



**Horsham
District
Council**

Mr Kevin Wright
The Henfield Hall
Henfield
West Sussex
BN5 9EQ

Our ref: PE/25/0073
Your ref:
Officer: Jacques Burrowes
Email: Jacques.Burrowes@horsham.gov.uk
Tel: 01403 215180
Date: 7th May 2025

Dear Sir/Madam,

Location: Henfield Skate Park Kings Field Playing Field Deer Park Henfield

Details: Do I Need Planning Permission - Refurbishment and extension of the existing concrete skate park on the Kingsfield, adjacent to Deer Park. The scheme is in two phases with phase two to include the addition of lighting to the skate park and a footpath for access from the adjacent Youth Club.

Your enquiry has been considered and I can advise as follows:

It is sometimes possible to carry out works to land under what are known as 'permitted development' rights. These rights make it possible for certain works to be carried out without the express permission of the Local Planning Authority. These rights extend to Parish Councils under Part 12 (Development by Local Authorities) of the General Permitted Development (England) Order 2015.

Part 12, Class A states that permitted development affords:

"The erection or construction and the maintenance, improvement or other alteration by or on behalf of a local authority or by or on behalf of an urban development corporation of—

- (a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;
- (b) lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, refuse bins or baskets, barriers for the control of people waiting to enter public service vehicles, electric vehicle charging points and any associated infrastructure, and similar structures or works required in connection with the operation of any public service administered by them."

Further clarity on the powers and functions of local authorities is provided within the Local Government Act 2000. A "Local Authority" is defined within Section 1(a) of Part I of the Local Government Act 2000 as a county council, district council, London borough council, the Common Council of the City of London in its capacity as a local authority, the Council of the Isles of Scilly, and an eligible parish council. Paragraph (2) of this section states that "a parish council is 'eligible'

for the purposes of this Part if the council meets the conditions prescribed by the Secretary of State by order for the purposes of this section.

In isolation, it is considered the work, if carried out by the Parish Council, to refurb and extend the existing skate park would abide by these permitted development rights. However, Class A (a) references "any small ancillary buildings, works or equipment on land...". A.2 states that any ancillary building, works or equipment must not exceed 4 metres in height or 200 cubic metres in capacity for it to be considered as such. Section 336 of the Town and Country Planning Act 1990 defines a "building" as any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building". Given this, skate park equipment, including ramps, would be classified as a building. As such, any structure associated with the skate park could not exceed 4m in height under permitted development.

As only a site plan has been provided, it is not possible to determine what refurbishment / extension to the skate park actually involves and whether there are any additional built forms, ie. ramps, bowls, boxes etc. As no elevation plans have been submitted, it is unclear what elements would be retained or which would be refurbished. However, should any alterations to the structure be proposed, these could not exceed 4 metres in height. Should the structure exceed this height, planning permission would be required.

However, if the development is to be carried out by a local community group and not the parish council, any works would not represent permitted development and would require the submission of a full planning application. Local community groups do not fall within the definition of a Local Authority and do not therefore have permitted development rights..

Details on how to apply for planning permission can be found through the following link with further information on documents to include with a full planning application submission found on the councils website:-

<https://www.horsham.gov.uk/planning/planning-applications/apply-for-planning-permission>

Alternatively, a Certificate of Lawful Development (Existing) could be submitted for a formal determination of whether planning permission is required. Further information on submitting this application can be found at:

<https://www.horsham.gov.uk/planning/planning-applications/types-of-planning-application/applications/lawful-development-certificate>

The above comments are given as the opinion of the Case Officer and do not prejudice any outcome of a subsequent application. Should you submit a formal planning application, please quote reference number PE/25/0073 in your submission.

Yours faithfully

Jacques Burrowes
Planning Officer

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council implemented a Community Infrastructure Levy (CIL) Charging Schedule on 1st October 2017.

The Community Infrastructure Levy is a charge placed on new development. The funds raised will help to pay for a wide range of infrastructure to support development across Horsham District.

Most new development which creates net additional floorspace of 100m² or more, or creates a new dwelling, (including permitted development), is potentially liable for the levy.

How does it affect you?

Applications for CIL liable development which are determined on or after 1st October 2017 are required to pay the Community Infrastructure Levy (unless the development qualifies for relief or exemption).

Further information and the rates charged by Horsham District Council are set out in the CIL Charging Schedule which can be viewed online at www.horsham.gov.uk/planning/apply/cil

General Consent e.g. Permitted Development

Developments which are permitted by way of a general consent (such as permitted development) may still be liable to pay the Community Infrastructure Levy if they meet the above criteria.

In these circumstances, you must submit a Notice of Chargeable Development (CIL form 5), notify us of the person who will assume liability to pay the CIL and make any applications for relief or exemption, before the development is commenced.