Decision Assessment

0610 Eastlands Park Farm

Horsham Prior Notification Part 6 Class A

20 October 2026

Contents

1	Introduction	1
2	Notification DC/26/1146	2
3	Agricultural justification	3
4	Conformity with Part 6, Class A	4
5	Siting and means of construction	6
6	Summary	7

1 Introduction

1.1 This assessment supports a notification to Horsham District Council ('the Council') under Class A of Part 6 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended ('the Order'), for the formation of an agricultural private way at Eastlands Park Farm, Warninglid Lane, Warninglid, Horsham, RH13 6NY ('the Site').

1.2 Class A permits "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".

1.3 The Proposal is the formation of a private way approximately 218 m long on centreline and 3 m wide on the land shown red on drawing SH0610-1 (0.1225 ha) and detailed on drawings SH0610-2 to SH0610-6 ('the Proposal'). Approximately 12 m of centreline, comprising approximately 37 m^2 of new formation, lies within the mapped 15 m ancient woodland buffer; approximately 206 m lies outside it. The route connects the section the Council considers already exists to the west with the track for which Mid Sussex District Council determined on 14 July 2026, under reference DM/26/1526, that prior approval was not required. The construction method comprises organic-surface-only stripping where present, geotextile, hardcore and chalk placed in 150 mm layers to approximately 300 mm above stripped formation, and a light planings cap. Roots are retained, with no subsoil excavation to lower the build-up. The red-line area is distinct from the new track footprint.

1.4 Paragraph A.2(2) provides that development consisting of "(b) the formation or alteration of a private way" is permitted subject to conditions, of which the first three are:

1.5 (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;

1.6 (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;

1.7 (iii) 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;

1.8 This assessment is the written description required by A.2(2)(ii). The Council has 28 days from receipt to determine whether its prior approval is required as to the siting and means of construction of the private way.

2 Notification DC/26/1146

2.1 On 2 September 2026 the Council determined that prior approval was required and refused for an earlier notification, reference DC/26/1146, covering approximately 401 m of private way within Horsham District. Its officer report recorded no apparent conflict with the Class A limitations in A.1(a) to (l). The refusal turned on two distinct matters: commencement before the prior approval process had concluded, and insufficient information on the siting and means of construction at the ancient woodland interface.

2.2 The first reason arose because the Council found that the western section of the earlier continuous track, measuring approximately 185 m, had already been completed. Those figures describe the earlier notification. The current route is separately identified on SH0610-3 Rev A as approximately 218 m on centreline. Its extent is defined by the current drawings, rather than by subtracting the Council's earlier approximate lengths.

2.3 The red line excludes the section of trackway the Council considers already exists. Drawings SH0610-1, SH0610-2, and SH0610-3 Rev A distinguish that section from the proposed new formation. The existing western track is retained as construction access, without widening or new formation, and its use and temporary protection are controlled by the current construction documents. Development shall not begin before the applicable condition in A.2(2)(iii) has been satisfied.

2.4 The second reason was expressly information-based. The Council's Arboricultural Officer sought clarification of the extent of the new works, including any widening, realignment, excavation, drainage, or engineering outside the existing footprint. He also identified the potential effects on woodland soils, tree roots, woodland edge habitat, hydrology, and long-term integrity, and requested the construction methodology, specification, and Ancient Woodland protection measures needed to assess them.

2.5 The revised package describes the new formation and protected construction approach. SH0610-5 Rev B identifies the woodland context, mapped buffer

interface, and continuous screened F1 S1-S2 and F2 N1-N2 protection. SH0610-4 Rev A sets out the section, western tie-in, and water controls; SH0610-6 specifies the protective fencing and track-side support limits. The Ancient Woodland Construction Environmental Management Plan dated 20 October 2026 ('the CEMP') and the accompanying revised Ancient Woodland Protection and Construction Method Statement prescribe the construction controls and incident response for the pathways identified by the Arboricultural Officer.

3 Agricultural justification

3.1 Class A operates as a gateway provision. Murrell confirms that the question of prior approval under A.2(2) can arise only in respect of permitted development within Class A. In DC/26/1146 the Council recorded the agricultural necessity advanced for the track, found no apparent conflict with A.1(a) to (l), and proceeded to determine prior approval as to the siting and means of construction of the private way. It did not find that the works fell outside Class A because they were not reasonably necessary for agriculture; the refusal concerned commencement and insufficient information at the ancient woodland interface. The Site forms part of the 243 hectare Eastlands Park Farm agricultural unit, and the present Proposal must still establish necessity on its own facts.

3.2 The Proposal is reasonably necessary for agricultural purposes because it completes a continuous east to west route linking Warninglid Lane to the principal field parcels and operational parts of the holding. The enterprise is moving from reliance on a single agricultural output to a mixed arable and livestock system, and that change requires a more reliable internal route structure than arable use alone can provide. Without a continuous artery, the holding functions as a series of separate parcels reached by fragmented, weather-dependent routes, reducing operational efficiency and constraining the farm's ability to manage the land as a single coherent agricultural enterprise. The Proposal is the link between the existing surfaced track and the section determined by Mid Sussex District Council under DM/26/1526.

3.3 That need is reinforced by the practical requirements of livestock husbandry and feed distribution. The farm must be able to move stock safely between fields, deliver feed and bedding to where they are required, and carry out routine husbandry and checks throughout the year without repeatedly trafficking across soft ground or relying on temporary field routes that become unsuitable in wet periods. A defined agricultural track, 3 m wide, provides the continuity and carrying capacity required for those day-to-day movements. It concentrates traffic onto a single engineered route intended for agricultural use, reducing dispersed vehicle movements across the holding and limiting avoidable ground damage elsewhere.

3.4 Class A imposes no numerical limit on the length of a private way; necessity is assessed functionally. The route follows the field edge, serving agricultural land while minimising the severance of productive fields. It does not introduce a domestic, leisure, or commercial access. The 3 m formation is intended for agricultural movements. The geotextile, hardcore and chalk build-up, and light planings cap form a functional agricultural specification. SH0610-4 Rev A shows approximately 300 mm of granular build-up above stripped formation, with the western tie-in feathered within the proposed footprint without a hump or verge cut.

4 Conformity with Part 6, Class A

4.1 Paragraph A.1 sets out the circumstances in which development is not permitted by Class A. Each is addressed below.

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

4.3 (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;

4.4 Compliant: the private way is within the 243 hectare Eastlands Park Farm agricultural unit and the land on which it would be formed does not form a separate parcel of less than 1 hectare.

4.5 (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;

4.6 Not applicable: the Proposal is not the erection or extension of a building.

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

4.8 Not applicable: the Proposal is not for a dwelling.

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

4.10 Compliant: the works form an agricultural private way designed for farm access.

4.11 (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 would exceed 1,000 square metres; or (ii) any building

erected or extended or altered by virtue of Class A would exceed 1,500 square metres, calculated as described in paragraph D.1(2)(a) of this Part;

4.12 Not applicable: the private way is not works or a structure for accommodating livestock, and it is not plant or machinery arising from engineering operations.

4.13 (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;

4.14 Compliant: the proposed track has approximately 300 mm of granular build-up above stripped formation and a light planings cap. The temporary protective fencing comprises 2 m high panels, as SH0610-6.

4.15 (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;

4.16 Compliant: the track build-up described above and the 2 m temporary protective panels do not approach the 12 m limitation.

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

4.18 Compliant: no part of the private way is within 25 metres of a metalled part of a trunk road or classified road.

4.19 (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;

4.20 Not applicable: the Proposal is a private way and is not for the accommodation of livestock or the storage of slurry or sewage sludge.

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

4.22 Not applicable: the Proposal is not connected with fish farming.

4.23 (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; or

4.24 Not applicable: the Proposal is not a building and does not relate to a biomass boiler or an anaerobic digestion system.

4.25 (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.

4.26 Not applicable: the Proposal is not the erection or extension of a building.

4.27 The Proposal is development permitted by Class A(b), subject to the conditions in paragraph A.2.

5 Siting and means of construction

5.1 The private way begins at the eastern end of the section the Council considers already exists and runs east and then south across open field to the district boundary. SH0610-3 Rev A labels approximately 218 m of proposed centreline. SH0610-5 Rev B identifies approximately 12 m of centreline, comprising approximately 37 m^2 of new formation, within the mapped 15 m buffer to the ancient semi-natural woodland at the western interface. Approximately 206 m lies outside that buffer. The proposed track is approximately 33 m from the mapped plantation on an ancient woodland site beside Cooper's Hill. These approximate drawing and mapping quantities describe new formation; protection also extends along the existing western construction approach.

5.2 The six-sheet drawing package dated 20 October 2026 includes SH0610-3 Rev A, SH0610-4 Rev A, SH0610-5 Rev B, and SH0610-6. New formation remains within the 3 m footprint. Both fencing lines have continuous dust and debris screening, non-penetrating surface supports contained within a maximum 1 m track-side zone, and protection extending along the existing approach. At least 2 m clear route is retained, with construction plant no wider than 1.5 m overall. The CEMP and revised Method Statement form part of the submitted description, together with the drawings. They require direct incorporation of deliveries, no buffer stockpiles or woodland access, and retention of the existing approach without widening or new formation.

5.3 Within the approximately 12 m buffer section, stripping removes only the organic surface layer where present, using hand tools or a toothless bucket. No subsoil excavation or root cutting, pulling, or scraping is permitted. Work stops before disturbance or covering on a root or ground conflict. Existing crossfall and water routes are retained; no new buffer drainage is included. Loose fines are collected dry, and local dirty water is collected into sealed containers by wet vacuum for removal outside the buffer. Dust, pollution, daylight working, inspection, and completion controls apply throughout the interface. These measures are intended to prevent woodland deterioration. Protection failures stop affected works and movements; root, soil, water, loading, or design conflicts require competent technical assessment and a supported response before restart under CEMP section 5.3.

6 Summary

6.1 Article 3(1) of the Order grants planning permission for the classes of development described in Schedule 2. The Proposal is development within Class A(b) and satisfies each limitation in paragraph A.1.

6.2 The private way is reasonably necessary for the purposes of agriculture within the 243 hectare unit. The section the Council considers already exists is excluded from new formation and retained as controlled construction access. The current drawings, CEMP, and revised Method Statement define the proposed construction method and mandatory protection measures intended to prevent woodland deterioration. These include both screened fencing lines, constrained plant and support zones, root retention, water and pollution controls, and the stop and restart procedure.

6.3 The Council should determine that its prior approval is not required as to the siting and means of construction of the private way.