

# SCOTT PLANNING

**Little Strudgates Farm, Balcombe, RH17 6QZ**  
**Permitted Development**  
**Compliance Statement**  
**August 2025**

# Introduction

This Statement has been prepared to accompany an application for Prior Approval to be submitted to Mid Sussex District Council (MSDC) for the carrying out of works under Part 6, Class A.(b) of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

These works comprise engineering operations associated with the formation of a private way for agricultural purposes, and the associated works to the current lane in order to permit it to continue to be used as a Public Right of Way (PRoW).

Under the terms of Part 6, Class A.2-(2),(b) and Class A.2-(2),(i), an application must be made for a determination as to whether the prior approval of the authority (in this case MSDC) is needed as to the siting and means of construction of the private way.

This Statement is submitted to MSDC in order to aid them in their determination, together with the following plans and details:

- Plans and details by Ross Aylward Architecture and Conservation, being:
  - 2514\_EX\_001\_C\_Site Location Plan
  - 2514\_EX\_010\_C\_Existing Site Plan
  - 2514\_PR\_010\_C\_Proposed Site Plan and Road Section
- Supporting letter from the applicants' Land Agents, Knight Frank dated 25 July 2025.

The purpose of this statement is to demonstrate that the proposed development complies with the requirements of Class A and is therefore permitted development that requires no further Prior Approval.

## The Site

Little Strudgates Farm comprises an agricultural holding located in a strongly rural area to the north of Balcombe and centred on an historic farmhouse and barn.

The farm totals 180 acres (72.8 hectares) and comprises a mixture of arable land to the north of the farmstead, and pasture land to the south. The holding also includes areas of woodland, included a recently planted plantation.

Both the arable and grazing (sheep) are operated under a contract farming operation, with the only building on the farm – a building of some historic interest in itself – used for general storage and for lambing.

The farmhouse is currently undergoing renovation works, approved under DM/22/0750 on 19 May 2022.

## Designations

It is noted that the site is located within the High Weald National Landscape (formerly AONB) as shown in the below map. However, unlike some other classes of permitted development, Class A is not precluded within National Parks or AONB/National Landscapes.

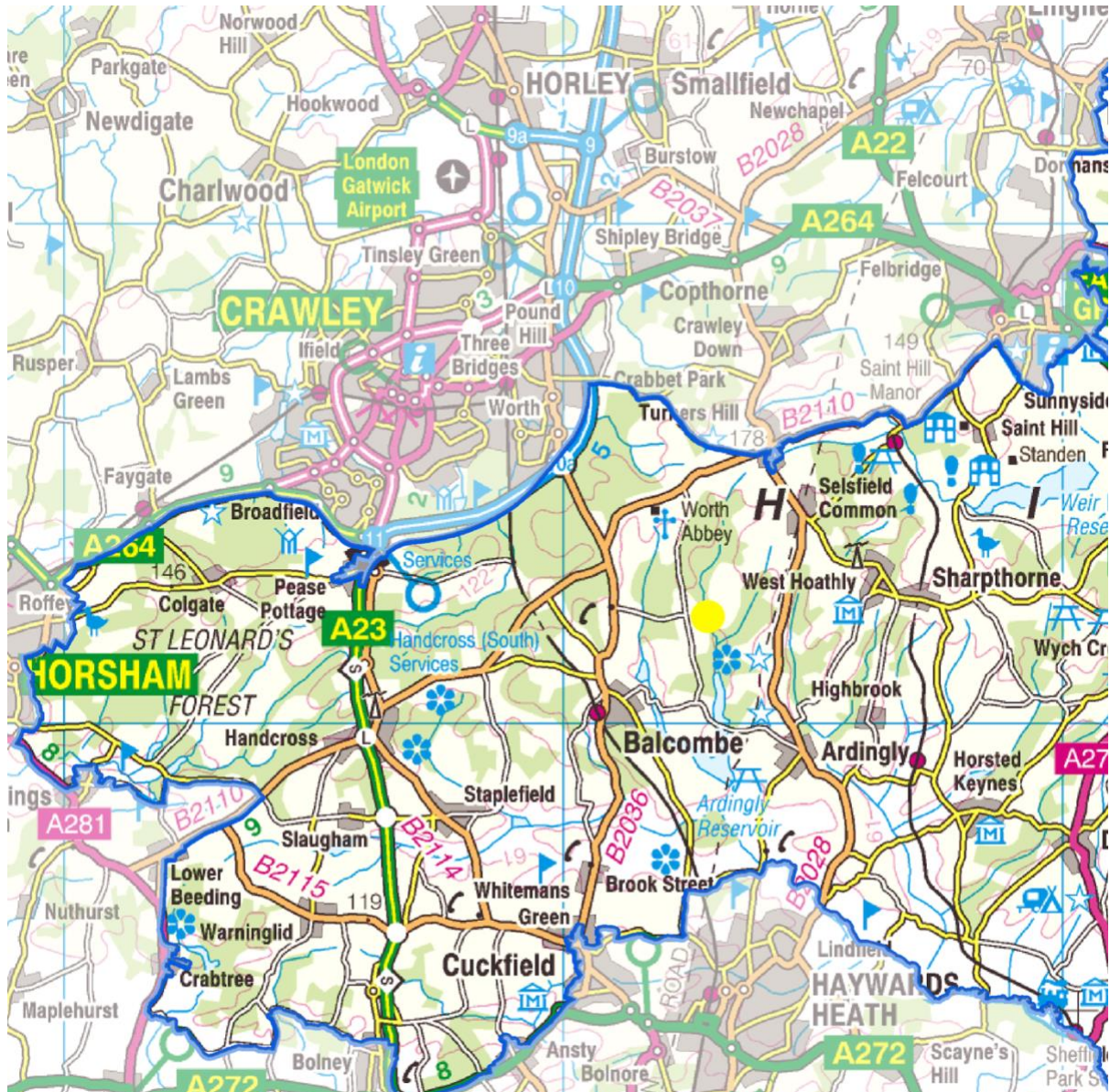


Fig 1: Extract from High Weald map (<https://highweald.org>) showing approximate location of Little Strudgates in relation to National Landscape boundary.

## Flooding

As shown in the extract from the Flood Map for Planning below, the site is situated within Flood Zone 1 (lowest probability). The same mapping also shows the site as being outside of any areas subject to surface water (pluvial) flooding.

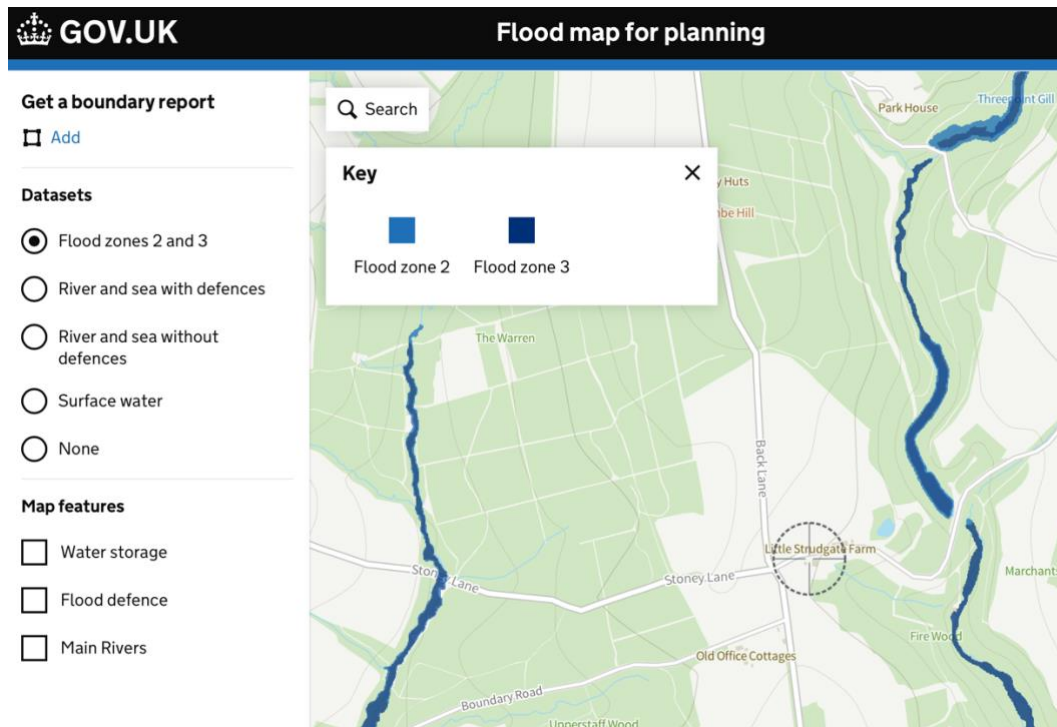


Fig 2: Extract from Flood Maps for Planning showing flood zones, with location of site indicated.

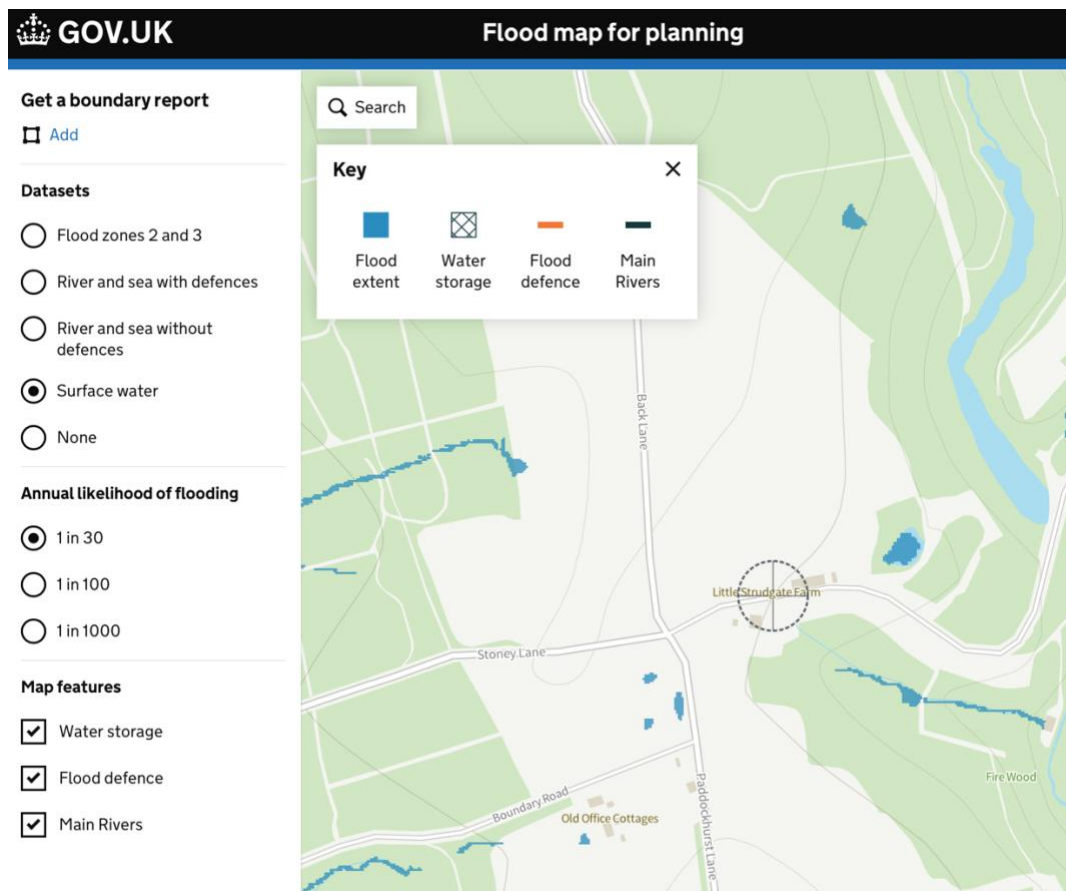
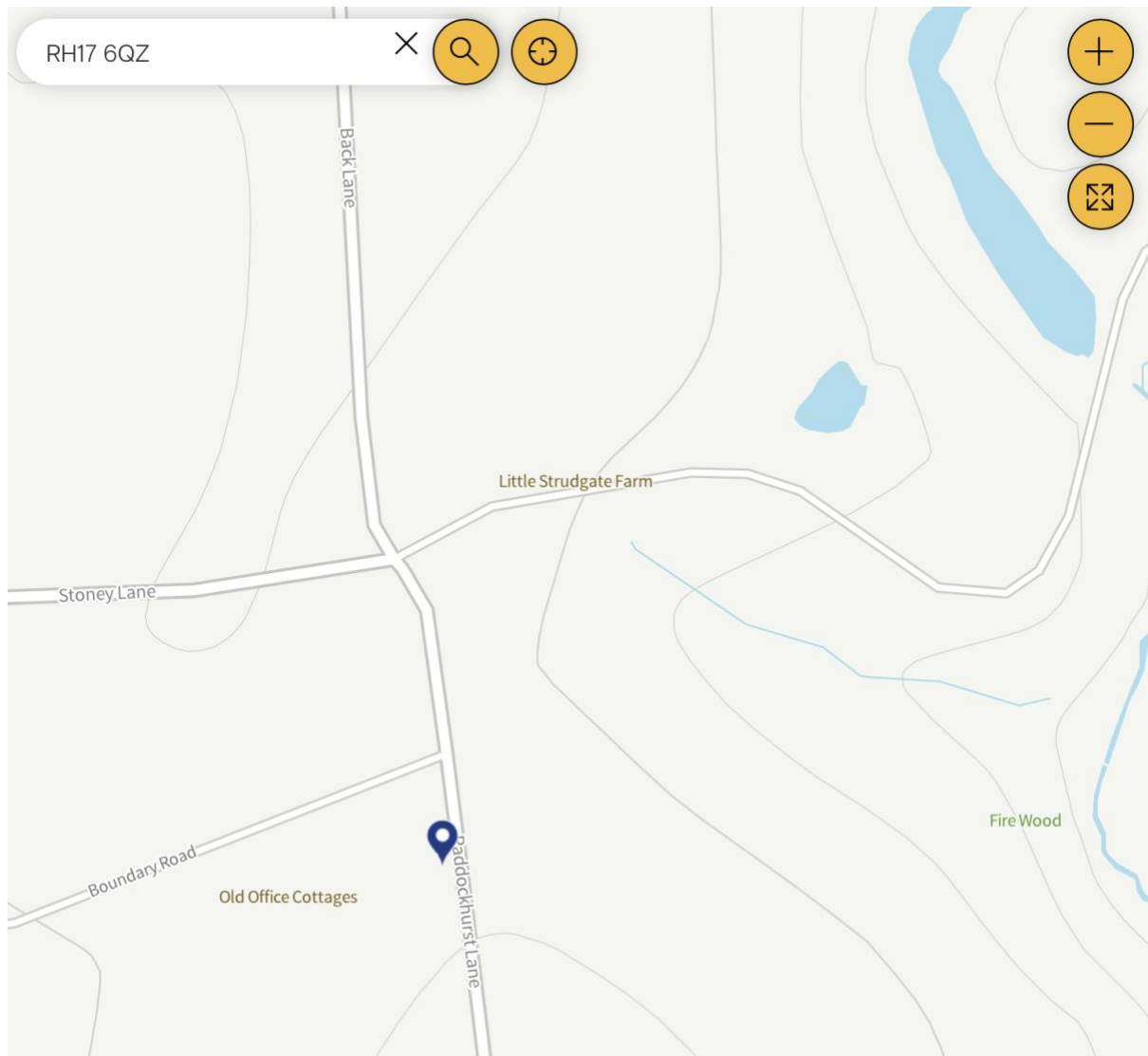


Fig 3: Extract from Flood Maps for Planning, showing surface water flooding with location of site indicated.

## Heritage

The National Heritage List for England (NHLE) has been consulted and this shows that there are no listed buildings within the application site.

The nearest listed building is Lunce Gate Cottage (Grade II), which is situated some 200m to the southwest, as shown on in the plan below.



*Fig 4: NHLE mapping extract, showing location of listed building.*

## Highways

Little Strudgates Farm is accessed via Paddockhurst Lane / Back Lane which runs on a north-south axis from Balcombe towards Worth Abbey, near to where it connects with the B2210. The junction of the private lane serving Little Strudgates forms a crossroads with this road, the western branch of which (Stoney Lane) connects to the B2036 London Road.

As shown in the map extract below, the unadopted lane serving Little Strudgates is a 'T' class road (i.e. unclassified), with the public roads to the west all being 'D' class roads.

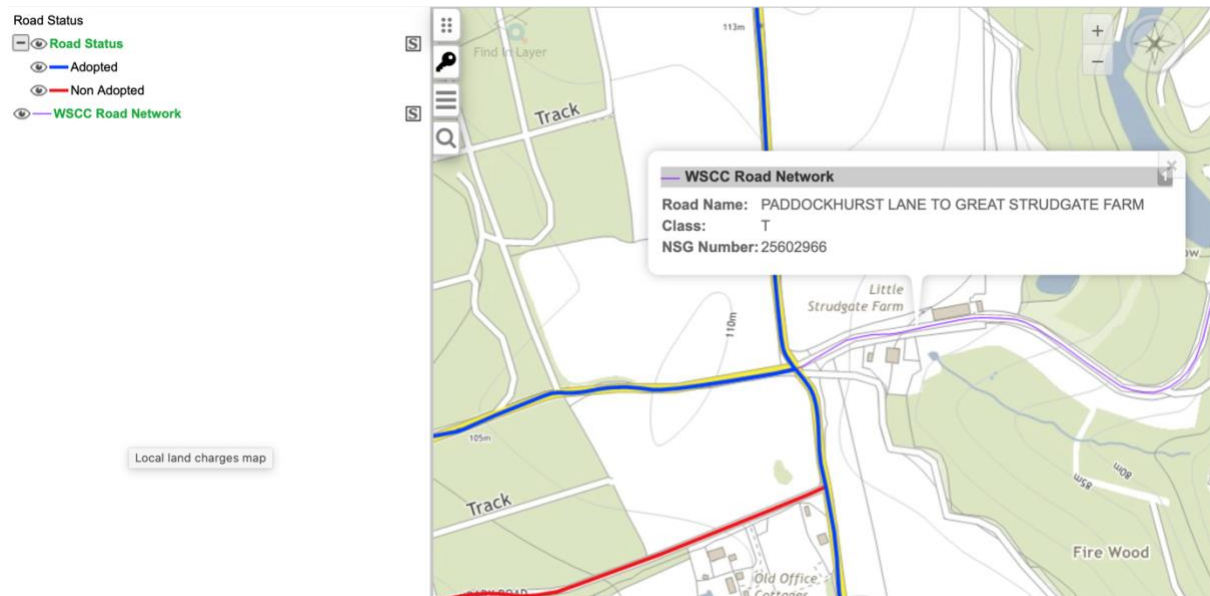


Fig 5: WSCC Local Land Charges mapping extract, showing site in relation to adopted roads.

As shown on the map below, the lane serving Little Strudgates Farm is a public right of way footpath (ARD-4-1BA). The western end of this footpath does not directly connect with the two footpaths lying to the west, with pedestrians required to walk down Paddockhurst Lane.

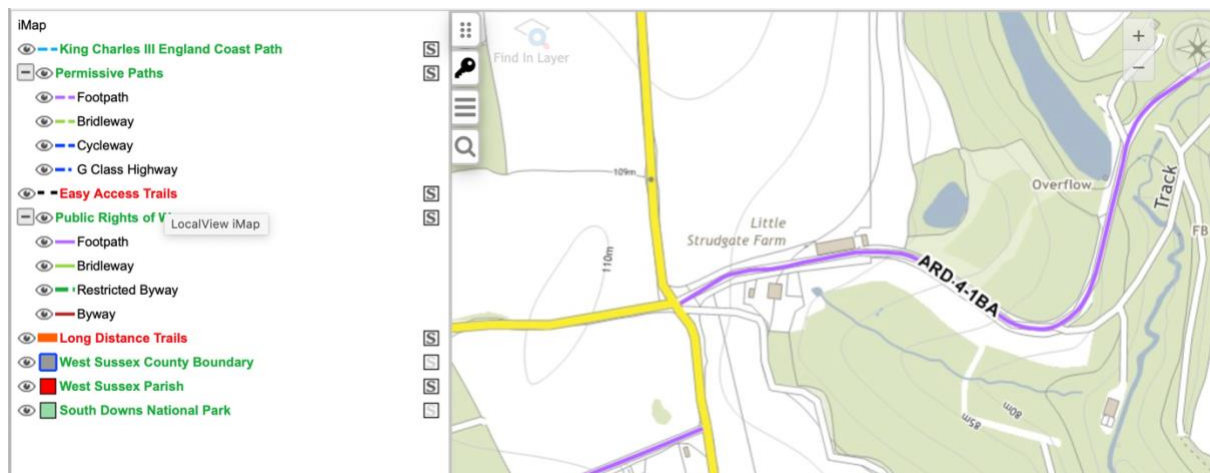


Fig 6: West Sussex iMap extract showing PROW in vicinity of the site.

# Permitted Development:

## Class A – Agricultural Development on units of 5 hectares or more.

This permitted development right (PDR) is set out within the April 2015 version of the GPDO (as amended) and allows for certain developments on land used for the purposes of agriculture, subject to various exclusions and conditions.

This PDR was recently amended (under SI 2024 No.579, effective from 21 May 2024), including to increase the size of buildings that can be erected under this PDR to 1,500 square metres.

The text from the GPDO is copied below:

*Class A – agricultural development on units of 5 hectares or more*

### **Permitted development**

- A. 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.

### **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;
- (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) 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 would exceed 1,000 square metres; 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;
- (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;
- (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; or
- (l) the erection or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument.

### Conditions

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.

(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, 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.

# Permitted Development Assessment

This section of the Statement provides an assessment against the various criteria listed under Class A of Part 6 (A.1) which establish whether the proposal accords with the requirements of the GPDO, and then goes on to consider how the proposal meets the requirement that any development under Class A be ‘reasonably necessary for the purposes of agriculture’ within the Agricultural Justification section below.

The proposed new farm track lies within the agricultural unit at Little Strudgates Farm, which comprises a holding of more than 5 hectares. As the proposal is for engineering works associated with the creation of the new track and the conversion of part of the existing lane to foot traffic only, the proposed development complies with the requirements of Class A of Part 6 in headline terms. The table below lists the requirements under Class A.1.

| A.1 Criteria                                    | Requirement                                                                                                                                                                                                                                                                                                                                                                | Assessment                                                                             | Pass/Fail |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-----------|
| A.1 Development is not permitted by Class A if— |                                                                                                                                                                                                                                                                                                                                                                            |                                                                                        |           |
| A.1(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;                                                                                                                                                                                                                                           | The proposal lies within the main parcel of Little Strudgates Farm, totalling 72.8 ha. | Pass      |
| A.1(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; | The proposal does not include for the erection of any buildings.                       | Pass      |
| A.1(c)                                          | It would consist of, or include, the erection, extension or alteration of a dwelling;                                                                                                                                                                                                                                                                                      | The proposal does not include for the erection or otherwise alteration to a dwelling.  | Pass      |

|        |                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                    |      |
|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| A.1(d) | It would involve the provision of a building, structure or works not designed for agricultural purposes;                                                                                                                                                                                                                                                                                             | The proposed new farm track is specifically designed for agricultural purposes, for reasons set out in the accompanying Knight Frank letter, and summarised below. | Pass |
| A.1(e) | The ground area which would be covered by—<br>(i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations would exceed 1,000 square metres; or<br>(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 does not include for the erection of any structure.                                                                                                   | Pass |
| A.1(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;                                                                                                                                                                                                                                                               | The building is not located within 3km of any aerodrome.                                                                                                           | Pass |
| A.1(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;                                                                                                                                                                                                                                                          | The works are all at ground level, being for the creation of a new farm track / private way.                                                                       | Pass |
| A.1(h) | Any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;                                                                                                                                                                                                                                                                                         | The nearest part of the proposed track is 41m away from the Paddockhurst Lane / Back Lane, a 'D' class road.                                                       | Pass |
| A.1(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                                                                                                                                                                                                            | The proposal does not include for any building, structure or excavation to be used for accommodating livestock or slurry or sewage sludge.                         | Pass |

|        |                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                               |      |
|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
|        | 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;                                                                                                                                                   |                                                                                                                                                               |      |
| A.1(j) | It would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming;                                                                                                                                                                                                         | The proposals are not connected or related to fish farming.                                                                                                   | Pass |
| A.1(k) | Any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—<br>(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<br>(ii) is or would be within 400 metres of the curtilage of a protected building; or | The proposal does not include for any building that will be used for the storage of fuel for or waste from a biomass boiler or an anaerobic digestion system. | Pass |
| A.1(l) | The erection or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument.                                                                                                                                                                                   | The proposal is not sited on, or within the curtilage of a scheduled monument.                                                                                | Pass |

## Agricultural Justification

Class A allows for certain developments on land used for agriculture, provided they are ‘reasonably necessary’ for the purposes of agriculture on the holding.

The background to this application is that the existing lane passes between the house and barn (both of which are considered to be of historic interest although not listed) and this currently creates a throttle point which serves to prevent the lane from being used by the larger agricultural machinery that are increasingly needed to farm the land at Little Strudgates.

In addition, the use of this lane by larger machinery is considered likely to cause damage to the historic and unusual barn, and there have been a number of instances

of vehicles striking and causing damage to this building. The current use of the lane by large machinery is also considered to contain an unacceptable health and safety risk for the occupants of the farmhouse and their young children.

Lastly, the proposed new track will provide for an improved access to the arable field to the north of the farm, which does not currently have a direct access from the farm, and which is accessed only from Back Lane. The creation of a new access into this field will therefore remove agricultural traffic travelling from the farm to this field from the public highway.

## Planning Assessment

As demonstrated above, it is considered that the proposed new farm track / private way meets the requirements of Part 6, Class A of the GPDO and so is permitted development that requires no further prior approval before it is carried out.

In reaching this conclusion, it is noted that proposals will have limited impact on the character and appearance of the surrounding landscape, since the proposed track is sited along the southern part of the arable field, where it is closely related to the mature landscaping along this boundary. The proposals will also include for additional tree planting in order to provide an enhanced landscaped backdrop to the proposed access.

It is worth noting that historic mapping for the area (1879 OS extract) appears to show a different arrangement of buildings on the site, with the access serving the farm only (i.e. not a through route). It is also noted that the access at this time appears to lie towards the north of the farmyard at this point. The historic barn then appears in the 1899 OS extract, with the lane being extended further east, although not to the extent that it does currently. The current layout appears to have been introduced at some point between 1899 and 1909, with the straightening out of the lane between the (by then enlarged) farmhouse and the barn. It is therefore considered that the existing lane alignment is not of any particular historic interest.

Lastly, it is noted that the proposal seeks to retain the footpath PROW on the same alignment and convert a small section to foot traffic only. This is considered to have an overall beneficial effect including in terms of the setting of the historic farmhouse, and the experience of walkers using this route.

Taking the above into account, it is considered that the proposed alterations are consistent with the overriding character of the site, and the wider area – including in terms of the surrounding National Landscape.