

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0019	Case Officer:	Catherine Cardin
Application Type:	Agricultural Prior Not. - Building		
Proposal:	Proposed erection of an agricultural building.		
Site:	2 Stoaches Cottages, Freshfield Lane, Danehill, Haywards Heath, West Sussex, RH17 7HQ, ,		
Validation Date	5 Jan 2026	Overall Expiry Date:	
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Prior Approval Is Not Required	Recommendation Date:	28 Jan 2026
Target Date:	2 Feb 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	29 Jan 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0019

**2 Stoaches Cottages, Freshfield Lane, Danehill, Haywards Heath, West Sussex, RH17 7HQ,
Proposed erection of an agricultural building.
Mr Mark Heath**

SUMMARY OF REPRESENTATIONS

None received.

PARISH COUNCIL OBSERVATIONS

Whilst it is acknowledged that an "agricultural unit" can comprise different parcels of land that do not necessarily need to be contiguous, the committee considers that insufficient evidence has been submitted to prove the three parcels constitute an agricultural unit, in accordance the requirements for a Class A development under GPDO, as site 3 is considered to be too remote from site 1 (where the development is proposed).

There is also no evidence to prove that site 1 is currently being farmed as part of an "agricultural unit" and it would appear that it is currently being used for equine and other hobby activities as evidenced by the presence of horse box, horse drawn carriage and storage containers, etc contrary to the existing agricultural use class. The applicant has no formal tenancy agreement for the land that he claims to be farming at site 3. The letter provided by the landowner of the site in appendix A of the supporting statement, noting the existence of an informal verbal arrangement with the applicant in the past, does not provide sufficient evidence that the applicant will be able to continue to operate this site as part of an agricultural unit in the future.

Although the committee acknowledges that they are not experts in farming matters, it is questionable whether the size of the proposed development is proportionate and necessary for the applicant to continue farming given the relatively small size of the claimed agricultural unit. Further details of the applicant's previous and current farming practices and how these have changed, or are planned to change in the future, are necessary to justify the proposed development.

INTRODUCTION

This application seeks a determination as to whether prior approval is required for the erection of an agricultural outbuilding at 2 Stoaches Cottages, Freshfield Lane, Danehill, Haywards Heath. The application is made under the provisions of Class A, Part 6 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

RELEVANT PLANNING HISTORY

11/00139/FUL- Application for the construction of a proposed new driveway and detached double garage with associated landscape and boundary works. Permission.

SITE AND SURROUNDINGS

The application site is located on the eastern side of Freshfield Lane, and forms part of a farm holding that extends to 23 hectares, with approximately 1.6 hectares of land immediately around 2 Stoaches Cottages, the farmhouse associated with the agricultural unit. The dwelling is in the same ownership and control as the agricultural land and functions as the operational and residential base for the farming activities carried out across the holding, comprised of 3 sites. The application site is comprised of a yard, with an existing wood store and dilapidated storage building. The land slopes gently to the east.

The site lies outside the built-up area boundary of Horsted Keynes and is located within the High Weald Area of Outstanding Natural Beauty. The area is characterised by agricultural land, dispersed residential properties and farmsteads. Neighbouring properties are located to the north and south. Highways is located to the west.

APPLICATION DETAILS

The proposed building would have a width of some 18 metres and a depth of some 8.9 metres. This would have a dual-pitched roof, with a height to the ridge of some 5.4 metres and a height to the eaves of some 4.4 metres. The building would have a steel frame construction, externally clad in metal sheeting, and fixed to concrete pad foundations. It is proposed to install three roller shutter doors on the front (southeastern) elevation, and a sliding door and access door on the side (northeastern) elevation. Access to the building will be taken from the existing agricultural access arrangements serving the holding.

The building would be used for the storage of a tractor, associated agricultural machinery, implements, hay and straw used in connection with livestock husbandry across the holding.

LEGAL FRAMEWORK

Under the provisions of Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, Prior Notification of the agriculture development must be submitted to the LPA for consideration as to the siting, design and appearance of the development. The LPA must thereafter issue a decision as to the requirement for prior approval of the development within 28 days of the receipt of the application. The relevant part of the order states:

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.

ASSESSMENT

Prior to development commencing, development which complies with the above criteria can benefit from permitted development rights subject to, applying 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.

Based on the information provided, the local planning authority is satisfied that the proposed building is reasonably necessary for the purposes of agriculture within the unit. The existing storage barn is in a dilapidated condition and is not deemed worthy of retention. Whilst the proposed building would be relatively large compared to adjacent buildings, the building would be set well back from the road on land that slopes gently to the east, with the existing boundary treatments providing some screening from public vantage points. The replacement building would be sited by an existing vehicular access thereby reducing the need for any additional vehicular access routes.

The proposed building would replace an existing dilapidated storage building and would be sited within a farmyard. Detailed plans have been provided indicating that the proposed building would be of a similar height to the existing garage at 2 Stoaches Cottages. The building would have the appearance of a simple modern agricultural building, and when viewed against adjoining buildings, is not considered to detract from the visual appearance and character of the rural area or wider landscape of the High Weald AONB.

Other matters

The concerns from the Parish Council regarding the agricultural unit and barn size are noted. During the course of the application, a statutory declaration and land registry titles have been submitted relating to the agricultural occupation and use of land at Portmansford Farm and Oak Farm, which forms part of the agricultural unit. Regarding the scale of development, the agriculture unit is some 23 hectares in size

and is considered a moderate size holding. The proposal is significantly below the 1000 metres squared threshold under agricultural PDR regime and is therefore considered appropriate.

CONCLUSION

It has been satisfactorily demonstrated that the erection of the building is reasonably necessary for the purposes of agriculture and complies with the requirements of Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Furthermore, the siting, design and external appearance of the building are considered appropriate and should not detract from the visual appearance and character of the rural area or wider landscape of the High Weald Area of Outstanding Natural Beauty.

It is therefore considered that the proposal is permitted development under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Prior approval is not required and the development can therefore proceed in accordance with the submitted details.

Decision: Prior Approval Is Not Required

Case Officer: Catherine Cardin