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Planning Statement

Town and Country Planning (General Permitted Development) (England) Order 2015

Agricultural Prior Notification application for construction of general purpose agricultural building and associated completion of improvement of agricultural land (via importation of material) to to enable conversion to arable production on land at Ends Place and Broomlands Farm, Broadbridge Heath

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1. INTRODUCTION

1.1. This Planning Statement is submitted in support of an Agricultural Prior Notification application for the proposed construction of a general purpose agricultural building and completion of improvement in agricultural land land (via importation of material) to enable its conversion to arable production on land at Ends Place and Broomlands Farm, Guildford Road, Broadbridge Heath.

1.2. The site comprises part of an agricultural holding that extends to some 635 acres. The application field parcel comprises land that has been the subject of improvement via the importation of material to enable its reversion to arable production, pursuant to an Agricultural Prior Notification application approved on 28th February 2018 (LPA reference DC/18/0130).

1.3. This work was substantively completed, except for an area in the southern corner of the field parcel. It is proposed to complete the works as previously approved, and also construct a general purpose agricultural building on the land to serve the holding. This would be some 15m wide and 36m long, with a ridge height of 5.8m.

1.4. The application should be read in conjunction with the following plans and documentation:

- Drawing Number: EA0178/PL1 - Location Plan and Block Plan;
- Drawing Number: EA0178/PL2 - Existing Site Levels Plan;
- Drawing Number: EA0178/PL3 - Proposed Site Levels Plan;
- Drawing Number: EA0178/PL4 - Proposed Floor Plan and Elevations;
- Drawing Number 260-010-020 Rev A - Land Ownership Plan; and
- Application Forms.

1.5. This application seeks a determination from the Local Planning Authority (LPA) as to whether prior approval will be required as to the siting, design and external appearance of the proposed building, in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO), and in particular Class A, Part 6 of Schedule 2. This sets out that certain development works associated with agricultural are 'permitted development', but require the submission of information to the LPA to enable them to determine whether prior approval is required with respect to specific details of the scheme.

1.6. This reports sets out a brief description of the site (Section 2); a summary of the background of of the site and wider farm holding (Section 3); details the legislative background to agricultural permitted development rights (Section 4); describes the proposed works (Section 5); considers whether the works are reasonably necessary for the purposes of agriculture within the unit (Section 6); assesses compliance of the scheme against the allowances and limitations of the General Permitted Development Order (Section 7); and sets out considerations of siting, design and external appearance of the building (Section 8). A summary is provided at Section 9.

2. SITE DESCRIPTION

2.1. The application site lies to the northwest of Broadbridge Heath, on the east side of the A281 which runs in a broadly southeast-northwest direction at this point.

2.2. The site comprises a single field parcel that is part of the wider agricultural unit known as Ends Place and Broomlands Farm. The field parcel is bordered to the north by land and buildings that comprise Farlington School; to the east and south by agricultural land; and to the west by Guildford Road (A281).

2.3. The field parcel is typically bounded by mature trees and hedgerows.

2.4. There is an existing vehicular access, off the Guildford Road (A281), positioned broadly centrally within the field parcel frontage with the public highway. This comprises a hardstanding access with an entrance gate set back some 17m from the back edge of the highway.

2.5. The topography of the land generally rises gently toward the centre of the site. There is a more general fall in local topography in a north to south direction.

2.6. The field parcel has been the subject of improvement, to enable its conversion to arable production. The exception to this is the southern corner of the site, covering an area some 50m wide (east-west) and some 110m long (north-south). This has been stripped of top soil, and this is stored in a a bund running alongside the western boundary of the site. The ground area of this part of the field parcel is a maximum of some 1.5m lower than the surrounding field along the eastern edge of the application site area, which graduates back to surrounding ground level in a westerly direction.

3. BACKGROUND

3.1. The field parcel to which this application relates was requisitioned and used during World War II for the construction of an army camp, possibly occupied by Polish soldiers. Evidence of this is available in aerial photographs taken in the 1940s.

3.2. Upon cessation of the use, the above-ground structures were removed from the site. However, below-ground material, in particular in relation to hardstandings, access road, foundations and infrastructure were left in-situ.

3.3. The land subsequently reverted to agriculture, and was used for grazing purposes.

3.4. The land was purchased as part of Ends Place Estate by the current owner's family in 1986. It is now part of a wider holding that includes the remainder of Ends Place as well as Broomlands Farm which in total extends to some 635 acres. This includes land that lies to the east and north of the application field parcel, bordering the north and south sides of Strood Lane. The main farm centre is located at Ends Place, some 680m to the north-east.

3.5. The land was originally let to the Luckin family who ran a mixed arable and livestock enterprise, which included a dairy herd. Following the death of Mr Tom Luckin in circa 1990, the farm passed to his son, Mr Philip Luckin.

3.6. In the mid 1990's the land reverted back to the landowners and was subsequently let to a Mr and Mrs Woodley. They operated an arable enterprise on the holding, and the land was let separately for grazing. Their tenancy of the holding ended in circa 2015.

3.7. More recently, the Ends Place and Broomlands Farm holding was let to Dominic Gardner. In keeping with the wider rationalisation of the agricultural industry, who operates a wholly arable enterprise.

3.8. Notwithstanding, this, the application field parcel was unsuitable for arable production due to the poor ground conditions. This in particular related to the hardstandings, access road, foundations and infrastructure left in-situ, upon cessation of the use of the land as an army camp at the end of the Second World War, preventing the ground being ploughed, seeded and cropped.

3.9. On this basis, an agricultural prior notification application was submitted to the LPA in January 2018, to improve the agricultural land via material importation to enable its conversion to arable production.

3.10. The works comprised the importation of material to enable the ground levels of the field to be raised by an average of some 700mm. This was to enable the ground to be ploughed without incurring conflict with the in-situ foundations and groundworks. The maximum increase in height was proposed at the centre of the field parcel, in the order of some circa 2m, to enable ground levels to fall naturally for the purposes of drainage, but retain an increased height toward the margins of the site of some 700mm, thus facilitating use of the majority of the field for arable production. It was proposed that the imported material would merge around the periphery of the field with existing ground levels. These areas would not be ploughed and would comprise headlands.

3.11. In a decision notice dated 28th February 2018, the LPA confirmed that prior approval for the works was required and was granted (LPA reference DC/18/0130).

3.12. Works were commenced shortly after approval was granted. This comprised the stripping and storing on-site of existing topsoil, and the importation of material to raise the ground levels.

3.13. The implementation works were however temporarily halted due to the Covid pandemic of March 2020. Subsequently, material for the works was difficult to source, due to the slow down in available clean naturally occuring soils from construction works in proximity of the site, as a result of the Position Statement issued by Natural England in September 2021 in respect of the impact of ground water abstraction in the Sussex North Water Resource (Supply) Zone on the Arun Valley Special Area of Protection, Special Area of Conservation and Ramsar Site.

3.14. It is a 'condition' of works undertaken under the allowances of Class A, Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, that

the development must be carried out within a period of 5 years from the date on which the prior approval was given (ie on or before 28th February 2023).[1]

3.15. As of that date, approximately 80% of the requisite material had been imported. The material had been spread in the approved form over the northern and eastern parts of the field parcel.

3.16. This area has subsequently been finished with the site stripped topsoil and the land reverted to a condition suitable for arable production.

3.17. However, the southern corner of the site remains unfinished.

4. LEGISLATION

4.1. The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) came into force on 15th April 2015.[2]

4.2. It has subsequently been amended, including on 6th April 2018, by Statutory Instrument 2018: No.: 343, and most recently by Statutory Instrument 2024: No.: 579 which came into effect on 21st May 2024.

4.3. Part 6 of Schedule 2 relates to agricultural and forestry development. Class A relates to agricultural development on units of 5 hectares or more. This notes that permitted development includes the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area (Part 6, Class A (a)) works for the erection, extension or alteration of a building, which is reasonably necessary for the purposes of agriculture within that unit.

4.4. Class A.1 sets out a series of limitations to the permitted development, while Class A.2 sets out a series of conditions which must be adhered to, for the works to be considered permitted development.

4.5. Part 6, Class A.2(2)(i) states that in relation to the 'erection, extension or alteration of a building' that before beginning the development, an application must be submitted 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.

5. PROPOSED WORKS

5.1. The application proposal relates to part of a field parcel, that in total extends for some 11.6 hectares. The majority of the field parcel has been the subject of improvement via importation of soil to enable its conversion to arable production.

5.2. As a result of a combination of the Covid pandemic and lack of suitable, locally available soils as result of 'water neutrality' issues, the approved improvements works were not fully

[1] A.2(2)(vi)(aa) of Part 6 of Schedule 2 of the GPDO

[2] Statutory Instrument 2015: No.: 596

completed prior to the 'expiry' of the time limited period for implementing the works in February 2023.

5.3. It is now proposed to complete the land improvement works in accordance with the previously approved details. This relates to an area toward the southern corner of the field parcel some some 50m wide (east-west) and some 110m long (north-south). This has been stripped of top soil, and this is stored in a a bund running alongside the western boundary of the site. The ground area of this part of the field parcel is a maximum of some 1.5m lower than the surrounding field along the eastern edge of the application site area, which graduates back to surrounding ground level in a westerly direction.

5.4. It is proposed to import material to raise the ground levels and enable the recovering of topsoil and merging of the area with surrounding ground levels.

5.5. It is then proposed to construct a general purpose agricultural building on the land to serve the holding. This would be some 15m wide and 36m in length. It would have a ridge height of 5.8m and eave height of 4m.

5.6. It would be aligned broadly parallel with the public highway (Guildford Road) and be sited some 34m from the road at its closest point.

5.7. Access would be via a hardstanding track (some 4m wide) running south from the existing vehicular access way for a distance of circa 60m to the northern edge of the building.

5.8. The external walls of the building would be faced with profile metal sheeting (colour finish Juniper Green) and the roof would be covered with a profile metal roof cladding (colour finish Anthracite Grey).

5.9. There would be sliding vehicular access doors positioned centrally in the north facing gable elevation, with all other elevations blank.

5.10. The building would be used as a general purposes agricultural store primarily for agricultural machinery associated with the wider farm holding. This would supplement the buildings at the main farm centre (Ends Place), some 680m to the northeast, accessed off Strood Lane. This comprises a grain store, together with associated implement sheds and dutch barns.

6. ARE THE WORKS REASONABLY NECESSARY FOR THE PURPOSES OF AGRICULTURE

6.1. Class A of Part 6 of Schedule 2 of the GPDO requires that the works proposed to be carried out under permitted development, must be "*reasonably necessary for the purposes of agriculture within that unit.*"

6.2. The definition of 'agriculture' as set out in Section 336 of the Town and Country Planning Act 1990 is:

"Includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purposes of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that is ancillary to the farming of land or other agricultural purposes, and 'agriculture' shall be construed accordingly."

6.3. The agricultural holding is well established. It comprises predominantly arable production that extends to some 635 acres, together with small areas of woodland.

6.4. The application field parcel was formerly used as pasture, but this ceased upon use of the holding for arable production. The works to improve the ground, via material importation are required to enable the ground to be ploughed without impediment from the footings on the land associated with the site's use in World War II.

6.5. The works associated with this are in accordance with, and a completion of, the works previously approved by the LPA under an agricultural prior approval application in 2018.

6.6. The scheme also envisages the construction of a general purpose agricultural building. This is to be used as a store for agricultural equipment and associated items, including chemicals and fertilisers etc.

6.7. It would be used in conjunction with the main farm centre, which provides requisite building space for grain storage and storage of hay and straw etc.

6.8. The building is therefore required to support the existing agricultural enterprise. The use falls within, and is reasonably necessary for, the purposes of agriculture.

7. CONSIDERATION OF PROPOSED WORKS AGAINST ALLOWANCES AND LIMITATIONS OF THE GPDO

7.1. Class A.1 sets out the limitations of development that comprise permitted development under Class A of Part 6 of Schedule 2. Each of these are now considered in turn below.

A.1(a) Development is not permitted if it would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area.

7.2. The works relate to a part of a field parcel that is some 11.6 hectares in area. This is contiguous with a land parcel to the east, which in turn connects to further land parcels to the north which all comprise part of the same agricultural unit (see Land Ownership Plan).

A.1(b) Development is not permitted if it would consist of the erection or extension of an 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.

7.3. The proposed works include the erection of an building on an established agricultural unit. There has been no development under Class Q or S of Part 3 on this unit with the period of 10 year preceding the date of this application.

A.1(c) Development is not permitted if it would consist of, or include the erection, extension or alteration of a dwelling.

7.4. The works relate to the erection of a building for agricultural use. They do not relate to a dwelling.

A.1(d) Development is not permitted if it would involve the provision of a building, structure or works not designed for agricultural purposes.

7.5. The application envisages the construction of a general purpose agricultural building. The structure is clearly designed for agricultural use. It is of functional utilitarian design and uses materials appropriate for its intended use.

A.1(e) Development is not permitted if 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 would exceed 1,000m^2; or (ii) any building erected or extended or altered by virtue of Class A, would exceed 1,500m^2, calculated as described in Paragraph D.1(2)(a) of this Part.

7.6. The proposed works envisage the construction of a building that would have a footprint of 540m^2.

7.7. Paragraph D.1(2)(a) of Part 6 of Schedule 2 sets out that for the purposes of Class A, an area 'calculated as described in Paragraph D.1(2)(a)' comprises the ground area which would be covered by the proposed development, together with the ground area of any building (other than a dwelling), or any structure, works, plant, machinery, ponds or tanks within the same unit which are being provided or have been provided within the proceeding two years and any part of which would be within 90m of the proposed development.

7.8. The scheme includes proposals for the installation of a section of track from the existing access and hardstanding serving the site, for a distance of some 60m to the north end of the application building. This track would have an average width of 4m. It therefore covers an area of circa 240m^2. At the southern end of the track, and immediately to the north of the building, a 4m deep concrete apron would be formed to facilitate access and turning in relation to the use of the building. This would cover an area of some 60m^2.

7.9. There are no other structures works, plant, machinery, ponds or tanks that are being, or have been within the preceding two years, undertaken within 90m of the proposed development on the agricultural holding.

7.10. On this basis, the total area of the works of the proposed development for the purposes of calculation as detailed in the GPDO is therefore 840m^2. This is well below the 1,500m^2 limit.

A.1(f) Development is not permitted if the height of any part of any building, structure or works within 3km of the perimeter of any aerodrome would exceed 3m.

7.11. The proposed building would be a maximum of 5.8m in height. The site is not located within 3km of the perimeter of an aerodrome.

A.1(g) development is not permitted if the height of any part of the building or structural works, not within 3km of the perimeter of an aerodrome would exceed 12m.

7.12. The proposed building would be a maximum of 5.8m in height.

A.1(h) Development is not permitted if any part of the development would be within 25m of a metalled part of a trunk road or classified road.

7.13. No part of the development is within 25m of the metalled part of Guildford Road (A281) which runs along the western boundary of the site. All works are at a greater distance than 25m from the metalled part of this road. This includes both the proposed building and the works to create the access track to serve the building. This would connect to an existing access way into the site, which would be retained and unaltered as part of the works.

A.1(i) Development is not permitted if it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or any 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 400m of the curtilage of a protected building.

7.14. No part of the proposed works are designed for the accommodation of livestock, slurry or sewage sludge.

A.1(j) Development is not permitted if it would involve excavations or engineering operations on or over Article 2(4) land which are connected with fish farming.

7.15. No part of the proposed works relate to fish farming.

A.1(k) Development is not permitted for any building for storing fuel or waste from a biomass boiler or an anaerobic digestion system (i) that would be used for storing waste not produced by that boiler or system, or for the storing of fuel not produced on land within that unit; or (ii) is or would be within 400m of the curtilage of a protected building.

7.16. No part of the proposed works relate to a building that is to be used to store fuel or waste in association with a biomass boiler, or an anaerobic digestion system.

A.1(l) Development is not permitted if 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.

7.17. The proposed siting of the building and associated works is not on land that is, or is within the curtilage of, a Scheduled Monument.

7.18. Works that are permitted under Class A of Part 6 of the GPDO are also subject to a number of Conditions as set out in paragraph A.2. Considerations in relation to these Conditions are set out below.

A.2(1)(a) Where development is carried out within 400m 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 instances 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.

7.19. The proposed works do not relate to the accommodation of livestock, the storage of slurry or sewage sludge, for housing a biomass boiler, an anaerobic digestion system, or a hydro-turbine.

A.2(1)(b) Where the development involves (i) the extraction of any mineral from the land (including removal of any disused railway embankment); or (ii) the removal of any mineral from a mineral working deposit, the mineral is not moved off the unit.

7.20. The development does not involve the extraction of mineral from the land or the removal of any mineral from a mineral-working deposit.

A.2(1)(c) Waste materials are not brought onto the land from elsewhere except for deposit for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought or incorporated into the building or works in question.

7.21. The material to be brought on to the land does not constitute 'waste.' The works to complete the improvement of agricultural land would be completed in the same manner as the wider land parcel, as per the scheme authorised by the LPA under application DC/18/0130.

7.22. In consideration of that scheme, the LPA were evidenced that the works would not comprise the importation of waste material, and authorised the application on that basis.

7.23. For the avoidance of doubt, DEFRA has published guidance on the legal definition of waste and its application, initially in August 2012, with an online update initially published in May 2016, and most recently updated in August 2021.

7.24. This sets out that the definition of waste has been in use for its current wording for over 30 years and is embedded in the 2008 Waste Framework Directive (Directive 2008/98/EC), and is *"Any substance or object which the holder discards or intends or is required to discard."*

7.25. The document sets out at paragraph G3.36 that whether or not a substance or object is waste is to be determined on a case-by-case basis. Paragraph G3.49 notes that this has been addressed in the European Courts in particular with reference to whether material is not 'waste' but is a 'by-product.'

It sets out that *"For example, a construction activity may generate large amounts of excavated unpolluted natural soil. If the holder has no use for the soil then it may present a disposal*

problem that has to be addressed by the soil's classification as waste. However, if that soil is suitable for use without any treatment and is certain to be used for that purpose, it may be classified as a non-waste product, i.e. on the basis that it satisfies the by-products legal test. The Definition of Waste: Development Industry Code of Practice Version 2 explains how this can be achieved …"

7.26. The Code of Practice (known as the CL:AIRE protocol) sets out that such excavated materials, dealt with in accordance with the Code of Practice, are unlikely to be considered waste if they are used for the purpose of 'land development.' Land development includes, amongst other things, development carried out under the Town and Country Planning Development Management Regime either because it is 'permitted development' or because it has been the subject of the express grant of planning permission.

7.27. Guidance on determining whether material is waste or not is the subject of the most recent updated online guidance dated 31st August 2021. This sets out a material might not be waste if *"it's a production residue - a material that is not deliberately produced in a production process."* Paragraph 1.1 of the online guidance sets out examples of when a material is waste or not. Example 3 states that:

> *"When a construction company excavates land for development and realises that some of the extracted soil may be suitable for re-use at a site other than where it was produced, that soil is likely to be waste. The soil is a residue of the construction development. It is waste unless it can meet the by-product test. It may also be used as non-waste if it is used on the same site or at another site with or without further processing - see all the requirements in the CL:AIRE Code of Practice."*

7.28. Paragraph 6.2 sets out that a residue is a 'by-product' and not waste when the material meets all of the following conditions:

- It's a result of a production process;
- It's certain to be used, if there is a contract between the producer and supplier or user, if there is a definite market for it, if it fulfils the same specifications as other products on the market or if there is an economic benefit for the producer;
- It can be used directly, with no further processing before it is used - you can carry out normal industrial practices, for example mechanically modifying the size or shape, but you cannot carry out a waste activity or operation on it;
- It's produced as an integral part of the production process - but it does not necessarily have to be made ready for use at the same place where the residue is produced; and
- It has a lawful use that meets relevant product and environmental and health protection requirements, for example it is free of contaminants and will not lead to overall adverse environmental or human health impacts.

7.29. The guidance sets out that examples of non-waste products can be:

"Uncontaminated natural soil suitable for use that does not require treatment and is certain to be used in a lawful way - see how to achieve this in the 'Principles for Use of Materials as Non-Waste' section in the CL:AIRE Code of Practice."

7.30. Section 2 of the CL:AIRE Protocol relates to 'Principles for the Use of Materials as Non-Waste.'

7.31. It sets out that materials are only considered to be waste if they are discarded, intend to be discarded or required to be discarded by the holder.

7.32. It sets out that there is no single factor that can be used to determine if something is a waste or when it ceases to be waste. However, in the context of excavated materials used on sites undergoing development, it notes there a number of factors that are considered to be of particular relevance. These are:

- **Factor 1: Protection of Human Health and Protection of the Environment** - In all cases, measures to protect the environment and prevent harm to human health have to be assessed and found to be adequate given the proposed use of the materials. If the use of the material would create an unacceptable risk of pollution of the environment or harm to human health it is likely to be waste.

- **Factor 2: Suitability for Use, Without Treatment** - A material must be suitable for its intended purpose. It notes that for example, some materials may be assessed as being suitable for direct use such as engineered back-fill beneath cover layers and capping layers, land reclamation, restoration or landscaping.

- **Factor 3: Certainty of Use** - The holder of the material must be able to demonstrate the material will actually be used.

- **Factor 4: Quantity of Material** - Material should only be used in the quantities necessary for that use and no more.

7.33. The proposed material to be brought on to the land in this instance, will be undertaken in accordance with the CL:AIRE protocol, and in particular, will follow the 'direct transfer scenario.' This reflects the manner in which the material so far imported in respect of the wider land parcel has been undertaken.

7.34. As set out in Appendix 2 of the CL:AIRE protocol, this comprises the direct transfer of clean, naturally occurring soils and mineral materials from one site to another development site for use. The guidance sets out that 'clean naturally occurring soil and mineral materials' includes:

- Soil, both topsoil and subsoil;

- Parent material;

- Clay, silts, sands and gravel;

- Underlying geology; and

- Made-ground consisting of the above materials only, e.g. embankment which is to be removed and is suitable for use without any processing.

7.35. The guidance notes that materials must be sourced from greenfield sites not subject to past contaminative use; or brownfield sites where the natural soils have been extensively characterised and proven to be clean. It notes that such materials must be capable of a direct use without the need for treatment in line with the principles of suitability, certainty and quantity.

7.36. The applicants have instructed the works to be undertaken by 'Matthews (Sussex) Ltd.' This firm have extensive experience, and a track record, of the delivery of projects in relation to agricultural works, and with respect to the importation of material undertaken in accordance with the CL:AIRE protocol. The material so far imported into the site, has been undertaken by Matthews (Sussex) Ltd in accordance with the provisions of the CL:AIRE protocol.

7.37. The material being used in the implementation of this development includes material being sourced from development works that are currently taking place at Woodlands Meed College, Birchwood Grove Road, Burgess Hill.

7.38. This material to be sourced in relation to this project has already been confirmed as comprising 'non-waste' material.

7.39. Confirmation of the use of the material comprising 'non-waste' has been evidenced and confirmed by an 'independent Qualified Person' responsible for the CL:AIRE protocol declaration. This comprises a fully audited trail of source and transfer of material, including evidence that the material has been the subject of a detailed Site Investigation Report and Soil Analysis, to confirm it comprises clean inert material that is suitable for implementation in land development projects.

7.40. It is intended that the independent Qualified Person in relation to this project will be provided by Ged Duckworth Limited. This firm have undertaken the role of independent Qualified Person for Matthews (Sussex) Ltd for a period of in excess of the last 8 years, and are duly registered with the Environment Agency and qualified to perform the role.

7.41. It is therefore confirmed that the material to be imported is fully in accordance with the CL:AIRE protocol, declared by an independent Qualified Person, with the requisite full audit trail protocols established with the Environment Agency. This provides demonstrable confirmation, that the material does not constitute 'waste.'

7.42. The material to be used in the implementation of this development is therefore in accordance with the requirements of paragraph A.2(1)(c).

8. SITING, DESIGN AND EXTERNAL APPEARANCE OF THE BUILDING

8.1. Paragraph A.2(2)(a) states that development consisting of the erection, extension or alteration of a building, is permitted by Class A, subject to a number of conditions. These include that (2)(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*."

Siting

8.2. The building is proposed to be sited in a location that is practical, readily accessible from the existing access to the site, and visually discrete.

8.3. The building is proposed to be located close to edge of the field parcel boundary, so as not to impede the arable production of the wider field parcel, whilst offset from the mature treeline, in order to both protect the trees and avoid risk of damage to the building in the future from falling tree limbs (wind throw).

8.4. It is sited in close proximity to the existing accessway to the site, for ease of movement of machinery, but in a position that is not readily visible from this field gate entrance, in the interests of security.

8.5. The proposed site is set on land that is lower than the wider field parcel to the north and east. On this basis, it would not be readily visible in wider public views. There may be some views from the public highway (Guildford Road) but this would be heavily filtered by the mature tree line that borders the road. Furthermore, this section of the highway does not have any footways and therefore views are likely to be limited to passing cars, and thus fleeting.

8.6. The nearest residential property is located on the west side of the public highway (Guildford Road) to the north-west. Due to this spacing and orientation of the property, the building would have no undue impact on local residential amenity.

8.7. It is considered that the proposed siting of the building minimises impact on the local landscape character and visual amenity.

Design and External Appearance

8.8. The building is of functional utilitarian design, reflecting its proposed use as a general purpose agricultural building.

8.9. It would be externally clad in profile metal sheeting, coloured Juniper Green for the walls and Anthracite Grey for the roof,

8.10. The only openings would be two machinery doors located centrally at either gable end of the building.

8.11. It would have an eave height of 4m metres under a shallow duo-pitched roof. This enables ease of access and use of the building by modern agricultural machinery.

8.12. It would be visually recessive and reflective of comparable modern agricultural buildings on holdings within the local area.

8.13. The design and external appearance of the building is both fit for purpose, and in keeping with the rural characteristics of its wider setting. It is considered that the building would have no undue impact on either visual amenity or landscape character.

9. SUMMARY

9.1. This Statement supports an Agricultural Prior Notification Application, submitted in accordance with the requirements of Class A, Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

9.2. The proposed completion of the previously approved improvement in the agricultural land and construction of a general purpose agricultural on a well-established agricultural holding are reasonably necessary for the purposes of agriculture within the unit.

9.3. The building is proposed to be sited in a location that is practical and readily accessible from the existing access point onto the public highway. It is set at a relative low point in the field, close to a mature tree line, to ensure there is no undue landscape impact. The design and external appearance of the building is functional and utilitarian, in keeping with its proposed use as a general purpose agricultural building.

9.4. It is respectfully submitted that no further Prior Approval should therefore be required from the Local Planning Authority for the undertaking of these works.

9.5. In accordance with the requirements of the GPDO, the Local Planning Authority are requested to issue a positive determination of the application proposal within 28 days of receipt of these submissions.