



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/2119

Woodland Land Parcel West of Little Haglands, Haglands Lane, West Chiltington, West Sussex,

DESCRIPTION:

Prior Notification for the creation of an access road to enable safe entry and exit of agricultural/forestry machinery and vehicles.

RELEVANT PLANNING HISTORY:

None Relevant

SITE AND SURROUNDINGS:

The application site comprises a wooded agricultural land parcel of approximately 1.5 hectares, located to the south of Haglands Lane, West Chiltington. The site lies outside any defined settlement boundary and is therefore within the countryside.

The land has been in agricultural use for approximately 50 years, forming part of an established agricultural/forestry unit. The northern boundary fronts Haglands Lane, a non-classified, publicly maintainable highway. Residential properties lie to the west and east, including Wayfarers and Little Haglands. The remaining site boundaries do not provide viable vehicular access.

The land rises from north to south and is subject to a Woodland Tree Preservation Order (TPO/1051), covering all existing trees and natural regeneration. A public footpath runs along the western boundary of the site.

The site is visible in part from the public highway and nearby public footpath.

PROPOSED DEVELOPMENT:

The proposal seeks prior approval for the formation of a new agricultural / forestry access from Haglands Lane.

The submitted application form and plans indicate:

- Formation of a new private way, rather than alteration of an existing access
- Access dimensions of approximately 3.0 metres in width, suitable for agricultural and forestry vehicles
- No specified surface colour or engineered urban materials
- No gates, lighting, walls, or buildings associated with the access

The applicant states that the access is reasonably necessary for the purposes of agriculture and forestry, enabling safe entry and exit of machinery and vehicles. It is explained that the land was historically accessed from the east via Smock Alley, however that land has since been sold for development, leaving Haglands Lane as the only viable point of access.

The proposal does not involve any alteration to a dwelling, is more than 25 metres from a trunk or classified road, is not within 3km of an aerodrome, and would not affect any listed buildings, scheduled monuments, SSSIs, or local nature reserves.

RELEVANT PLANNING POLICIES

The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 6, Class B - agricultural development on units of less than 5 hectares.

REPRESENTATIONS AND CONSULTATIONS RESPONSES

HDC Tree Officer: Advice - The land is subject to a Tree Preservation Order (TPO) from 2000. If the proposal is approved in principle, an informative should clarify that a formal application is required for any pruning, root disturbance, or excavation within the woodland's rooting area.

Main Points:

- The plot is approx. 1.5Ha, rectangular, and slopes upward from Haglands Lane (north) to the south.
- Vehicle access is only viable from Haglands Lane; a public footpath runs along the western boundary.
- The land is protected under TPO/1051 (2000), covering all existing trees and future regeneration (oak, birch, hawthorn).
- Any pruning, felling, or works to create access require a formal tree works application under TCPA 1990 and 2012 regulations.
- TPO legislation overrides permitted development rights; LPA consent is mandatory for works affecting protected trees.

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 proposal falls to be considered under Schedule 2, Part 6, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the GPDO"), which grants permitted development rights for certain agricultural and forestry operations on smaller agricultural units.

Class B applies to agricultural land forming part of an agricultural unit of 0.5 hectares or less, and permits, subject to conditions and limitations:

The carrying out on agricultural land comprised in an agricultural unit 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.*

The GPDO confirms that permitted development under Class B includes the formation, alteration or maintenance of a private way, where reasonably necessary for agricultural or forestry purposes.

Under B.2 of the Order, development is subject to the prior notification procedure, under which the Local Planning Authority's consideration is restricted solely to:

- the siting of the development; and
- the means of construction.

The wider assessment of whether the proposal constitutes permitted development is not within the scope of the prior approval process.

Siting

The proposed access is located at the only practicable vehicular frontage to the land-holding following the loss of the former eastern access. Its position reflects the site's natural constraints, landform and boundary arrangement, and avoids encroachment into neighbouring residential curtilages.

Given the established agricultural and forestry use of the land, together with the absence of any realistic alternative access points, the siting is considered logical, proportionate and appropriate in this countryside location.

Means of Construction

The proposed access is modest in scale and involves ground-level engineering works only, with no associated structures or urbanising features. The stated width of 3 metres is typical of agricultural and forestry access tracks and is commensurate with the operational needs described.

The means of construction would not result in an unacceptable visual impact or materially harm the character of the surrounding area.

Highway Considerations

Haglands Lane is a publicly maintainable, non-classified highway. The access is intended to facilitate low-frequency agricultural and forestry vehicle movements.

The submitted plans demonstrate reasonable visibility in both directions along the lane. Subject to any separate requirements of the Highway Authority, the proposal is not considered to result in an unacceptable impact on highway safety. Furthermore, it is noted that Haglands Lane is not a classified road, and therefore planning permission would not be required for a new access.

Trees

While the formation of the access may benefit from permitted development rights under the GPDO, any tree works required to implement the proposal fall outside the scope of permitted development.

Separate consent would therefore be required for any works affecting protected trees or their root protection areas. This matter does not alter the conclusion in respect of the prior approval process.

CONCLUSION

Having regard solely to the siting and means of construction and taking account of the site's established agricultural use, the loss of the former access, and the physical constraints of the land, the proposed formation of an agricultural/forestry access from Haglands Lane is acceptable.

The proposal would not give rise to significant harm to visual amenity, highway safety, or the character of the countryside.

Recommendation: Prior Approval Not Required

NOTE TO APPLICANT

1. This decision relates only to whether prior approval is required for the siting and means of construction of the access under Schedule 2, Part 6 of the General Permitted Development Order.
2. The site is subject to a Woodland Tree Preservation Order. Any works affecting protected trees, including excavation or root disturbance, will require separate consent from the Local Planning Authority.
3. Any works within the highway boundary may require separate agreement with the Highway Authority.
4. The applicant may wish to seek confirmation of lawful development through a Certificate of Lawful Development prior to commencing works.

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/25/2119

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	17.12.2025
Supporting Docs	Highway Extract	NONE	17.12.2025
Photos	Access Location	NONE	17.12.2025

DELEGATED

Case Officer sign/initial Shazia Penne Date: 12.01.2026

Authorising Officer sign/initial RHERMITAGE Date: 13.01.2026