



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/1146

Easlands Park Farm, Warninglid Lane, Warninglid, West Sussex, RH13 6NY,

DESCRIPTION:

Prior notification for the creation of a new agricultural access track

RELEVANT PLANNING HISTORY:

No relevant planning history

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 creation of a new agricultural access track.

Eastlands Park Farm, Warninglid Lane is a 243 hectare agricultural holding, in which the proposed access track would measure approximately 401metres in length and have a width of 3 metres. The proposed materials consist of a 200mm compacted chalk subbase, with a 100mm recycled planings finish. The estate is located within two Districts, with this section of the track connecting to an adjoining section located within Mid Sussex District Council. Under reference DM/26/1526, Mid Sussex District Council determined that Prior Approval would not be required. Part of this section of the proposed track would be sited between two Ancient Woodland's, to the north and south.

The applicant details that the track is reasonably necessary for agriculture, providing a reliable and weather dependent route during a time in which the enterprise is moving to a mixed arable and livestock system.

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

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

HDC Arboricultural Team: Advice/More Information

The principal Arboricultural consideration relates to the proposed track alignment adjacent to two areas of designated Ancient Woodland.

Ancient Woodland is recognised as an irreplaceable habitat and receives a high level of protection under national planning policy. This protection extends to Plantations on Ancient Woodland Sites (PAWS), with development resulting in loss or deterioration expected to be avoided except in wholly exceptional circumstances.

Development near Ancient Woodland is generally expected to provide an appropriate buffer, with Natural England and Forestry Commission standing advice recommending a minimum 15m setback from the woodland boundary.

Due to the track alignment, the recommended 15m buffer cannot be achieved. The proposal must therefore be considered in the context of national policy, site-specific circumstances, and the nature of the works proposed.

At present, insufficient information has been provided to fully assess potential impacts on the adjacent Ancient Woodland. Further details on construction methodology, engineering requirements, and woodland protection measures are required.

Parish Comments:

None received

Representations:

None received

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 (l), adhering to the conditions set out under this criteria.

Permitted Development

Article A.2(2) of Part 6 Schedule 2 of the GPDO states that *'(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-

- (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...

Article A.2(2)(iii) continues that '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'

The Prior Notification application was received by the Local Authority on 16 July 2026. The council notified the applicant and agent that Prior Approval for the siting and means of construction of the private way was required. Confirmation was received from the applicant that the Site Notice was erected on the 6th August 2026.

Following site visits undertaken by the Council's Arboricultural Team on 21/08/2026 and the Planning Officer on 26/08/26, it was found that the western section of the proposed continuous track, measuring approximately 185 metres, had already been completed. The materials used in the construction of this track, match the proposed materials as shown within the proposed block plan, titled '0610- 3 Block Plan Proposed Horsham'. In the areas where development had yet to commence, building materials had been piled awaiting implementation.

As outlined within Article A.2 (2) (iii) of Part 6 Schedule 2 of the GPDO, an application to determine whether prior approval is required must be submitted before beginning the development. In addition, development must not begin before a determination is given by the Local Planning Authority or after the expiry of 28 days following the date on which the application was received. As the works have begun prior to a determination being given, the development does not meet the conditions within Class A of Part 6 Schedule 2 of the GPDO. The development does not therefore represent permitted development.

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

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 approximately 401metres, however, sections of the track are in close proximity to two Ancient Woodlands. The track is located immediately south of Cooper's Hill and north of Eastlands hill and as such, the track is/would be

located within the 15metre buffer protection zone for Ancient Woodlands. Given this designation, careful consideration must be given to any potential direct or indirect impacts arising from the proposal. Therefore, further information is required relating to full details of the construction specification and proposed Ancient Woodland protection measures, so that an assessment of the potential impacts of the Ancient Woodlands can be undertaken and to determine whether the proposal can be undertaken without resulting in harm to the Ancient Woodland resource. In the absence of such details, the development would have the potential to adversely impact the Ancient Woodland, and the siting of the track would not therefore be considered appropriate.

Conclusion

As the works have begun prior to a determination being given, the development does not meet the conditions of Class A of Part 6 Schedule 2 of the GPDO and does not therefore represent permitted development. Notwithstanding that the development does not represent permitted development, the track 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(s) for Refusal:

1. On the basis of the available information, the development subject of this notification has commenced prior to the giving of prior approval by the Local Planning Authority. The development does not therefore meet the conditions within Class A, A.2 (2)(iii) of Part 6 within Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015, as amended.
2. Notwithstanding reason no. 1, the siting of the access track would be within the 15m buffer zone of Ancient Woodland which adjoins to the west. In the absence of information to demonstrate otherwise, the siting and means of construction has potential to adversely impact the Ancient Woodland.

Plans list for: DC/26/1146

(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
Location plan		NONE	16.07.2026
Block plan	Existing Block Plan	NONE	16.07.2026
Block plan	Proposed Block Plan	NONE	16.07.2026
Supporting Statement	Planning Statement	NONE	16.07.2026

DELEGATED

Case Officer sign/initial Sam Nye Date: 01/09/2026

Authorising Officer sign/initial Guy Everest Date: 02.09.2026