

Report to	Planning Committee
Date	9 April 2015
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/12/02520/FUL
Applicant	Mr T Carr
Application	Demolition of existing barn used for children's farm park activities, demolition of storage barn and removal of mobile home and erection of five residential dwellings with garages and associated parking and construction of barn for children's farm park activities/tea room and farm shop and relocation of existing farm shop for use as shower block for previously approved camp site
Address	Spring Barn Farm, Kingston Road, Lewes, East Sussex, BN7 3ND

Recommendation: That planning permission be granted subject to the conditions set out in paragraph 10.1 of this report

Executive Summary

This application is for the demolition of existing barn used for children's farm park activities, demolition of storage barn and removal of mobile home and erection of five residential dwellings with garages and associated parking and construction of barn for children's farm park activities/tea room and farm shop and relocation of existing farm shop for use as shower block for previously approved camp site.

In practice this means that the farm park buildings are amalgamated into a single building and the farm park moves to the west. The existing shop building will be relocated to the west to provide a new shower block for the camping area permitted in 2007; it has a similar footprint and is in a similar location to the shower block approved but not constructed under planning permission LW/09/0082/CD. The proposed new housing will go where the existing farm park buildings and an existing mobile home are located. This will follow a similar courtyard/ farmyard style arrangement to the adjoining housing development which got permission in 2005.

Whilst the development does extend further into the countryside with the new barn being outside of any settlement boundary, the farm park offers a good facility for local people and tourists alike. Its continued success is therefore supported by planning policy. The building of the houses within the settlement boundary will enable this new purpose built barn to be erected to improve the experience for visitors.

There is no objection to the scheme from a landscape or highway perspective and the design has been amended to overcome some of the key objections of the Design Officer.

This application has been with the Authority for some time due to the complexities of the case and the need for further reports and information to support the proposals and subsequent consideration of these matters.

The application is reported to Committee due to the number of representations received, including the objections from the South Downs Society & Friends of Lewes.

1. Site Description

- 1.1 The application site sits at the foot of the South Downs within the National Park. The South Downs Integrated Landscape Assessment places the site in the landscape type 'Major Valley Sides' and the Character Area G2: Ouse Valley Sides. 'The landscape type encompasses the valley sides/slopes which enclose and provide the setting for the major valley floodplains. The boundaries are defined by the change in slope to the flat floodplain and by the crest of the slope, as seen in the view from the valley floor'. The site sits on the North West side of the Ouse Valley at the foot of an area of open sloping grassland.
- 1.2 Spring Barn Farm extends to 98 hectares and with a further 25 hectares of rented land adjoining. All the land is down to permanent pasture. The site itself consists of two areas; the area with the houses is around two thirds of an acre and the land with barn and shower block around 0.4 acres.
- 1.3 The area with the proposed houses, known as Site 1, currently has a number of buildings on it which are to be demolished as part of the proposals; these include the existing farm park barn, a mobile home and the shop building. Site 2, the area where the new farm park building and the shower block will go, is currently open land, some of it currently used for car parking, between an existing cattle barn and the existing farm park building.
- 1.4 A public footpath runs past the two site areas to the south along the access road and to the north on the downs.

2. Relevant Planning History

- 2.1 There have been a number of planning applications in the past at the site relating to the farm use.
- 2.2 Since 2003 there have been the following applications relevant to this proposal:
 - LW/02/1904 for the change of use from farm to farm/ children's visitor centre, including tea room which was approved on 11 February 2003.
 - LW/05/0944 – demolition of barns and construction of five residential units with associated carports etc. was withdrawn on 5 July 2005.
 - LW/05/1586 – demolition of barns and construction of five residential units (three x two bed units, one x three bed unit and one two bed single storey unit) and five car ports was approved 27 October 2005. The agent advises that the development was completed but only three units in the terrace block were built, instead of the four approved. To complete the fourth unit would have resulted in part of the main barn being demolished which formed part of the farm park.
 - LW/06/0709 – modification of Planning Obligation for removal of S106 agreement tying residential accommodation at Spring Barn Farm to the farm holding was approved 27 March 2007.
 - LW/07/1004 – change of use of agricultural land to camping site between April – September each year and erection of toilet/shower block was approved 31 October 2007. As the farm park was well established by this time, this site closer to it was considered more appropriate for camping than the location approved in 2001.
 - LW/09/0051 – erection of farm shop was approved 19 March 2009.
 - LW/09/0752 - erection of farm shop (amendment to planning approval LW/09/0051) was approved 8 September 2009.
 - LW/09/0744 – erection of cattle barn was approved 23 December 2009.

3. Proposal

- 3.1 The application seeks planning permission for the demolition of an existing barn used for children's farm park activities, the demolition of storage barn and removal of mobile home; and the erection of five residential dwellings with garages and associated parking, and construction of a new barn for children's farm park activities/tea room and farm shop, and

the relocation of existing farm shop for use as shower block for previously approved camp site.

- 3.2 The 5 dwellings comprise of 4 x 2 bed houses with garaging and 1 x 4 bed house with integral garage. It is noted that the proposal as originally submitted was for 7 dwellings; 3x4 bed; 2x3 bed; 2x2 bed houses. This number was reduced in line with design and landscape advice.

4. Consultations

- 4.1 **Lewes Town Council:** Members supported this application subject to appropriate design of the access at this difficult location.
- 4.2 **ESCC Ecology Officer:** No objection subject to conditions relating to mitigation measures.
- 4.3 **ESCC Highways Officer:** No objection subject to conditions in relation to parking, cycling and construction management plan. The applicants are also requested to contact the Rights of Way Officer regarding appropriate signage of the footpath which crosses the site.
- 4.4 **Environmental Health Officer:** No objections subject to conditions.
- 4.5 **ESCC Landscape Officer:** No objection subject to conditions.
- 4.6 **SDNPA Design Officer:** Concerns raised regarding the design approach taken. Inappropriateness of 2 storey buildings around a courtyard; concerns about domestic way gardens are provided on outside of courtyard; design of the barn uncharacteristic of agricultural buildings.
- 4.7 **South Downs Society:** Object on the grounds that this is an extension of new built, non farm based development into the countryside; does not meet the requirement of “quiet enjoyment” of the park; the lack of clarity re future need for modern farm building; need for control of unregulated parking areas; and no clear understanding of the future farming needs.
- 4.8 **Friends of Lewes:** Object on grounds of overdevelopment of residential accommodation and contrary to paragraphs 115 and 116 of the NPPF.

5. Representations

- 5.1 Two representations received in relation to the amended plans supporting the proposal. The new dwellings between residents and the farm park barn will ensure the current noise experienced will be removed. An initial representation from one of these households was generally supportive subject to the design of the houses.
- 5.2 One letter of objection received:
- The proposal is a small housing estate which would effectively destroy the gap between Lewes & Kingston;
 - Visual intrusion;
 - Increased traffic on a dangerous bend on the C7.

6. Planning Policy Context

6.1 National Park Purposes

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.

National Planning Policy Framework and Circular 2010

- 6.2 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks. The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The South Downs Partnership Management Plan

- 6.3 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan. Of particular relevance to this application is outcome 9 – ‘communities and businesses in the National Park are more sustainable with an appropriate provision of housing to meet local needs and improved access to essential services and facilities’. This is linked to policy 50 whereby housing and other development in the National Park should be closely matched to the social and economic needs of local people and should be of a high design and energy efficiency standards, to support balanced communities so people can live and work in the area.

7. Planning Policy

- 7.1 The statutory development plan in this area is the Lewes District Local Plan 2003. The following saved policies are relevant to this application:

ST3 Design, Form and Setting of Development

ST11 Landscaping of Development

E10 Tourism Strategy

T14 Vehicle Parking

- 7.2 The emerging Lewes Joint Core Strategy has been through examination and is expected to be adopted soon. It therefore carries substantial weight in decision making unless other material considerations indicate that it would not be reasonable to do so. The relevant policies are:

Core Policy 4 – Encouraging Economic Development and Regeneration

Core Policy 5 – The Visitor Economy

Core Policy 2 – Housing Type, Mix and Density

Core Policy 1 – Affordable Housing

Core Policy 10 – Natural Environment and Landscape

Core Policy 11 – Built and Historic Environment and High Quality Design

Core Policy 13 – Sustainable Travel

8. Planning Assessment

- 8.1 The application involves the demolition of an existing barn used for children's farm park activities, the demolition of storage barn and removal of a mobile home; and the erection of five residential dwellings with garages and associated parking, and construction of a new barn for children's farm park activities/tea room and farm shop, and the relocation of existing farm shop for use as shower block for previously approved camp site.

- 8.2 In practice, this means that the farm park buildings will be amalgamated into a new purpose built single building and the farm park will move to the west. The existing shop building will be re-used and relocated to the west to provide a new shower block for the camping area permitted in 2007. This building and its siting is similar to that approved under planning permission LW/09/0082/CD. The proposed new housing will go where the existing farm park buildings and an existing mobile home are currently located. This will follow a similar courtyard style arrangement to the adjoining development which was granted permission in 2005.
- 8.3 The proposed housing development sits within a settlement boundary, as defined in the adopted Local Plan and the emerging Joint Core Strategy, and is therefore, in principle, considered acceptable subject to other policy considerations. The settlement is a finger of development between Lewes town, south of the A27 and the railway line and Kingston, which sits just to the south east of Lewes. This end of the settlement is related to Kingston and there are existing buildings on this part of the site so that this element of the proposal can not be said to be closing the gap between Lewes and Kingston.
- 8.4 There is no current adopted policy requirement for affordable housing on the site and as the housing element falls within the settlement it is not an exceptions scheme. In line with changes to National Planning Policy Guidance November 2014 no contributions towards affordable housing can be requested on site of 5 or less dwellings in the National Park.
- 8.5 Whilst the housing development sits within the settlement, the new farm park barn lies outside of any settlement boundary where development would not normally be encouraged. However, the farm park offers a good facility for local people and tourists alike. Since 2003 when planning permission was granted for the farm park, the existing barn which is over 50 years old has been adapted and changed to meet the needs of the farm park. The applicant now finds that it is not financially viable or sound management to try to bring it up to modern standards. A new replacement barn would ensure its future as part of an overall long term strategy for the farm. The new building would enable the farm park to attract visitors throughout the year and it is hoped that this will broaden the appeal of the farm park and help increase more school visits during term time. The farm park employs 13 permanent members of staff and up to 30 during holiday and peak times. The continued success of the farm park is supported by planning policies in both the existing Local Plan (Policy E10) and the emerging Joint Core Strategy (Policy CP4 & CP5). The profit from the building of the houses within the settlement boundary will enable this new purpose built barn to be erected. The new barn is sited to the east of an existing cattle barn, so that whilst it maybe said to be further encroaching on the green gap between settlements it is sited between existing buildings and no landscape objection is raised.
- 8.6 If the general principle of the development is accepted, the key issues become the impact on landscape and design. The form and massing of the dwellings and garaging are designed to appear as a group of farm buildings arranged round two courtyards. The buildings are dug into the sloping levels across the site. The depths and heights of the new residential buildings have been directly related to the residential barn building existing on the site. The relationship with the adjacent existing dwellings has also been taken into account. The parking for the dwellings is within the courtyard area. There are 6 garages and 8 spaces.
- 8.7 The elevation treatment is relatively simple with brick clad lower floors and gable ends and vertical sweet chestnut cladding at first floor level. Roofs are to be clay tiled. Materials will be important to the success of the scheme and a condition is recommended to ensure that samples are submitted and approved.
- 8.8 The new farm park barn building is 42.5 metres by 24.5 metres. It has part timber boarded elevations and a profiled roof. The latest amended plans ensure that there will be no windows in the roof and that the areas of glazing are kept to a minimum to accord with the dark night skies objectives. The condition requiring the approval of materials will apply to the barn. The parking area for the farm park will remain in the existing area. Whilst the new barn will cover some of this area, it is considered that sufficient parking space will remain. The Landscape Officer wishes this to remain informal in nature. To ensure that this is the case a condition is recommended regarding submission and approval of details.

- 8.9 The South Downs Integrated Landscape Assessment places the site in the landscape type 'Major Valley Sides' and the Character Area G2: Ouse Valley Sides. 'The landscape type encompasses the valley sides/slopes which enclose and provide the setting for the major valley floodplains. The boundaries are defined by the change in slope to the flat floodplain and by the crest of the slope, as seen in the view from the valley floor'. The site sits on the North West side of the Ouse Valley at the foot of an area of open sloping grassland.
- 8.10 The Landscape Officer comments that the local character in the area of the site and its surroundings is influenced by the urban residential edge of the town of Lewes. In this context the site is not located in the more tranquil countryside characteristic of much of this character area. The buildings of Spring Barn Farm sit at the bottom of an open downland slope, much of which is part of the open farm and supports paddocks with farm animals and access for the visitors. There are views across the farmstead and the proposed development from this open farm area. There are local views to the site from the public footpaths which run from Kingston to Lewes. There are distant views across the valley from the downs to the east of the Ouse Valley. The change proposed for the site would be unlikely to have a significant impact from these distant views and would need to be considered in the context of the existing development in the area. The Landscape Officer is, therefore, satisfied that subject to conditions relating to boundary treatments, species of planting and the retention of an informal car parking layout that the scheme will not harm the National Park landscape.
- 8.11 The Design Officer has concerns regarding the form of the housing development, though considers the amended proposals which reduced the number of dwellings from 7 to 5 relate better. In his view more single storey buildings in a courtyard would be appropriate, as it is usual to have only one larger barn and a variety of single storey structures in a farmyard. The buildings proposed, however, do relate to the surrounding building types and the mixture of new dwellings, barn conversions and old houses. The site levels mean that some of the buildings are dug into the slope reducing their impact and the appearance of height. There is also some variety with single storey garaging/ refuse/ cycling store elements linking to the two storey dwellings. The mixture of properties and buildings in this immediate area and the farmyard style of development mean that the development could not be read as a 'housing estate' as one representation suggested but rather as a farm complex.
- 8.12 The Design Officer also raised concerns regarding boundary treatments. The applicant states that the proposal follows original advice of post and wire fencing with informal planting. The Design Officer considers that flint boundary walls would possibly be a better alternative. A formal landscape condition relating to both hard and soft landscaping is recommended so that the full details can be looked at to ensure that any option with planting is successful. The applicant has indicated that they would be prepared to provide flint walls if necessary. The landscape officer has advised that 'a fenced boundary (post and wire fence) with associated informal planting of downland tree species such as white beam, rowan and small leaved lime and shrubby species such as hawthorn, wayfaring bush, guelder rose, dog rose (shrubs) etc. would be acceptable as long as it is not managed as a clipped hedge.'
- 8.13 The Design Officer had raised concerns regarding the farm park barn looking more industrial in nature. The latest amendments removing large areas of glazing ensure the building is more like a modern farm building, which would be appropriate in this setting.
- 8.14 The issues of parking and access are also important. As previously stated the Landscape Officer wishes to see an informal car parking layout retained without urbanising landscape features. The highway authority is satisfied there is sufficient parking space within the landowners control and that the access onto the main road is sufficient to take any additional traffic generated as part of the development. Appropriate planning conditions will ensure parking is provided and retained.
- 8.15 Whilst indications are that there is no contamination on the site and the applicant has submitted further information with regard to this point, the information does not answer all the questions raised by the Environmental Health Officer who initially had recommended conditions to ensure that necessary surveys and reports were submitted and approved and the necessary remediation measures to be put in place. It is considered, therefore, that the

conditions recommended should be attached in full to ensure that the necessary reports and remediation are in place should any contamination be found at some point during the works permitted.

9. Conclusion

- 9.1 The overall proposal for housing and a new farm park building at the bottom of this downland slope is considered acceptable. The farm park offers a desirable attraction for local people and visitors to the National Park. This development should ensure its long term future. The housing element is within the existing settlement boundary and whilst the new farm park building lies outside of the settlement, as a farm type building it will not appear out of place.

10. Reason for Recommendation and Conditions

- 10.1 It is recommended that the application be approved 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). To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. The development hereby permitted shall be carried out in accordance with the approved plans.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development above slab level shall commence until a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roof of the buildings hereby approved have been submitted to and approved, in writing, by the Local Planning Authority and all materials used shall conform to those approved.

Reason: To safeguard the character and appearance of the area in accordance with Saved Policy ST3 of the Lewes District Local Plan 2003, National Park purposes and NPPF.

4. Before development commences details of hard and soft landscape works shall be submitted to and approved by the Local Planning Authority in writing. These details shall include:

1. Written specifications (including cultivation and other operations associated with plant and grass establishment):
2. Schedules of trees/ shrubs/ plants, noting species, planting sizes and proposed numbers/densities where appropriate:
3. Retained areas of grassland cover, scrub, hedgerow, and trees;
4. Details of walls and fencing;
5. Hard surfacing materials;
6. A schedule of landscape maintenance including details of the arrangements for its implementation.

The landscaping shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings and residential properties and to improve the appearance of the site in the interests of visual amenity and to comply with Saved Policy ST3 of the Lewes District Local Plan 2003 and NPPF.

5. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the South Downs National Park Authority in consultation with the Highway Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the

entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- The anticipated number, frequency and types of vehicles used during construction,
- The method of access and routing of vehicles during construction,
- The parking of vehicles by site operatives and visitors,
- The loading and unloading of plant, materials and waste,
- The storage of plant and materials used in construction of the development,
- The provision of wheel washing.

Reason: To prevent extraneous material being deposited on the highway, to ensure that construction of the development does not result in avoidable congestion on the road, and to satisfy the reasonable requirements of road safety and in the interest of the amenities of the area.

6. The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and in accordance with saved Policy T14 of the Lewes District Local Plan 2003.

7. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development

8. No removal of trees or hedgerows on the site (in accordance with the approved plans) shall take place between 1 March and 31 August inclusive in any year unless otherwise approved in writing by the Local Planning Authority. Prior to the commencement of any development, a scheme for the siting and quantity of bird nest and bat roosting boxes to be hung to trees or attached to buildings on the sites shall be submitted to and approved by the South Downs National Park Authority. The approved details shall be implemented in full.

Reason: To ensure that birds and bat species are protected and their habitats enhanced, in accordance with the Wildlife and Countryside Act 1981 and the NPPF.

9. Before the development hereby approved commences, the applicant shall submit a report, prepared in accordance with the provisions of BS4142:2014 to predict noise levels at the nearest noise sensitive location. This report must be submitted, in writing for written approval by the Local Planning Authority prior to the premises opening to the public.

Reason: In the interests of the amenities of the existing and proposed residential properties in accordance with Policy ST3 of the Lewes District Local Plan 2003.

10. Before development commences details of any external lighting of the site shall be submitted to, and approved by the Local Planning Authority in writing. Such details shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise agreed by the Local Planning Authority in writing.

Reason: To protect the appearance of the area, the environment and wildlife and local residents in accordance with saved Policy ST3 of the Lewes District Local Plan 2003.

11. Notwithstanding Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 no extensions/

conservatories shall be erected unless otherwise agreed, in writing, by the South Downs National Park Authority.

Reason: To safeguard the amenities of adjoining residential properties in accordance with saved Policy ST3 of the Lewes District Local Plan 2003 and the NPPF.

12. Notwithstanding Class E of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 no outbuilding or enclosure shall be erected unless otherwise agreed, in writing, by the South Downs National Park Authority.

Reason: To safeguard the amenities of adjoining residential properties in accordance with saved Policy ST3 of the Lewes District Local Plan 2003 and the NPPF.

13. Prior to the commencement of development a layout plan showing the parking area for the farm park shall be submitted to and approved by the Local Planning Authority and thereafter maintained to the satisfaction of the SDNPA.

Reason: In the interests of highway safety and to ensure the development is appropriate in this landscape setting in accordance with saved Policies T14 and ST3 of the Lewes District Local Plan 2003 and the NPPF.

14. No development shall take place until a scheme to control the emission of dust from the demolition and construction works at the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully maintained in accordance with the manufacturers instructions at all times until completion of the development.

Reason: To protect the amenity of the locality in accordance with saved Policy ST3 of the Lewes District Local Plan 2003.

15. Hours of construction work should be restricted to 08:00 to 18:00 hours Monday to Friday and 08:30 to 13:00 hours on Saturdays. No work at any time on Sundays or Bank Holidays is permitted. No machinery shall be operated, no process shall be carried out and no deliveries shall be made at the site outside of these specified times.

Reason: To protect the amenity of the locality in accordance with saved Policy ST3 of the Lewes District Local Plan 2003.

16. No development shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the Planning Authority. The approved plan shall set out the arrangements for managing all environmental effects of the development during the construction period, including traffic (including a workers' travel plan), temporary site security fencing, artificial illumination, noise, vibration, dust, air pollution and odour, including those effects from the decontamination of the land, site illumination and shall be implemented in full throughout the duration of the construction works, unless a variation is agreed in writing by the Planning Authority.

Reason: In the interests of amenity of the locality in accordance with saved Policy ST3 of the Lewes District Local Plan 2003.

17. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with possible contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, sections 12.0 and 12.1].

18. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved contamination remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, sections 12.0 and 12.1].

19. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that contamination remediation plan. On completion of the monitoring programme a final report demonstrating that all long term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, sections 12.0 and 12.1].

20. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, sections 12.0 and 12.1].

Informatives

- I. Birds’ nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of

potential nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.

2. The applicants are requested to contact the Rights of Way Officer regarding appropriate signage of the footpath which crosses the site.
3. All waste material should be stored, removed from the site and disposed of in an appropriate manner. It is an offence to burn trade waste, so there should be no bonfires on site.

11. Crime and Disorder Implication

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

12. Human Rights Implications

12.1 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.

13 Equalities Act 2010

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

14 Proactive Working

14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of pre-application advice from the SDNPA Development Management Officer and SDNPA Design Officer, the opportunity to provide additional information to overcome technical issues and the opportunity to amend the proposal to add additional value as identified by SDNPA Officers and consultees.

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer: Sally Stallan
Tel: 01730 819274
email: sally.stallan@southdowns.gov.uk
Appendices I. Site Location Map
SDNPA Consultees Director of Planning & Legal Services
Background Documents Application Documents
<http://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MC384ETUIV000>
National Planning Policy Framework
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
National Planning Practise Guidance
<http://planningguidance.planningportal.gov.uk/>

SDNP Partnership Management Plan

http://www.southdowns.gov.uk/_data/assets/pdf_file/0011/409799/SD_ManPlan_2013_15.pdf

Lewes District Local Plan 2003

<http://www.lewes.gov.uk/planning/localplan.asp>



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2012) (Not to scale)