



**Horsham  
District  
Council**

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

Our ref: PE/25/0046  
Your ref:  
Officer: Jacques Burrowes  
Email: Jacques.Burrowes@horsham.gov.uk  
Tel: 01403 215180  
Date: 8th May 2025

Dear Sir/Madam,

**Location:** Kings Field Northcroft Henfield West Sussex

**Details:** Do I Need Planning Permission - Positioning of two containers 20'x8' to be used as storage for Council owned equipment

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 some 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.

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".

It would be considered that a standard container 20ft container would be a building under this definition. It is presumed the container would have a height equivalent to 8.5ft in height (2.44m). Coupled with the other dimensions, it would be considered that the containers would abide by the limitations of an ancillary building. A concrete base may also be optioned to site the containers on. Though no measurement is given, it is considered it would roughly be the footprint of the containers. A concrete base would be considered to fall under (a) of Class A.

It is noted that reference has been made to the use of the containers as a workshop. No detailed information has been provided with respect to the workshop use, and it is unclear whether this would support the maintenance and repair of equipment stored within the containers, or whether this would be a separate commercial enterprise. If the workshop were to be used to maintain and repair equipment associated with the maintenance of the land, this would be considered ancillary to the principal storage use of the containers. However, should the workshop be used for other purposes or both other individuals/organisations, this would represent a material change of use requiring planning permission.

It is considered the work, if carried out by the parish council, would not require explicit planning permission.

If further confirmation of not requiring planning permission for the work is sought, an application for a lawful development certificate should be submitted. Further details on this type of application can be found through the following link:-

[https://www.planningportal.co.uk/info/200187/your\\_responsibilities/37/planning\\_permission/3](https://www.planningportal.co.uk/info/200187/your_responsibilities/37/planning_permission/3)

However, if the development is to be carried out by a local community group and not the parish council, this would not be considered permitted development and would require the submission of a full planning application. This is as local community groups do not 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>

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/25/0046 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 100m<sup>2</sup> 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](http://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.