Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0071
Curtis Farm, Green Lane, Horsham, West Sussex, RH12 4PP

DESCRIPTION:

Prior Notification for the creation of an Agricultural Barn for the quarantine and isolation of sheep and cattle.

RELEVANT PLANNING HISTORY:

DC/19/2564	Erection of an agricultural worker's dwelling	Application Permitted on 06.03.2020
DC/20/0480	Retention of agricultural worker's mobile home	Application Permitted on 23.06.2020
DC/20/0814	Prior notification for the erection of an agricultural barn	Prior Approval Not Required on 22.05.2020
DC/20/2523	Erection of a stable building.	Application Permitted on 10.02.2021
DC/20/2524	Erection of an agricultural barn.	Application Permitted on 10.02.2021
DC/22/2031	Extension to the existing sandschool.	Application Permitted on 23.02.2023

SITE AND SURROUNDINGS:

The application site comprises agricultural land to the west of Horsham Road, approximately 150m to the west of Nelsons. The barn is to be sited just off of the existing track that runs to the west. The submitted Planning Statement details that “Curtis Farm is an agricultural holding of approximately 100 acres which forms part of a larger agricultural business farming around 1500 acres locally”.

DETAILED DESCRIPTION:

This notification is under Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 and seeks a determination as to whether the prior approval of the Council is required in respect of the siting, design and appearance of the proposed barn.

The barn would be approximately 54.3 metres in length, 18.3 metres in width and height to the ridge of the building would be approximately 11.9 metres, with an eaves height of 9.5 metres.

The roof will comprise of metal roofing sheets, with roof lights running the full length of the roof (18 on each pitch, 4 per bay). The external materials of the building will be plastic coated metal cladding. The barn appears to be divided into 9 bays with the western elevation open faced.

The barn would be used for the storage of feed, bedding and machinery, as well as for the quarantining of animals and lambing.

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. This Class relates to agricultural development on units of 5 or more hectares for among other things, the erection of a building.

Permitted Development

Class A of Part 6 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 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 permitted development right is subject to a number of provisions and conditions. The development must comply from A.1 (a) through (k).

A.1(i) states:

> *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 would be situated ≈120m from the curtilage of a protected building (Nelsons) and would therefore be in contravention to paragraph A.1(i). However, within the interpretations of Part 6, Classes A to C, paragraph D.1(3) states:

The circumstances referred to in paragraphs A.2(1)(a) and B.5(1) of this Part are—

(a) that no other suitable building or structure, 400 metres or more from the curtilage of a protected building, is available to accommodate the livestock; and

(b) (i) that the need to accommodate the livestock arises from quarantine requirements, or an emergency due to another building or structure in which the livestock could otherwise be accommodated being unavailable because it has been damaged or destroyed by fire, flood or storm; or

(ii) in the case of animals normally kept out of doors, they require temporary accommodation in a building or other structure because they are sick or giving birth or newly born, or to provide shelter against extreme weather conditions.

It is outlined with the submitted Planning Statement and the description of the development that the barn is for the for "the quarantine and isolation of sheep and cattle" when necessary and may be used for lambing when not in use for quarantining. Following further clarification as requested, the Agent has confirmed that the barn would otherwise be used for the storage of feed, machinery and bedding. Though within 400m of a protected building, as no other structure has been identified as usable for livestock, it is considered that the proposal would meet the exception detailed in paragraph D.1(3) and therefore would be considered acceptable.

Siting, Design, and Appearance

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 scale of the proposed barn represents a large addition to the site, almost the maximum permitted under Part 6 at 990m^2 and 11.9m in height. The siting of the barn is relatively isolated and separated by trees when considered against the main yard of Curtis Farm which houses other units located some 300m to the east of the proposed site. It is considered that the unit at Nelson is located closer by, around 180m and would aid the proposal in being acceptable due to character of these.

Additional information was requested by the Council regarding the siting, design and appearance of the barn due to the scale of the proposal. The barn is sited on a separate parcel to detach the barn from the existing farming complex to aid in instances of quarantining with a greater distance. Additionally, the land on this parcel has been identified as flatter than that of the land next to the woodland which was suggested by the council in order to help screen the proposal. This suggested land would require significant earthwork to be made appropriate according to further information received. Further information was requested regarding the use of the barn outside of quarantining which was identified for the storage of machinery, agricultural feed and bedding.

The siting is therefore considered acceptable. The design and external appearance is what would be expected for an agricultural building with materials similarly considered acceptable. Though a large development, it would be considered that the proposals scale has been justified in the additional information received by the Council.

Conclusion

The proposed structure is considered to be reasonably necessary for the purposes of agricultural. The proposal would be of a siting, design and external appearance that would be anticipated within an agricultural context and is considered appropriate within a rural context. For these reasons it is recommended that Prior Approval Required and Permitted.

Recommendation: Prior Approval Required and PERMITTED

NOTE TO APPLICANT

The Applicant is advised that the building hereby approved would be subject of the conditions and limitations under Class A of Part 6 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. This includes the circumstances in which the use of the building for the accommodation of livestock is permitted. This should be for emergency and temporary purposes only, as outlined within Paragraph D.1(3).

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/25/0071
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan	Existing Site Location Plan	E01	20.01.2025
Block plan	Proposed Block Plan	P02	20.01.2025
Floor plan	Proposed Floor Plan	P20 REV A	20.01.2025
Roof plan	Proposed Roof Plan	P21	20.01.2025
Elevation plan	Proposed North and East Elevations	P22	20.01.2025
Elevation plan	Proposed South and West Elevations	P23	20.01.2025

DELEGATED

Case Officer sign/initial JBurrowes Date: 05/03/2025

Authorising Officer sign/initial TDale Date: 11/03/2025