mineral is not moved off the unit;

(c) waste materials are not brought on to the land from elsewhere for deposit except for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought are incorporated forthwith into the building or works in question.

(2) Subject to sub-paragraph (3), development consisting of—

(a) the erection, extension or alteration of a building;

(b) the formation or alteration of a private way;

(c) the carrying out of excavations or the deposit of waste material (where the relevant area, as defined in paragraph D.1(4) of this Part, exceeds 0.5 hectares); or

(d) the placing or assembly of a tank in any waters,

is permitted by Class A subject to the following conditions—

(iii) 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, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;

(iv) 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;

(v) the development must not begin before the occurrence of one of the following—

(aa) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;

(bb)where the local planning authority give the applicant notice within 28 days following the date of receiving the applicant's application of their determination that such prior approval is required, the giving of such approval; or
(cc)the expiry of 28 days following the date on which the application under sub-paragraph (2)(ii) was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;

(vi) where the local planning authority give the applicant notice that such prior approval is required, the applicant must—

(aa)display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant; and

(bb)where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in sub-paragraph (iv)(aa) has elapsed, the applicant is treated as having complied with the requirements of that sub-paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement;

(vii) the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—

(aa)where prior approval is required, in accordance with the details approved;

(bb)where prior approval is not required, in accordance with the details submitted with the application; and

(viii) the development must be carried out—

(aa)where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given;

(bb)in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (d)(ii).

(3) The conditions in sub-paragraph (2) do not apply to the extension or alteration of a building if the building is not on article 2(4) land except in the case of a significant extension or a significant alteration.

(4) Development consisting of the significant extension or the significant alteration of a building may only be carried out once by virtue of Class A(a).

(5) Where development consists of works for the erection, significant extension or significant alteration of a building and—

(a) the use of the building or extension for the purposes of agriculture within the unit permanently ceases within 10 years from the date on which the development was substantially completed; and

(b) planning permission has not been granted on an application, or has not been deemed to be granted under Part 3 of the Act, for development for purposes other than agriculture, within 3 years from the date on which the use of the building or extension for the purposes of agriculture within the unit permanently ceased,

then, unless the local planning authority have otherwise agreed in writing, the building or, in the case of development consisting of an extension, the extension, must be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the local planning authority and the developer.

(6) Where an appeal has been made, under the Act, in relation to an application for development described in sub-paragraph (5)(b), within the period described in that paragraph, that period is extended until the appeal is finally determined or withdrawn.

(7) Where development is permitted by Class A(a), within 7 days of the date on which the development is substantially completed, the developer must notify the local planning authority in writing of that fact.