

Decision Assessment

0603 Lodgelands Farm - Part 6, Class A Engineering works to create a water storage lake
April 2026

Contents

1	Introduction	1
2	Reasonably Necessary for the Purposes of Agriculture	2
3	A.2 (2) (d) i test on the siting of the excavation	3
4	Part 6, Class A Legislative Tests	4
5	Summary	7

1 Introduction

- 1.1 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('GPDO'), Part 6 Agriculture and Forestry, Class A(b) permits the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more of excavation or engineering operations which are reasonably necessary for the purposes of agriculture within that unit. This statement relates to the proposed formation of a water storage lagoon of approximately 3,500m³ capacity at land owned by Lodgelands Farm ('the Site') to serve the operational requirements of the dairy enterprise totalling 350 cows and 200 young stock over a 182 hectare operation. The Site forms part of, and is controlled as, a single agricultural unit.
- 1.2 The proposed works fall within Class A(b) as engineering operations. By reason of their scale, the development engages A.2(2)(c) of the GPDO and requires a determination from the local planning authority as to whether prior approval is required in respect of the siting of the excavation. The decision is therefore confined to the statutory prior approval matters, subject to the threshold requirement that the works satisfy the test of reasonable necessity under Class A.
- 1.3 The application is supported by a written description of the development, plans, and technical material in accordance with A.2(2)(ii). These documents specify the location, size, and construction methodology of the lagoon and provide the evidential basis for assessing compliance with the GPDO framework. They are:
- 2903.01 Application Boundary Plan
- 2903.02 Proposed Layout & Grading
- 2903.03 Proposed Cross Sections
- 2903.04s Proposed Soft Landscape
- Design Statement and Visual Impact Report
- The Livestock Partnership Supporting Letter dated 01 April 2026
- 1.4 Condition A.2(1)(c) of the GPDO prohibits the importation of waste materials onto the land for deposit. The construction of the lagoon requires excavation, reprofiling, and the formation of a suitable liner. Any soils introduced to achieve the required engineering specification will be managed under a Materials Management Plan prepared in accordance with the CL:AIRE Definition of Waste: Development Industry Code of Practice (Version 2) ('DoWCoP').
- 1.5 The DoWCoP outlines a clear regulatory pathway whereby naturally occurring soils

are regarded as a resource rather than waste, provided four conditions are met: protection of human health and the environment, suitability for use, certainty of use, and use of only the necessary quantity. When these conditions are fulfilled, the materials are excluded from the legal definition of waste.

- 1.6 A Materials Management Plan will be prepared and verified by a Qualified Person, including site investigation, material suitability testing, risk assessment, and material tracking. The declaration process managed by CL:AIRE, with oversight from the Environment Agency, provides an auditable confirmation of compliance. Based on this, any soils brought onto the Site will not be classified as waste under the meaning of A.2(1)(c), and the statutory prohibition will not be applicable.
- 1.7 The site is located within Flood Zone 1, indicating a low likelihood of fluvial flooding. Flood risk policy assessments are therefore not applied, and the focus is on the physical placement of the excavation within the agricultural unit.
- 1.8 This assessment addresses the statutory test of reasonable necessity and demonstrates that the proposed lagoon falls within the lawful scope of agricultural engineering operations permitted under the GPDO.

2 Reasonably Necessary for the Purposes of Agriculture

- 2.1 Class A(b) permits engineering operations that are reasonably necessary for agricultural purposes within the unit. The test is based on functional necessity. It is met when the works are needed to support the operation of the agricultural enterprise and is not satisfied if the works are not causally connected to that operation.
- 2.2 Lodgelands Farm runs a dairy unit with up to 350 cows in full milk production and 200 young stock. At a baseline consumption of 60 litres per cow per day, the herd needs a minimum of 33,000 litres (33m³) of water each day or double if production is maintained. This serves as a lower-bound estimate and does not account for increases related to production levels and environmental factors. As such it is more survival rate of consumption.
- 2.3 Water demand within a dairy system is both variable and concentrated. Consumption is not evenly spread but occurs during peak periods, with a significant proportion immediately after milking. Water needs also rise with ambient temperature, with evidence showing incremental increases per degree and the potential for consumption to significantly increase under heat stress conditions.
- 2.4 The consequences of a water supply interruption include an immediate decline in milk production and animal health. Restriction of water intake causes a rapid and severe decrease in milk production, a decline in feed intake, disruption to digestive

functions, and progression to acute welfare issues. These effects occur within days and cannot be reversed without restoring the supply. Mr Ben Brearley, Director of the Livestock Partnership, confirms these points in his accompanying letter dated 01 April 2026.

- 2.5 The agricultural unit has experienced an interruption to the South East Water mains water supply, including a recorded failure in May 2025. In the absence of on-site storage, such events directly expose the enterprise to production loss and welfare harm. Alternative supply via tankering cannot deliver the required volumes at the rates demanded during peak consumption periods and does not provide a reliable substitute.
- 2.6 The proposed lagoon offers approximately 3,500m³ of on-site storage. This volume is not intended for average daily supply but for resilience. Its purpose is to maintain an uninterrupted supply during combined peak demand and supply failure scenarios, including post-milking consumption spikes and temperature-driven increases in intake.
- 2.7 The storage capacity is calibrated to the operational characteristics of the unit, including herd size, consumption variability, evaporation loss, and the need to retain a reserve volume that is not exhausted which will lead to harm to any wildlife that colonise the lagoon. The lagoon acts as a buffering mechanism, ensuring continuity of supply during periods of disruption rather than serving as surplus capacity.
- 2.8 Without on-site storage, the agricultural unit cannot maintain continuous water provision under foreseeable supply conditions. The resulting exposure is immediate, material, and incompatible with the operation of a dairy enterprise. The proposed engineering works are therefore reasonably necessary for the purposes of agriculture within the unit, as they provide the minimum infrastructure required to secure continuous water availability for livestock and sustain the functioning of the agricultural system.

3 A.2 (2) (d) i test on the siting of the excavation

- 3.1 Under A.2(2)(c) of the GPDO the proposed excavation requires a determination as to whether prior approval is required in respect of siting. The scope of assessment is confined to that question. Compliance with Class A(b) establishes the principle of development. No wider planning balance arises.
- 3.2 The siting is determined by topography and hydrology. The proposed location occupies the natural point within the field parcel, as evidenced by the existing contour pattern, and allows water to be stored through excavation rather than artificial containment. The layout and grading demonstrate that the landform is cut into the slope, with contours stepping into the basin in continuity with existing levels.

- 3.3 The cross sections confirm that the excavation integrates with the existing ground through continuous profiles and shallow batters. There are no engineered edges, raised bunds, or discontinuities in the landform. The excavation reads as a function of the existing terrain.
- 3.4 The application boundary plan shows that the lagoon is located within a single agricultural field and set back from Crawley Lane. The siting avoids proximity to the public highway and does not introduce conflicts with surrounding land uses or infrastructure.
- 3.5 Visual exposure is limited by the physical boundaries of the site. The surrounding topography and established woodland, including dense and partially evergreen belts, restrict the permeability of views to short-range receptors. There are no nearby heritage assets or public rights of way within the site context, and no identified sensitive receptors with direct visibility. The soft landscape proposals provide edge definition and assimilation through scrub and marginal planting, reinforcing containment and continuity with the existing field structure .
- 3.6 The siting is functionally constrained. The lagoon must be positioned within the natural drainage catchment and close enough to the farmstead to enable effective storage and distribution of water. Alternative locations would require artificial containment or extended infrastructure and would not meet these conditions.
- 3.7 The statutory question is whether the siting gives rise to an adverse effect within the scope of A.2. No such effect arises. The excavation is located in accordance with the existing landform, contained within the agricultural unit, and visually constrained by topography and vegetation. Prior approval is not required in respect of siting. In the alternative, if prior approval is required, it should be granted as the siting satisfies the requirements of A.2.

4 Part 6, Class A Legislative Tests

- 4.1 Below is a detailed commentary against the complete requirements of paragraph A1 and A2 conditions detailed within Part 6 of the GPDO to prove the proposal is permitted development.

Development not permitted

A.1 Development is not permitted by Class A if -

(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;

- 4.2 The proposed land area is shown on the plan and is not a separate parcel below 1

hectare in size.

(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;

- 4.3 The proposal is for engineering works to create a new landform, and no buildings are required.

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

- 4.4 The proposal is for engineering works to create a new water lagoon only.

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

- 4.5 No buildings or structures are proposed, and the engineering operation described is for agricultural purposes.

(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; 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;

- 4.6 No buildings, works, or structures are proposed.

(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;

- 4.7 No buildings or structures are proposed.

(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;

- 4.8 No buildings or structures are proposed.

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

- 4.9 The proposed engineering works are located more than 25m from the nearest 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;

4.10 The Proposal is not a building or will be used to store slurry etc.

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

4.11 The proposal is only for the creation of a lagoon for water storage.

(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.

4.12 The proposal is only for the creation of a lagoon for water storage.

The proposal is not excluded within paragraph A.1.

Conditions detailed within paragraph A.2 (1) confirm the development is permitted by Class A subject to the following.

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;

4.13 The proposal is only for the storage of water.

(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;

4.14 The proposal does not require any mineral extractions or deposits.

(c) waste materials are not brought on to the land from elsewhere for deposit except₆

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.

- 4.15 This assessment explains that waste materials will not be brought to the land, and Environmental Permitting legislation, which governs waste matters, has jurisdiction over this matter.

(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.

- 4.16 This assessment provides a detailed explanation that confirms that waste materials will not be brought to the land.

Subject to the requirements of A.2 (2) (d) (i) which requires the developer to apply to the local planning authority for a determination as to whether the prior approval of the authority will be required in respect of siting of the excavation or deposit, the proposal is permitted development.

5 Summary

- 5.1 The proposed development falls within Part 6, Class A(b) GPDO as engineering operations on an agricultural unit exceeding 5 hectares. The statutory framework permits such operations where they are reasonably necessary for the purposes of agriculture within the unit, subject to the limitations and conditions set out in A.1 and A.2. Those requirements are satisfied.

- 5.2 The threshold test of reasonable necessity is satisfied. The dairy enterprise at Lodgelands Farm relies on a continuous water supply. The evidence shows that demand varies, is concentrated, and responds to environmental conditions, and that any disruption to supply causes immediate and significant failure of production and animal welfare. Therefore, on-site storage is a necessary part of the system. The proposed water lagoon provides the infrastructure needed to ensure supply continuity during peak demand and supply failures. The works are directly linked to and essential for the operation of the agricultural unit.

- 5.3 The conditions in A.2 are complied with. In respect of A.2(1)(c), the construction methodology is controlled through a Materials Management Plan prepared in accordance with the CL:AIRE Definition of Waste: Development Industry Code of Practice, such that any materials brought onto the land fall outside the definition of waste. The statutory prohibition is therefore not engaged. The application is supported by the documentation required under A.2(2).
- 5.4 The sole matter for determination is the siting of the excavation. The siting is determined by the physical characteristics of the land, including topography and drainage. The lagoon is situated within the natural fall of the field, integrated through grading, and contained within the agricultural unit. The evidence shows that the excavation does not create an engineered or discordant landform and is visually contained within the existing site boundary. No adverse effect arises within the scope of A.2.
- 5.5 The development therefore complies with Class A and A.2 of the GPDO. Prior approval is not required. In the alternative, if prior approval is required, it should be granted.

