

Report to	Planning Committee
Date	19 January 2012
By	Director of Planning
Local Authority	Wealden District Council
Application Number	NP/2011/0093/MAJ
Application	Winery and associated car parking and turning areas; addition of water storage and treatment tanks, solar array (165 panels) plus additional landscaping.
Address	Land adjacent to Rathfinny Lodge, Rathfinny Farm, Alfriston BN26 5TU
Purpose of Report	The application is reported to Committee for a decision

Recommendation: that planning permission is granted for the reason and subject to the conditions set out in paragraph 9.1 of this report

1. Site Description

- 1.1 The Rathfinny Estate is located to the south east of Alfriston on the south facing slopes of the chalk outcrop which rises up from the coast at Seaford to form a landscape of rolling arable fields with close cropped grassland along the ridges and pockets of woodland along the slopes. The Cuckmere River cuts through the chalk just to the east of the Estate and there are views out from most parts of the land across the Cuckmere River valley to the sea. The Estate totals some 240 hectares currently operated as an arable farm.
- 1.2 The Estate is accessed by concrete track which rises up steeply from the road leading out of Alfriston. The track flattens out as it approaches the first building on the Estate, a brick built bungalow known as Windy Ridge which has an agricultural occupancy condition. This bungalow has permission for extensions and alterations including oak cladding to the exterior. Immediately to the west is a grassed area with native trees and hedgerow to the north and west and a more formal hedge separating it from the front garden area and drive of the bungalow. In front is a lay-by parking area next to the access track.
- 1.3 The access track leads west to the drive of another dwelling on the estate known as Rathfinny Lodge. This dwelling is set down the slope of the escarpment and built in traditional style of red brick with a tiled roof. At the junction of the drives is a dilapidated barn used as a domestic outbuilding. To the north is the drive leading to another dwelling in separate ownership which is more modern in design and materials.
- 1.4 The track leads on to a group of functional farm buildings comprising 2 asbestos clad grain stores with pitched roofs and a grain dryer in front and next to it a flat roofed timber cattle shed with a silage clamp in between. The proposed winery building is to be sited in the silage clamp with an array of 165 solar panels behind it.
- 1.5 Further west near the western boundary of the estate is a ruined flint barn and walled courtyard.

2. Relevant Planning History

- 2.1 76/2848 outline application for agriculture workers dwelling permitted 06.12.76 with reserved matters application permitted 28.07.77
- 2.2 2011/0025 enhancements and alterations to bungalow including external oak cladding, canopy and photovoltaic panels permitted 16.08.11
- 2.3 T2011/0064 office building permitted 01.11.11 for a temporary period expiring on 1 August 2012
- 2.4 11/0026 office building and staff facilities pending consideration

3. Proposal

- 3.1 The overall proposal is for the farm to become a vineyard totalling some 160 hectares with associated winery buildings for making, bottling and storing sparkling and still wine. A master-plan has been submitted setting out the planting programme over the next 10 years and the buildings that would be needed to support the development of the winery business. These include:
 - Refurbishment of the dwelling subject to the agricultural occupancy condition (see 2.2 above)
 - A replacement of the other dwelling which has unrestricted occupancy (application was to be submitted November 2011 but awaiting outcome of pre application negotiations)
 - Office facilities/secure parking area (application pending consideration) and a temporary office building in the interim (see paras 2.3 and 2.4 above)
 - 2 new buildings for making the wine (first building subject of this report application for second building to be submitted June 2014)
 - Conversion of the existing grain store and grain dryer for bottling and storage of wine (application to be submitted June 2015).
 - Provision of a new building to provide accommodation for educational visits and walkers and up to 45 on-site seasonal workers and a housekeeper (application was to be submitted December 2011 but awaiting outcome of pre application negotiations).
 - An improved access to the site (application was to be submitted November 2011 but awaiting outcome of pre application negotiations).
- 3.2 A business plan has been submitted to support the application. If the vineyard develops to its full potential it would produce in excess of 1,000,000 bottles of, mainly sparkling, wine a year storing up to 3,000,000 bottles on site at any one time.
- 3.3 Currently no vines have been planted on the site, though the first phase of planting is scheduled for spring 2012 with the vines currently being grown in Germany. Some wind break trees have been planted to the areas where the first 20 hectares of vines are to be planted.
- 3.4 This application seeks full planning permission for a winery including fermenting tanks, storage and processing floor space, laboratories, a tasting suite, kitchens for on-site catering for tasting and other promotional events, toilets and staff facilities. The building would be sited within the silage clamp to make use of gravity to load the tanks with grapes and drain the juice with ceiling heights the minimum necessary to carry out the processing. It would be 2 storeys and include a mezzanine floor to a maximum height of 11 metres and protrude approximately 5.5 metres above the ground level on either side of the silage clamp. The roof would be curved and planted with meadow grass mix. The building would be a total of 47 metres long with an open area at the eastern end and 23 metres wide. It would be oak clad with glazing and a balcony/verandah along the southern elevation. It is proposed to construct an earth bank on the south side of the building with vegetation screening. To the north of the winery building an area is proposed for the siting of 165 solar panels. Parking and turning areas are proposed to the west of the building. No alterations are proposed to the access track.

- 3.5 The application has been submitted with a Design and Access Statement, Ecology Report and Landscaping and Visual Impact Assessment.

4. Consultations

- 4.1 Wealden **District Council Tourism and Economic development officer**: support. The overall vision of the Rathfinny Estate would help to enhance Wealden's tourism portfolio as well as promoting locally grown produce of a high quality. We are aware of the success of the Chapel Down Winery in Kent which is home to the largest producer of English wines and the facilities they have on site which are geared up for welcoming visitors. This proposal provides the opportunity of creating a number of jobs whilst increasing the value of tourism to the district which is a key aim of the 'Strategic Framework for Tourism in Wealden 2010-2015'. In principle therefore we support this application, subject to the relevant planning policies for the area.
- 4.2 **Alfriston Parish Council**: support
- 4.3 **Seaford Town Council**: no objection

5. Planning Policy Context

- 5.1 The following national policy documents are relevant to this application:
PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth
PPS5 Planning for the Historic Environment
PPS7 Sustainable Development in Rural Areas
PPS9 Biodiversity and Geological Conservation
PPG13 Transport
PPS25: Development and Flood Risk.
- 5.2 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area in the South East Plan and the Wealden Local Plan 1998.
- 5.3 The South East Plan was adopted by the Secretary of State on 6th May 2009. The Coalition Government's revocation of the Plan in July 2010 has been found to be unlawful so the Plan remains part of the development plan at this time but the intention to revoke could be a material consideration. The following policies are relevant to this application:
C2: The South Downs - states that the purposes of designation should be a material consideration in the making of any planning decision that would affect it.
CC1: Sustainable development – states that the physical and natural environment of the south east is conserved and enhanced
CC4 Sustainable Design and Construction
CC6: Sustainable Communities and Character of the environment – requires new development to respect the character and distinctiveness of landscapes and use innovative design to create a sense of place.
SP3: Urban Focus and Urban Renaissance – states that the prime focus for development in the South East should be in urban areas.
NRM5 Conservation and Improvement of Biodiversity
T4 Parking/W2 Sustainable Design, Construction and Demolition
C4 Landscape and Countryside Management
BE6 Management of the Historic Environment
- 5.4 Wealden District Council is in the process of preparing its Local Development Framework, which would be jointly adopted by the South Downs National Park Authority until our own Core Strategy and Policies are in place. Certain policies of the adopted Local Plan have been 'saved' via Direction of the Secretary of State dated 25 September, under the provisions of Paragraph 1(3), Schedule 8, Planning & Compulsory Purchase Act 2004 and these have essentially been inherited by the South Downs National Park Authority as part of the

Development Plan for that part of the National Park which lies within Wealden District Council. Wealden Local Plan policies relevant to this application are:

GD2 - development outside settlement boundaries

EN1 - sustainable development

EN2 – maintaining settlement patterns

EN12 – retention of trees

EN14 – landscaping

EN25 - archaeology

EN27 – layout and design

EN29 – light pollution

EN28 – disabled access

CS2 – surface and foul water drainage

DC3 – new farm buildings

TR3 – traffic, access and public transport

TR16 – car parking

- 5.5 In December 2005 Wealden District Council adopted an interim guide for development control, the Non Statutory Wealden Local Plan. This interim document refreshed certain policies of the Wealden Local Plan, in line with national guidance, and enabled housing allocations to be made to meet the 5 year housing land requirements. Appeals have attributed material weight to this non statutory document. Relevant policies are:

GD2 - development outside settlement boundaries

BE1 – design

BE1 – design for people with mobility difficulties

DC3 - new farm buildings

NE15 – retention of trees

CS5 – surface water drainage

TR5 - parking

- 5.6 Under the provisions of saved policies EN1 and EN27 of the adopted Wealden Local Plan, the Council has also formally adopted the Wealden Design Guide, November 2008, as a Supplementary Planning Document. Part 5 of Chapter 5 is relevant to consideration of this application.

6. National Park Purposes

- 6.1 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes. Government policy relating to national parks set out in PPS7: Sustainable Development in Rural Areas and Circular 20/10 is that they have the highest status of protection in relation to natural beauty, wildlife and cultural heritage and their conservation and enhancement must, therefore, be given great weight in development control decisions.

7. Planning Assessment

- 7.1 Policy DC 3 of Wealden District Local Plan 3 requires farm buildings to be reasonably necessary for the purposes of the holding and be clearly designed for such a use, to be integrated with existing structures as far as possible, and to have a siting, design and external appearance which are not intrusive in the landscape. Special mention is made of the need to take particular care in protected landscapes.

- 7.2 The masterplan sets out proposals for a large winery with development phased over the next 10-15 years. The key issues are whether the building is intrusive in the landscape and whether the winery proposal is viable in the long term.
- 7.3 The site is within one of the winding dry valleys that are a key landscape characteristic of this location and the western areas of the estate are within the more remote and undeveloped area of the Firle and Bishopstone Downs area of the East Sussex County Council Landscape Assessment. In the absence of any significant built form within the valley it contributes strongly to the Natural Beauty of the National Park and is deemed sensitive to any new development.
- 7.4 The site can be seen from a number of public viewpoints along the local footpath network to the south and the Alfriston/Seaford Road. The topography allows direct views into the site from the south and from the High and Over which is identified as a highly important feature of the SDNP in the East Sussex County Council Landscape Assessment. The buildings on the Estate are seen in 4 separate locations, the most prominent being the group of functional farm buildings (amongst which this building is proposed to be located) which are in the direct line of sight of stationary receptors at these viewpoints.
- 7.5 The winery building would be lower than the barn to the east and below the skyline. The proposed grass roof would merge with the rising chalk escarpment. Therefore although it does not conform to the traditional style of farm buildings in this area in terms of design and materials, the winery building will not appear unduly obtrusive particularly when the oak cladding has silvered with age.
- 7.6 This is an ambitious project but there has already been significant investment with key personnel being appointed and the first wines purchased to be planted early in 2012. A business plan has been submitted which forecasts that the business will be in profit within 2 years and by 2017 will be in profit by just over £2.5 million.
- 7.7 There are no highway objections and the building is some distance from the nearest residence therefore there are no amenity issues. There are no protected species affected by the proposed development so there would be no impact on nature conservation interests or biodiversity. However there is potential to enhance biodiversity through landscaping and this could be secured by a condition.

8. Conclusion

- 8.1 The winery building is considered necessary to support the agricultural working of the estate and would not appear overly obtrusive in the landscape. The proposal as a whole includes measures to improve biodiversity and habitats. The development of the vineyard would support the proposed agricultural use of the land, and as such the economic well being of the community in this area. As such the proposal meets the purposes and duty of SDNPA designation.

9. Recommendation

- 9.1 It is recommended that planning permission be granted for the following reason:

1. The winery building is reasonably necessary to support the development of a winery on the land and the location, design and materials are acceptable in the landscape context. As such the development complies with Policies C2 of the South East Plan and Policy DC3 of the Wealden Local Plan.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation and the measures to be

undertaken to ensure the results of the investigation are published and made publicly available, which has been submitted to and approved by the South Downs National Park Authority in writing and the works shall be undertaken in accordance with the approved details.

Reason: To ensure that any archaeological evidence is investigated, recorded and published in compliance with PPS5 policy HE12 and Policy BE12 of the Non Statutory Wealden local Plan.

3. Before development commences details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, shall have been submitted to and approved by the South Downs National Park Authority in writing. The development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory relationship between the new development and the landscape to comply with Policy EN27 of the Wealden Local Plan.

4. Before development commences a scheme indicating the provision to be made for disabled access shall be submitted to and approved by the South Downs National Park Authority in writing. The approved scheme shall be implemented in full before the building hereby permitted is first brought into use.

Reason: To ensure adequate provision for disabled access to comply with Policy EN28 of the Wealden Local Plan.

5. Before development commences landscaping details including the measures to enhance biodiversity, a programme for implementation and maintenance and samples of all surfacing material shall be submitted to and approved by the South Downs National Park Authority in writing. The approved scheme shall be implemented in full in accordance with the approved programme and any plants that die or are removed within the first 5 years shall be replaced with plants of the same species and size

Reason: To enhance the appearance of the development and its integration into the landscape of the SDNPA and to enhance biodiversity to comply with Policies DC3, EN14, EN27 and EN12 of the Wealden Local Plan.

6. Before development commences details, including samples, of all external roofing and facing materials including, materials to be used for windows and doors, shall be submitted to and approved by the South Downs National Park Authority in writing. The development shall be constructed in accordance with the approved details.

Reason: To ensure adequate provision for disabled access to comply with Policy EN28 of the Wealden Local Plan.

7. Before development commences a scheme for the prevention of light pollution from the building and details of any external lighting shall be submitted to and approved by the South Downs National Park Authority in writing. The approved scheme and details shall be implemented as approved from when the building is first brought into use.

Reason: To ensure prevent light pollution in this sensitive and remote area of the SDNP to comply with Policy ENV29 of the Wealden Local Plan.

8. Before development commences details of the measures for disposing of surface water and foul drainage shall be submitted to and approved by the South Downs National Park Authority in writing. The approved measures shall be implemented in full before the building hereby permitted is first brought into use.

Reason: To ensure adequate measures are in place to dispose of surface water and foul drainage and to comply with Policy CS2 of the Wealden Local Plan.

9. Before development commences details of the facilities to be provided for storage of refuse shall be submitted to and approved by the South Downs National Park Authority

in writing. The approved facilities measures shall be provided and before the building hereby permitted is first brought into use thereafter retained.

Reason: To ensure adequate measures are in place to store refuse in the interests of the amenity of the area and to comply with Policy DC3 of the Wealden Local Plan.

10. Before development commences a scheme indicating the provision to be made the storage and disposal of waste shall be submitted to and approved by the South Downs National Park Authority in writing. The approved scheme shall be implemented in full before the building hereby permitted is first brought into use.

Reason: To ensure adequate provision for waste storage and disposal to comply with Policy EN27 of the Wealden Local Plan.

10 Crime and Disorder Implications

- 10.1 It is considered that the proposal does not raise any crime and disorder implications.

11 Human Rights Implications

- 11.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

12 Equalities Act 2010

- 12.1 Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010.

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Appendices 1. location map
SDNPA Consultees Head of Planning; LDF Policy Lead; Monitoring Officer & Senior Solicitor.

Background Documents

Letters of representation from members of the public

Applicant's Masterplan and Business Plan

Observations of Highway Authority and Southern Water

Observations of East Sussex County Council, Wealden District Council, Alfriston Parish Council and PPS1, PPS3, PPS4, PPS5, PPS7, PPS9, PPG13

Circular 20/010

Wealden District Local Plan 1998

South East Plan 2009