



June 2026

Excavations and engineering operations associated with the construction of new manure store and slurry lagoon

Supporting Agricultural Appraisal

**Bolney Park Farm
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1 Introduction

- 1.1 Reading Agricultural Consultants Ltd (RAC) is instructed by Mr D Rawlins (the applicant), trading as Jester Farm Services Limited, to provide a supporting statement for the erection of an agricultural manure storage facility and slurry lagoon to support an agricultural business located at Bolney Park Farm, Broxmead Lane, Bolney, Haywards Heath, West Sussex RH17 5RJ. In responding to these instructions RAC has:

1.2

- Visited the site in May 2026 and discussed with the applicant the need for the agricultural
 - the previous planning history of the farm;
 - the applicant's agricultural use of the site; and
 - sources of published information and correspondence relevant to the activities being undertaken by the applicant.

2 Refusal of DM/26/0536

- 2.1 A Prior Notification application was refused on 15 April 2026 for a similar scheme, located slightly south of this proposal.
- 2.2 The Council considered that the proposal was compliant against all the criteria of the legislation except for the manure storage and slurry lagoon being sited within 400m of a protected dwelling.
- 2.3 In order to overcome this objection, this scheme proposed the same FYM store and lagoon sited further north and over 400m from the curtilage of a protected dwelling, as shown on the submitted plan MJF_240126_104.
- 2.4 This distance has been measured across the ground as per the definition provided within the General Permitted Development Order which states:

(2) For the purposes of Classes A, B and C—

(a) an area "calculated as described in paragraph D.1(2)(a)" comprises the ground area which would be covered by the proposed development, together with the ground area of any building (other than a dwelling), or any structure, works, plant, machinery, ponds or tanks

within the same unit which are being provided or have been provided within the preceding 2 years and any part of which would be within 90 metres of the proposed development;

(b) a reference to 400 metres in paragraphs A.1(i) and (k), A.2(1)(a), B.1(d) and B.5(1) of this Part is a reference to distance measured along the ground.

3 Background

- 3.1 The agricultural land holding, known as Bolney Park Farm, extends to 49 hectares (121 acres) of which is accessed via Broxmead Lane.
- 3.2 The applicant, trading as Jester Farm Services Ltd, utilises the land for hay conservation, cereal crops, grazing and woodland with the land made up of:
- 22.8 hectares of arable – comprising 5 hectares of cereal and 17 hectares of temporary grass leys;
 - 6.8 hectares of permanent pasture; and
 - 19 hectares of woodland.
- 3.3 Typically, the grassland would produce 500 bales of hay, of which half would be utilised on site and half would be sold, however the weather in 2025 saw the yield halve and this was experienced across the country. The current drought conditions experienced in 2026 lead the applicant to expect a similar yield this year.
- 3.4 The applicant operates a stud breeding programme and a joint enterprise breeding ewe flock comprising 80 ewes, which produced 120 lambs in spring 2026.
- 3.5 The applicant is intending to introduce a suckler cow herd with 10-15 sucklers calving in spring each year and the youngstock being retained until they are sold at market at 16-18 months old. In addition, the applicant is considering buying in weaned calves to rear more youngstock on site.
- 3.6 The advantages of livestock grazing alongside and after horse grazing has been well documented in recent years as it reduces the worm burden and improves soil health.
- 3.7 The applicant currently stores manure for approximately 18 months prior to spreading on the land and it is estimated that there are 400-500 tonnes of manure stored within this timeframe.
- 3.8 The Environment Agency has detailed to the applicant that in order to be compliant with new legislation and manure storage requirements, there is a need to store the manure with a slurry lagoon to capture all manure leachate and surface water run off.
- 3.9 Section 336 of the Town and Country Planning Act 1990 provides the following definition of agriculture:

"...includes horticulture, fruit growing, seed growing, dairy farming, the keeping and breeding of livestock (including any creature kept for the production of food, wool, skins, fur, or for the purpose of the farming of the land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and 'agricultural' shall be construed accordingly".

- 3.10 The applicant uses the land holding for the production of hay and cereal crops, grazing of livestock and stud breeding, and therefore the use is in compliance with the definition of agriculture.
- 3.11 The applicant has a Single Business Identifier (SBI) number - 107161730. For reference an SBI number is a unique number given to a farmer or business that is involved in an agricultural activity.
- 3.12 The County Parish Holding (CPH) number is 42/335/0146. For reference, a single CPH can cover land/buildings within a 10-mile radius of the main location and is required to legally keep cattle, pigs, sheep, goats, deer, and poultry (if 50 or more).
- 3.13 The applicant will be entering the Sustainable Farming Incentive scheme in September 2026. This scheme is designed to pay farmers for managing land in ways that benefit the environment (e.g., improving soil health, managing hedgerows, and reducing pesticide use). This includes the use of natural fertilisers such as stored manure and slurry which is of relevance to this application.

4 Planning Legislation

- 4.1 The Town and Country Planning (General Permitted Development) Order 2015 (as amended) states under Part 6, Class A, that:

"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..."

is permitted development, subject to certain other disqualifying criteria.

- 4.2 The disqualifying criteria in A.1 are that:

- 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;*

- 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;*
- c. it would consist of, or include, the erection, extension or alteration of a dwelling;*
- d. it would involve the provision of a building, structure or works not designed for agricultural purposes;*
- e. 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; or*
 - ii. any building erected or extended or altered by virtue of Class A, would exceed 465 square metres, calculated as described in paragraph D.1(2)(a) of this Part;*
- 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;*
- 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;*
- h. any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;*
- 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;*
- j. it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or*
- 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.*

4.3 It continues to state that A.2—(1) Development is permitted by Class A subject to the following conditions—

- a. where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development are not used for the accommodation of livestock except in the circumstances described in paragraph D.1(3) of this Part or for the storage of slurry or sewage sludge, for housing a biomass boiler or an anaerobic digestion system, for storage of fuel or waste from that boiler or system, or for housing a hydro-turbine;*
- b. where the development involves—*
 - i. the extraction of any mineral from the land (including removal from any disused railway embankment); or*
 - ii. the removal of any mineral from a mineral-working deposit, the mineral is not moved off the unit;*
- c. waste materials are not brought on to the land from elsewhere for deposit except for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought are incorporated forthwith into the building or works in question.*

4.4 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, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;*
- 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;*
- 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;*
- iv. where the local planning authority give the applicant notice that such prior approval is required, the applicant must—*
 - (aa) display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant; and*
 - (bb) where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in sub-paragraph (iv)(aa) has elapsed, the applicant is treated as having complied with the requirements of that sub-paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement;*
- v. the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—*
 - (aa) where prior approval is required, in accordance with the details approved;*
 - (bb) where prior approval is not required, in accordance with the details submitted with the application; and*
- vi. the development must be carried out—*
 - (aa) where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given;*
 - (bb) in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (d)(ii).*

(3) The conditions in sub-paragraph (2) do not apply to the extension or alteration of a building if the building is not on article 2(4) land except in the case of a significant extension or a significant alteration.

(4) Development consisting of the significant extension or the significant alteration of a building may only be carried out once by virtue of Class A(a).

(5) Where development consists of works for the erection, significant extension or significant alteration of a building and—

- (a) the use of the building or extension for the purposes of agriculture within the unit permanently ceases within 10 years from the date on which the development was substantially completed; and*
- (b) planning permission has not been granted on an application, or has not been deemed to be granted under Part 3 of the Act, for development for purposes other than agriculture, within 3 years from the date on which the use of the building or extension for the purposes of agriculture within the unit permanently ceased, then, unless the local planning authority have otherwise agreed in writing, the building or, in the case of development consisting of an extension, the extension, must be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the local planning authority and the developer.*

(6) Where an appeal has been made, under the Act, in relation to an application for development described in sub-paragraph (5)(b), within the period described in that paragraph, that period is extended until the appeal is finally determined or withdrawn.

(7) Where development is permitted by Class A(a), within 7 days of the date on which the development is substantially completed, the developer must notify the local planning authority in writing of that fact.

4.5 On 21 May 2024, an amendment came into force which stated:

7.—(1) Paragraph A.1 (development not permitted) of Class A (agricultural development on units of 5 hectares or more) of Part 6 (agricultural and forestry) is amended as follows.

(2) In sub-paragraph (e)—

b) in paragraph (ii), after “Class A” insert “would exceed 1,500 square metres”;

5 Appraisal

5.1 I will assess each requirement of Class A.1, Part 6 of the GPDO in turn:

- a. the development relates to an agricultural activity, on an agricultural unit of more than 5 hectares, for the purposes of a trade or business;*

Section D, of the Part 6 of the GPDO states:

D.1 For the purposes of Part 6 -

"agricultural land" means land which, before development permitted by this Part is carried out, is land in use for agriculture and which is so used for the purposes of a trade or business, and excludes any dwellinghouse or garden;

"agricultural unit" means agricultural land which is occupied as a unit for the purposes of agriculture..."

The holding is greater than five hectares and the land is in use for agricultural purposes and is used commercially for the purposes of a trade or business. The land holding is registered with DEFRA and the RPA. Thus, this requirement is met.

Section 336 of the Town and Country Planning Act 1990 provides the following definition of agriculture:

"...includes horticulture, fruit growing, seed growing, dairy farming, the keeping and breeding of livestock (including any creature kept for the production of food, wool, skins, fur, or for the purpose of the farming of the land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and 'agricultural' shall be construed accordingly".

- 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;*

There have not been any applications under Class Q or Class S on the agricultural unit. This requirement is met.

- c. it would consist of, or include, the erection, extension or alteration of a dwelling;*

Not applicable.

- d. it would involve the provision of a building, structure or works not designed for agricultural purposes;*

The new manure store measuring 30m x 30m consists of an impermeable concrete base surrounded by impermeable earth banks. The impermeable concrete base and earth banks enable the containment and capture of all manure leachate and surface water run off which will then be directed using underground drainage to the new 60m x 30m slurry lagoon which has a working storage volume of 2673m³ and includes the required 750mm freeboard needed to satisfy regulations imposed by DEFRA and the Environment Agency.

The new storage facility has been designed to comply with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010 (SSAFO) (<https://www.gov.uk/guidance/storing-silage-slurry-and-agricultural-fuel-oil>) and ensure that every effort has been made to avoid any potential pollution or harm being caused to the environment by any of the unavoidable, coincidental pollutants which are generated by agricultural businesses.

All materials brought onto site will be tested and certified recycled aggregates and locally sourced CL:aire DoWCoP suitable, excavated non waste mineral material in accordance with Environment Agency Regulatory Position Statement (RPS91, use of clay in slurry lagoons).

This requirement is met.

e. *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; 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;

The proposal is for engineering works and excavations and therefore is not limited by criterion (e).

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;*

Not applicable.

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;*

Not applicable.

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

The development is sited more than 25m from a trunk road or classified road. It is accessed via an existing farm entrance off Broxmead Lane.

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 development as proposed is for the storage of manure and the creation of a slurry lagoon associated with the agricultural holding and compliant with The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010.

Submitted Plan MJF_240126_104 shows the distance measured across the ground to the curtilage of protected buildings from the proposed development. This requirement is met.

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

Not applicable.

k. *any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system;*

Not applicable.

5.2 I will assess each requirement of Class A.2, Part 6 of the GPDO in turn:

- a. *where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development are not used for the accommodation of livestock except in the circumstances described in paragraph D.1(3) of this*

Part or for the storage of slurry or sewage sludge, for housing a biomass boiler or an anaerobic digestion system, for storage of fuel or waste from that boiler or system, or for housing a hydro-turbine;

Not applicable. The proposed development is not within 400m of the curtilage of a protected building.

b. where the development involves—

- iii. the extraction of any mineral from the land (including removal from any disused railway embankment); or*
- iv. the removal of any mineral from a mineral-working deposit, the mineral is not moved off the unit;*

The proposed development involves excavations. Excavated materials arising from the development are to be used within the development and therefore will not be moved off the unit.

c. waste materials are not brought on to the land from elsewhere for deposit except for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought are incorporated forthwith into the building or works in question.

The proposed development does not involve the importation or deposit of waste, all materials to be used in the development will be used for works described in Class A(a) and will be certified non waste materials.

DEFRA has published guidance on the legal definition of waste. This sets out the definition of waste and is embedded in the 2008 Waste Framework Directive (Directive 2008/98/EC), and is "Any substance or object which the holder discards or intends or is required to discard ..."

The use of materials in the development would be carried out under the CL:AIRE DoWCoP protocol, using the direct transfer scenario. The material used, will be from development sites in the local area who commit to generating 'non-waste' material allowing it to be transferred directly to development projects including agricultural infrastructure and development works using the direct transfer scenario. It is confirmed, therefore, that any materials used within the development would be fully in accordance with the CL:AIRE DoWCoP, declared by an independent Qualified Person, with the requisite full audit trail protocols established with the Environment Agency. This provides demonstrable confirmation that the material would not constitute waste.

The development proposed is in accordance with the requirements of paragraph A.2(1)(c).

6 Summary

6.1 The land holding at the application site is in use for an agricultural trade or business. The development proposed is for the storage of manure and creation of a slurry lagoon associated with the agricultural activities on the land holding and is reasonably necessary for the purpose of agriculture within the unit. Thus, the applicant's proposal is compliant with the requirements of Class A, Part 6 of the GDPO.