



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0795

Land To The South and West of, Shiremark Farm, Horsham Road, Capel, Dorking, West Sussex, RH5 5JP

DESCRIPTION:

Prior notification for the erection of an agricultural livestock and equipment building together with the formation of an associated farm access track and drainage works.

RELEVANT PLANNING HISTORY:

None relevant.

DETAILED DESCRIPTION:

This notification seeks prior approval under Part 6 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) for the erection of an agricultural livestock and equipment building together with the formation of an associated farm access track and drainage works.

The agricultural barn would be 65m in length, have a height to eaves of 5.5m, breadth of 13m and overall height of 7.5m. The materials would comprise concrete panels to lower walls with vertical timber Yorkshire boarding and sections of plastic-coated steel box profile cladding, in natural concrete, timber and dark green steel cladding. For the roof, fibre cement sheeting in natural grey is proposed with rooflights. The proposed access track would be between 3-3.5m, with a geotextile membrane (Terram) and 150-250mm type 1 sub-base and 40mm scalpings.

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 24 - Strategic Policy: Environmental Protection

Policy 26 - Strategic Policy: Countryside Protection

Policy 33 - Development Principles

Policy 38 - Strategic Policy: Flooding

Policy 41 - Parking

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

The main issue is whether prior approval is required for the proposed development under Part 6 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

Permitted development

Class A of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order as amended relates to *"the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of –*

- a) Works for 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."*

The permitted development right is subject to a number of provisions and conditions. There is no apparent conflict with A.1 (a) through to (g) and (j) through (l).

However, Class A.1(h) states:

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

A.1(h) states that the development must not be within 25 metres of a metalled part of a trunk road or classified road. Horsham Road is an A classified road and therefore the proposed access track, which would be accessed from an existing gate off Horsham Road, would be within 25 metres of a classified road. Therefore, the access track does not benefit from permitted development due to not complying with A.1(h) and planning permission would be required.

Furthermore, Class A.1(i) states:

- (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;*

The proposed building is required to support the agricultural use of the holding for livestock and general farm operations. The application form states that the covered accommodation would be for approximately 30 head of cattle, together with space for the storage or agricultural machinery, forage and feed. The building is considered necessary to enable year-round operation of the agricultural unit, improve animal welfare and improve soils. The proposal for the erection of a new agricultural building would be reasonable and would remain well-contained within the site and its natural boundaries. It is considered that the proposed agricultural building is reasonably necessary for the purposes of agriculture.

However, Class A.1(i) states that any building that will be used for the accommodation of livestock cannot be within 400 metres of the curtilage of a protected building. Under D.1 (1) 'protected building' means any permanent building which is normally occupied by people but does not include a building within the agricultural unit or a dwelling on another agricultural unit, used in connection with agriculture. There are a number of residential properties towards the north-east of the site, that are not part of an

agricultural unit, and these are located within 400m of the agricultural building. Therefore, as the agricultural building would be within 400m of the curtilage of a protected building, the building would not benefit from prior approval due to not complying with A.1(i) and planning permission would be required.

Notwithstanding the above, it is also necessary to consider the Prior Approval matters. These are as follows:

Siting, Design and External Appearance of the Agricultural Building

Article A.2(2)(a)(i) of Class A Part 6 of Schedule 2 of the GPDO imposes a condition on permitted development to determine whether prior approval is required for the siting, design, and external appearance.

The agricultural building would be accessed via an existing gated access from Horsham Road. The building would be situated to the south-west of the land parcel. The site is screened by hedgerows along the edge of the parcel and set back from public vantage points. There is an area of Ancient Woodland to the west of the parcel of land. It would appear from the plans that the building may be sited within the 15m buffer zone for Ancient Woodland. The building would have the potential to adversely impact the Ancient Woodland, and the siting of the building would not therefore be considered appropriate.

The building would be 65m long, have a height to the eaves of 5.5m, breadth of 12m and an overall height of 6.6m. It is considered that the building would be of a sufficient size and scale, and would sit appropriately within the context of the field.

The materials would comprise concrete panels to lower walls and vertical timber Yorkshire boarding and sections of plastic-coated steel box profile cladding, in natural concrete, timber and dark green steel cladding. For the roof, fibre cement sheeting in natural grey is proposed with rooflights. The design of the building would be typical of other agricultural units. It is considered that based on the information provided, the proposed agricultural building would be of a suitable design and external appearance.

Siting, Appearance and Means of Construction of the Track

Article A.2(2)(a)(i) of Class A Part 6 of Schedule 2 of the GPDO imposes a condition on permitted development to determine whether prior approval is required for the siting, appearance and means of construction of the private way.

The proposal involves the laying of an access track that would extend north-west from Horsham Road following the edge of the field towards the proposed agricultural building to the southwest of the site. The track would be 3.5m wide. It is proposing geotextile membrane (Terram) and 150-250mm type 1 sub-base and 40mm scalpings, which is considered acceptable.

Conclusion

The proposed agricultural building would accommodate livestock, where the building would be within 400 metres of a protected building. Therefore, the proposal would not comply with A.1(i) of Part 6. Furthermore, the access track would be within 25 metres of an A classified road and therefore would not comply with A.1(h) of Part 6. Notwithstanding that the development does not represent permitted development, the proposed building would be located within the 15m buffer zone for Ancient Woodland, where the siting has the potential to adversely affect the designated habitat. Planning permission would be required for the proposed development. For these reasons, it is recommended that the application is refused.

Recommendation: Prior Approval Required and REFUSED

Reason:

1. The proposal would involve development within 25 metres of a metalled part of an A classified road. The proposal would therefore not meet the requirements of Schedule 2, Part 6, Class A.1(h) of the Town and Country (General Permitted Development) (England) Order 2015 (as amended).
2. The proposal would consist of the erection of a building to be used for the accommodation of livestock within 400 metres of the curtilage of a protected building. The proposal would therefore not meet the requirements of Schedule 2, Part 6, Class A.1(i) of the Town and Country (General Permitted Development) (England) Order 2015 (as amended).
3. From the details provided, the proposed building would be located within the 15m buffer zone of the Ancient Woodland to the west of the site. The development has the potential to adversely impact the Ancient Woodland, where the siting of the building would be inappropriate.

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/26/0795

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Site plan		NONE	15.05.2026
Section plan		NONE	15.05.2026
Location plan	Location Plan	NONE	15.05.2026

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 29.05.2026

Authorising Officer sign/initial Tamara Dale Date: 11.06.2026