The application is for the creation of a landscaped noise and visual screen along the boundary between the A27 Dual Carriageway and West Hove Golf Club. The screen is to be created with imported recovered soil which totals 150,005m3. The applicant has also proposed a bridleway and the dedication of the site as Open Access Land once the bund is completed.

The application is reported to the Planning Committee as it is a major development within the National Park and a previous application for a similar proposal was refused by the Planning Committee in April 2013 (SDNP/12/00520/FUL). The current application seeks to overcome the previous reasons for refusal and the bund has been redesigned more sympathetically in relation to the surrounding National Park landscape. The applicant has also removed the previously proposed covered driving range which was considered to be introducing an incongruous build form into a relatively open and undeveloped area.

Account has been taken of the latest National Planning Policy, principally the assessment in relation to demonstrating exceptional circumstances and public interest for major development in a designated area. It is considered that the proposal would be in the public interest and that exceptional circumstances exist for the development to be permitted within the National Park. The proposal provides for opportunities for increased access, biodiversity improvements and some visual improvements along a number of Public Rights of Way.
Following consultation, the SDNPA Landscape Officer is satisfied that the previous landscape objection has been addressed. The impact on amenity is considered to be acceptable subject to appropriate mitigation. No objection has been raised in terms of highways impact.

The applicant will be expected to enter into a legal agreement in order to secure the bridleway and Open Access Land.

1. **Site Description**

1.1 West Hove Golf Club is located immediately north of the A27 adjacent to the urban extent of Brighton and Hove conurbation. The boundary of the National Park runs along the northern edge of the A27 in this location which also forms the southern extent of the application site. The site includes an existing open driving/practice range and is accessed via a private track from the A293 Hangleton junction of the A27.

1.2 The A27 spans the valley in which the site is located, from Benfield Hill in the west to Round Hill in the east. At approximately 50m AOD, the site sits 7-8m below the level of the A27 at its western edge; rising to 80-85m AOD at which point it is level with the road at the eastern extent of the site. The area of the site is 3.86 hectares with the overall area of the golf club land covering approximately 54 hectares.

1.3 Benfield Hill Local Nature Reserve (LNR) is on the western side of the golf club but separated from it by a north-south bridleway. Further west of Benfield Hill is New Barn Farm which consists of the number of farm buildings and houses. A large bund which was granted planning permission in 2008 separates the farm and paddocks from the A27. On the eastern edge of the golf club land and approximately 200 metres from the red site boundary is the Devil’s Dyke Trail which also serves as route 82 of the National Cycle Network. There are other bridleways and public access tracks within close proximity of the boundary of the golf course.

1.4 The club house is located approximately 150metres north-west of the application site boundary, with the club car park adjacent to the south.

1.5 The site and surrounding countryside comprises open chalk grassland. The site consists of a mixture of Grade 3 (good to moderate) and Grade 4 (poor) agricultural land. The South Downs Integrated Landscape Character Assessment (SDILCA) identifies the area within the Open Downland landscape character type, specifically stating “Large scale open elevated landscape of rolling chalk Downland, with dry valleys and scarp slopes. Secluded dry valleys are a special feature”.

1.6 To the south of the A27, are the Hangleton Valley Drive, Warenne Road, and Honey Croft residential areas. These residential areas are separated from the A27 by a dense tree screen.

2. **Relevant Planning History**

2.1 West Hove Golf Club, in its current location, was established in the early 1990s. Planning permission for the course as it exists today was granted in 1989. A number of planning applications were granted over the years for the clubhouse, access road and practice ground.

2.2 SDNP/12/00520/FUL - creation of a visual and noise abatement screen along the A27, the upgrading of an existing chipping green and the installation of covered practice bays over the existing practice tee. Refused on the 11/04/2013 for the following reasons:

1) The noise and visual bund screen constitute a waste disposal operation which would result in a heavily engineered and artificial landscape feature within the special landscape of the South Downs National Park. It has not been demonstrated that there is a public benefit or that there are exceptional circumstances which would justify permitting this major development in the South Downs National Park. Specifically it has not been demonstrated that the moderate benefit in relation to the reduction in noise for users of the golf course outweighs the detrimental impacts of the proposed bund on the landscape and recreational opportunities of the SDNP. It has also not been
demonstrated that the reduction in noise could be met in another way.

2) The proposed covered driving range, having regard to the siting, overall size, height and scale together with its design and appearance, would introduce an incongruous built form into a relatively open and undeveloped area of the South Downs National Park which would be detrimental to its natural beauty through its impact on the landscape character.

2.3 SDNP/13/04084/FUL - Proposed improvements to West Hove Golf Club involving the creation of a visual and noise abatement screen along the A27, the upgrading of an existing chipping green, Environmental Impact Assessment (EIA) application, under the EIA The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 - Withdrawn.

3. Proposal

3.1 The West Hove Golf Club is seeking to reduce the noise and visual impact of the A27 through the formation of a visual and noise abatement screen in the form of a bund constructed of recovered soils. The new screening bund would be located along the northern boundary of the A27 and in the south west corner of the golf club land. On average the new bund would be 20m away from the northern edge of the A27. The bund would extend for approximately 470m at varying graded levels.

3.2 Submitted cross section drawings show the bund varying in height from 13m above existing ground levels at it's highest point, between 5-6m above the level of the A27 down to 3m at the approximate mid point and down again to approximately 2m at the eastern end of the bund, but on the higher existing ground level of 70m AOD as compared to the ground level of approximately 52m AOD at the western end.

3.3 The bund would be constructed from the importation of approximately 150,005m3 of recovered soils. This would equate to 16,667 lorries in total, at 50 lorries per day arriving at 10-15 minute intervals, between 07:30am and 5.00pm Monday to Friday. At the given delivery schedule, it is estimated that the overall construction together with landscaping and seeding of the bund would be completed in approximately two years. A works compound and wheel washing facilities would be provided within the site for the duration of the works. The area of the development would be accessed from a temporary defined haulage route, formed of hardcore, leading from the existing club access track in the west and extending across the majority of the length of the proposed bund to the required areas of the site.

3.4 The delivery lorries would access and egress the site via the private access track to the golf club from the junction with the A27. The operation to form the bund would be controlled by the construction controls as set out in the Environmental Statement.

3.5 Topsoil will be stripped back and stored on site for reuse once construction is complete. The material to be used for the construction of the bund would be sourced within the terms of an Environmental Permit from the Environment Agency. It is proposed to use uncontaminated spoils and soils. The material will be subject to source testing and importation controls to ensure only registered waste carriers provide material for the development. A sample of material will be collected from every 1000m3 accepted. The works on site would be undertaken using a bulldozer, a 20 tonne excavator and a dumper.

3.6 It is proposed to provide a new native wildflower meadow and new tree and shrub planting along the bund as part of the overall biodiversity improvements. A layer of chalky subsoil, included as part of the overall importation calculation, will also be required underneath the topsoil to ensure the establishment of the wildflower seed.

3.7 The applicant has submitted a letter from the Environment Agency confirming that they consider that the proposed development amounts to a waste recovery operation rather than disposal of waste.

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1 The definition of recovery set out in the EU Waste Framework Directive states that ‘recovery’ means any operation in which the principal result is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function.
3.8 The applicant proposes the establishment of a bridleway across the bund connecting Bridleways BWH6/BWH4b to the east of the golf course with Restricted Byway RBH11b running through the golf course in a northwards direction to the Monarch’s Way. Additionally, the applicant also proposes to dedicate 3.6 hectares of the site as open access land under the Countryside and Rights of Way (CROW) Act 2000 on the recommendation of the SDNPA Rights of Way Officer and Ranger Team. The Open Access Land will extend from the southern boundary with the A27 to north of the bund where it returns to natural ground level. A small buffer area between the Open Access Land and the golf course is also proposed to avoid user conflict. The dedication will allow for access on foot across the proposed area. Once dedicated, public access is permanent under the CROW Act.

3.9 The proposal is EIA development and therefore accompanied by an Environmental Statement.

3.10 This application differs from the previously refused application (SDNP/12/00520/FUL) in a number of ways. The covered practice bays and practice green originally proposed are no longer included in the proposal. The bund has been redesigned following discussions with the SDNPA Landscape Officer and, as a result, is longer to allow for more sympathetic gradients in relation to the downland landscape to the north. The redesign has resulted in the need for an increased amount of fill material (13,639 m²) which would extend the construction period by approximately two months.

4. Consultations

4.1 Southern Water: No objection.

4.2 Brighton and Hove Environmental Health: No objection subject to the submission of a Construction Environmental Management Plan.

4.3 Brighton and Hove Transport Planning: The Highway Authority has no objections to the use of this access for either construction or operational purposes, subject to the migratory measures suggested by the application during construction. The Highway Authority would also encourage the implementation of the Public Right of Way missing link 39. Brighton and Hove City Council (BHCC) advise that the applicant enter into an agreement under section 25 of the Highways Act 1980 with BHCC for the creation of the Bridleway. BHCC will seek to secure all reasonable legal expenses in relation to drawing up this order.

4.4 East Sussex County Archaeologist: No objection. A programme of archaeological works has been recommended and a suggested condition provided in order to secure the programme.

4.5 ESCC County Ecologist: Raises comments. Further information is required regarding remedial measures and triggers and a method statement for the avoidance of harm to reptiles. A condition has been recommended to secure this information should planning permission be granted.

4.6 Environment Agency: No objection. The Environment Agency advise that the proposed development will require an environmental permit and have confirmed that the proposed development would constitute recovery rather than waste disposal.

4.7 Highways Agency: No objection.

4.8 Natural England: No Objection. Based upon the information provided, Natural England advises that the proposal is unlikely to affect any statutorily protected sites.

4.9 SDNPA Landscape Officer: No objection following submission of further information relating to landscaping, drainage and design of bridleway. A landscape management plan to be submitted under condition has also been recommended which will allow for a 12 month aftercare scheme to allow for any failed planting and hard landscaping features.

4.10 SDNPA Rights Of Way Officer: Supports the creation of Missing Link 39 and the Open Access Land.

4.11 South Downs Society: Welcome the creation of a new right of way, but have raised
concerns regarding the bund and whether the overall benefits to the National Park extend further than the users of the golf course.

5. **Representations**

5.1 Benfield Wildlife and Conservation Group raised concern regarding the suitability of Badger’s Way for use by HGVs and the impact on recent planting on the Local Nature Reserve.

5.2 Five third-party representations have been received in support of the proposal stating that the bund will further enhance the character of the landscape of the National Park, hide the view of the golf course from car drivers on the A27 and reduce the road noise which currently lessens the enjoyment of the golfers.

6. **Planning Policy Context**

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plans in this area are the East Sussex, South Downs and Brighton and Hove Waste and Minerals Plan 2013 and the Brighton & Hove Local Plan (2005). The relevant policies to this application are set out in section 7, below. Additionally, the draft City Plan Part One was submitted to the Secretary of State for independent examination in October 2013 and consultations on the Inspector’s recommended modifications concluded 16 December 2014. Part 1 provides the spatial strategy for accommodating growth with strategic allocations and employment sites allocated. Other site allocations and the remaining development management policies will be provided through the City Plan Part 2. Work on Part 2 is due to commence in 2014. Having regard to the emerging nature of the City Plan, it is considered the policies contained within this plan carry limited weight.

**National Park Purposes**

6.2 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**

6.3 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.

6.4 Paragraph 116 states that planning permission for major developments within National Parks should be refused except in exceptional circumstances. “Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”
6.5 It should be noted there are two limbs to the criteria outlined above relating to 'exceptional circumstance' and the 'public interest'. Both have to be satisfied if major development is to be considered acceptable within the National Park.

6.6 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be complaint with the NPPF.

**National Planning Policy for Waste**

6.7 National Planning Policy for Waste (NPPW) was published in October 2014. It replaces Planning Policy Statement 10: Planning for Sustainable Waste Management. It sets out the Government’s ambition to work towards a more sustainable and efficient approach to resource use and management.

6.8 It promotes, wherever possible, the use of waste as a resource and the movement of waste management up the 'waste hierarchy'. It also sets out the approach waste authorities should take to determining applications.

6.9 Paragraph 7 notes "waste planning authorities should only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan."

6.10 Paragraph 7 also states that "waste planning authorities should consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B. This appendix sets out key criteria for testing the suitability of waste management sites, in particular; protection of water resources, land instability, visual intrusion, nature conservation, historic environment and built heritage, traffic and access, air emissions including dust, odours, vermin and birds, noise and vibration, litter, and potential land use conflict.

6.11 Paragraphs 7 also refers to good design, stating "Waste planning authorities should ensure that management facilities in themselves should be well-designed, so that they contribute positively to the character and quality of the area in which they are located."

**National Planning Practice Guidance (NPPG)**

6.12 The NPPG sets out government’s planning guidance to be read in conjunction with the NPPF. NPPG does not form part of the development plan but is a material consideration in determining planning applications.

6.13 The relevant sections of the PPG to this application are:

- Air Quality
- Health and wellbeing
- Noise
- Natural Environment
- Travel plans, transport assessments and statements in decision-taking
- Waste

**The South Downs Partnership Management Plan**

6.14 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.

6.15 The following Policies are relevant

- **General Policy 28** - Rights of way and access land
- **General Policy 57** - Waste Hierarchy
7. **Planning Policy**

7.1 The following saved policies of the Brighton & Hove Local Plan (2005) are relevant to this application:

- BRNC3 (BR) Local Nature Reserves (LNRS)
- BRNC6 (BR) Development In The Countryside / Downland
- BRQD15 (BR) Landscape Design
- BRQD17 (BR) Protection And Integration Of Nature Conservation Features
- BRQD18 (BR) Species Protection
- BRQD19 (BR) Greenways
- BRQD27 (BR) Protection Of Amenity
- BRQD28 (BR) Planning Obligations

7.2 The Brighton and Hove City Plan Part One: SA5 - The South Downs.

7.3 The following policies of the East Sussex, South Downs and Brighton and Hove Waste and Minerals Plan, adopted 19th February 2013 are relevant to this application:

- WMP1: Presumption in favour of sustainable development
- WMP2: Minerals and Waste Development in the South Downs National Park
- WMP8b: Deposit of inert waste on land for beneficial uses
- WMP18: Transport - Road, rail and water
- WMP20: Community involvement and benefits
- WMP25: General amenity
- WMP26: Traffic impacts
- WMP27: Environment and Environmental enhancement
- WMP28a: Flood risk

8. **Planning Assessment**

8.1 The main considerations in the assessment of this application are:

- Principle of development
- Waste recovery
- Landscape and tranquillity
- Traffic and access
- Public health and amenity
- Rights of Way
- Biodiversity
- Archaeology
- Water and flooding
- Cumulative Impact

**Principle of the development**

8.2 Major development should not take place within National Parks except in exceptional circumstances and where it can be demonstrated that the development is in the public interest (paragraph 116 of the NPPF, Policy WMP2 of the East Sussex, South Downs and Brighton and Hove Waste and Minerals Plan). On the basis of the nature of the application, the site's location, the overall amount of material proposed to be imported, the scale and nature of the development, and the fact that it is EIA development, it is considered the proposed development has the potential to have an impact on the natural beauty and recreational opportunities and that therefore the 'major development test' should be applied. This may be demonstrated by means of an assessment of the proposed development.
based on the three bullet point criteria set out within Paragraph 116 and the further topic areas discussed in more detail below.

**Need, including any national considerations**

8.3 NPPF Paragraph 116 and Policy WMP2 (i) of the Waste and Minerals Plan require consideration for the need for the development within the SDNP to include an assessment of any national considerations and the impact of permitting it, or refusing it, upon the local economy.

8.4 The primary purpose of the bund is related to the reduction of noise and visual impact from the A27 on the golf course and clubhouse. The noise assessment submitted with the proposal states that the noise reduction for users of the golf course would be a maximum of 5dB. This is considered to be a 'minor to moderate beneficial' reduction. However, the inclusion of Open Access Land and a Right of Way that has been identified as a missing link in the Brighton and Hove Rights of Way Improvement Plan introduces an element of benefit which must be taken into consideration as it is in the wider public interest.

8.5 Paragraph 116 of the NPPF and Policy WMP2 (ii) requires an assessment of the impact of permitting or refusing a proposal on the local economy. As a private golf club the proposed development is primarily for the benefit of club users. There is no evidence to suggest the proposal will have a negative effect on the local economy. The increased public access and improved golf course environment may attract more visitors into the National Park.

**Cost and scope of developing elsewhere outside the National Park**

8.6 Paragraph 116 of the NPPF and Policy WMP2 (iii) require consideration to be given to the cost and scope for developing outside the designated area or meeting the need in another way. The golf course and clubhouse is an established facility on the boundary of the National Park which primarily serves the Brighton and Hove area. The purpose of the bund to reduce noise and visual impact in this particular location means that it could not be located elsewhere outside the SDNP. While the site is located on the boundary, it is not possible to construct it outside due to the location of the A27 directly to the south.

8.7 The Environmental Statement (ES) makes reference to a number of alternatives that were considered. Options for a larger bund immediately against the boundary line were considered but it was concluded that a long thin bund would look incongruous. Dense evergreen woodland planting was looked at but it was considered that the lead in time of 15-20 years for visual screening and limited noise abatement qualities ruled it out. A solid acoustic fence was also considered but it was thought to be unsuitable as it would need to be 4 metres high to have the effect as the bund and would appear out of place in the downland landscape.

**Impact on the environment, landscape and recreational opportunities**

8.8 Paragraph 116 of the NPPF and Policy WMP2 (iv) require consideration to be given to the impact of the proposal on the environment, landscape and recreational opportunities. These topic areas are given further detailed consideration below.

**Waste Recovery**

8.9 The previously refused application (SDNP/12/00520/FUL) concluded that it had not been satisfactorily demonstrated that the importation of inert material for the bund was a recovery operation and not a waste disposal operation.

8.10 The recovery of waste is preferable to waste disposal which is at the bottom of the waste hierarchy. The NPPW and the adopted East Sussex, South Downs and Brighton and Hove Waste and Minerals Plan (Waste and Minerals Plan) seek to ensure that waste is dealt with higher up the waste hierarchy and that the disposal of waste is avoided as far as is practicable.

8.11 The applicant has received and submitted a letter from the Environment Agency confirming that they would class the proposals as a recovery operation. Although not a planning document, Defining Waste Recovery: Permanent Deposit of Waste on Land (Environment Agency, March 2010) provides useful guidance as to the types of development that may
constitute recovery (re-use). The following criteria should be satisfied if a proposal is recovery (re-use) development:

- There is a clear benefit from the proposal;
- The recovered waste material is suitable for its intended use;
- The minimum amount of waste is being used to achieve the intended benefit;
- The waste is being used as a substitute for a non-waste material; and
- The proposal will be completed to an appropriate standard.

8.12 The proposed development is considered against each of these criteria in more detail below.

8.13 **Clear Benefit:** To meet this criterion, it must be demonstrated that the development is certain to result in benefits, and that the benefits are proportionate to the amount of waste to be used.

8.14 The bund would provide for a 5dB reduction in noise in this area while noise levels on public rights of way would remain the same. It is noted that the noise assessment submitted with the application states that the decrease of 5dB would fall on the boundary of a minor and moderate beneficial rating. The development would also provide a visual screen between the golf club and a number of rights of way and the A27. The development also allows for the creation of a right of way and open access land. This is considered to tip the balance towards a clear benefit in demonstrating that the proposal is a recovery operation.

8.15 **Material suitable for intended use:** The use of inert waste materials is considered appropriate for the creation of bunds as presently proposed. If not used for this development, it would either be disposed of to landfill, or be used for other similar developments. It is concluded, therefore, that the material would be suitable for this use.

8.16 **Minimum amount required to achieve intended benefit:** The bund would extend for approximately 470m at varying graded levels. Submitted cross section drawings show the bund varying in height from 13m above existing ground levels at its highest point, between 5-6m above the level of the A27 down to 3m at the approximate mid point and down again to approximately 2m at the eastern end, but on the higher existing ground level of 70m AOD as compared to the ground level of approximately 52m AOD at the eastern end. This would require the importation of approximately 150,005m3 of inert soil material.

8.17 The proposed bund in terms of gradient and landform has also been amended from the refused scheme to overcome previous landscape objections and as such the material is limited solely to that which is required to construct the redesigned bund and achieve the intended purpose as a noise and visual screen.

8.18 **Substitute for non-waste material:** Unlike the previously refused scheme, the applicant has considered alternatives to the proposed development. The proposed visual and acoustic screening could be achieved by using a non-waste material such as additional landscaping and acoustic fencing, or through the use of ‘virgin’ minerals. However, it is not considered that either of the former alternatives would provide the same physical buffer of noise and visual impacts that the present proposal would, and the use of virgin materials would not be sustainable or supported in policy terms.

8.19 **Completed to an appropriate standard:** The proposal includes an extensive landscaping scheme to ensure that it is completed to a high standard for its intended purpose and has been thoroughly assessed by the SDNPA Landscape Architect.

8.20 On balance, it is considered that the increased benefit of the proposal tips the scales in favour of it being a recovery operation rather than a waste disposal operation. The inclusion of Open Access Land and a Right of Way increases the potential public benefit from the proposal.

**Waste policy considerations**

8.21 Policy WMP8b of the Waste and Minerals Plan allows for the deposit of inert waste on land for beneficial use providing that: the waste cannot be managed in a manner which is defined further up the waste hierarchy, it does not pose an unacceptable risk to the environment.
and it would not give rise to unacceptable implications for communities. Moreover, the Policy requires that development proposals should significantly enhance other development or its setting as required by WMP8b (part c); and the resulting landform, landscape and afteruse enhances the environment as discussed in Para. 8.22; and show that the minimum volume of inert material is used to achieve necessary improvements as discussed in Para. 8.17.

Landscape and tranquillity

8.22 Criterion iv of Policy WMP2 (b) states that consideration should be given to any detrimental effect on the environment, landscape and/or recreational opportunities and the extent to which could be satisfactorily mitigated. This is consistent with the tests set out at Paragraph 116 of the NPPF. Policy WMP8b allows for the deposit of inert waste on land providing that, inter alia, the resulting final landform, landscape and afteruse enhances the environment and is sympathetic to the land uses, landscape, visual amenity and nature conservation interests of the site and the surrounding area including its landscape character.

8.23 In the South Downs Integrated Landscape Assessment (SDILCA), the site is identified as being within Landscape Type A - Open Downland; more specifically within Landscape area A2 - the Adur to Ouse Open Downland.

Relevant Key Characteristics of type A:

'Large scale open elevated landscape of rolling chalk downland, with dry valleys and scarp slopes. Secluded dry valleys are a special feature'

8.24 The SDILCA specifically refers to the golf course as follows:

'The introduction of golf courses on the edges of the adjacent urban areas in the second half of the 20th century which have eroded the rural character of the landscape and diluted the sharp transition between the towns and downs.'

8.25 In the section of the SDILCA entitled 'Sensitivity of Landscape type A' the following is noted:

'The vast, open character and long views across the landscape resulting from the uniform land cover of grassland and crops, visually transparent post and wire field boundaries and sparse hedgerow/woodland cover. This means that any landscape change or development has the potential to be highly visible'.

8.26 'The open uninterrupted skylines and exposed undeveloped character resulting from the rolling topography and absence of enclosing or vertical features. These are especially vulnerable to interruption by development or clutter.'

8.27 The first reason for refusal related to the previous application (SDNP/12/00520/FUL) refers to the bund as a "heavily engineered and artificial landscape feature within the special landscape".

8.28 The applicant has since engaged with the SDNPA through the pre-application service and redesigned the bund to allow for a more sympathetic design with more natural contours and the removal of all golfing activities from the bund itself. The western end of the bund has been rounded off so as to appear less abrupt in the landscape. Similarly the northern slopes are shallower and more sympathetic with the landscape while the southern slopes are steeper with the primary function being to screen noise and visual intrusion. The ridgeline is rounded in form so as to appear more natural in the landscape.

8.29 Extending the eastern end of the bund along another 150m (compared to the previous proposal) to the east has the effect of screening the practice ground/driving range more when viewed from the east and the A27. Therefore the general view from a number of vantage points will be less of golf course features such as cut grass, outfield targets and golfers and more of typical downland scene (grassland, wildflower and occasional scrub).

8.30 It is proposed to sow the bund with a native grass and wildflower mix. Shrub planting will be limited to small areas to the south of the noise screen in order to keep the open feel to the landscape. A landscape scheme and management plan have been submitted as part of the application. An establishment period of 12 months from completion of the bund is
proposed by the applicant to ensure that any failed landscaping drainage issues, washouts and subsidence during that period are rectified to a standard acceptable to the relevant authorities. Should planning permission be granted the requirements detailed above would be secured by an appropriately worded condition. An aftercare period of 5 years for maintenance and management of all planting will be conditioned should planning permission be granted.

8.31 The Biodiversity Mitigation and Management Plan (BMMP) Version 1.2, dated January 2015 outlines how scrub, planting and the wildflower planting will be managed in the long term. This document will be updated over the course of the construction and aftercare periods to reflect and adapt to changes, subject to approval in writing by the SDNPA.

8.32 The construction phase has the potential to impact on visual amenity and has been taken into consideration in the Landscape and Visual Impact Assessment (LVIA) submitted. The LVIA states that the works will have a negligible impact on recreational users as the impacts will be viewed (looking southwards) in tandem with the A27. However HGV movements travelling along the access road over Benfield Hill may bring activity into view where the A27 is less intrusive. However this is a temporary impact for a period of up to 2 years based on a worst case scenario. The visual impact of construction works on residential properties is also considered to be negligible as there is minimal visibility. Whilst HGV movements may be visible from properties in the Foredown/Portslade areas, this is considered to have a temporary impact.

8.33 A similar bund was granted planning permission in 2008 to the west of West Hove Golf Club at New Barn Farm (BHCC Planning Ref No: BH2007/00710). At the time, the South Downs Joint Committee accepted that the visual screening provided by the bund would enhance the visual and landscape quality and character of the AONB (now National Park) and raised no landscape objections. The ESCC Landscape Officer considered that the existing visual and noise impact of the A27 intruded upon the enjoyment and landscape character of the AONB. Furthermore, the Officer considered that the applicant had demonstrated that the New Barn Farm bund would visually enhance the visual and landscape quality and character of the AONB, and in terms of noise abatement would enhance enjoyment of the AONB. The redesign of the bund has satisfied the original concerns of the SDNPA Landscape Officer by removing the golf activities from the bund and introducing more natural gradients. Therefore no objection has been raised.

Traffic and access

8.34 Policy WMP25 (c) of the Waste and Minerals Plan requires adequate means of controlling impacts arising from traffic generated by the development to be secured. Policy WMP26 of the Waste and Minerals Plan supports proposals where (a) access arrangements are appropriate or could be made suitable for the volume and nature of traffic generated by the proposal; (b) no unacceptable safety hazards for other road users, including cyclists and pedestrians, would be generated; (c) the level of traffic generated would not exceed the capacity of the local road network, and (d) no unacceptable adverse impact upon existing highway conditions in terms of traffic congestion and parking would arise.

8.35 The traffic statement submitted with the application predicts HGV movements to be approximately 50 per day (100 movements). Vehicles would enter and exit the site via the A27 slip road and along the golf club access road through Benfield Hill Local Nature Reserve. It is estimated that the HGVs would arrive at 10 to 15 minute intervals.

8.36 The Highways Agency have raised no objection to the proposal subject to the submission of a Construction Environmental Management Plan to be secured via condition in order to limit the impact of construction vehicles on the surrounding highway. Given the relatively short distance from the A27 slip road to the site, it is considered that the impact of the vehicle movements associated with the proposed development on the enjoyment by users of the golf club and surrounding countryside could be appropriately mitigated by measures set out within the CEMP.
Public health and amenity

8.37 Policy WMP25 (c) also seeks to protect local communities from potential negative impacts of waste and minerals developments such as those resulting from noise, dust, fumes, windblown litter and visual intrusion. Policy QD27 of the Brighton and Hove Local Plan 2005 saved policies states that Planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and / or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

8.38 There are a number of residential properties approximately 280m to the west of the access road to the golf club and in the Benfield and Hangleton Park areas approximately 80 to 110m south of the application site and immediately south of the A27. A dense tree screen separates the housing estates from the A27 and as such it is considered that there would be no significant impact on public health and amenity to occupiers of these properties arising from the proposed development. A noise assessment was submitted as part of the application. The assessment reports that noise levels generated by traffic travelling along the A27, at the clubhouse and practice ground/driving range are currently between 64-61dB.

8.39 The bund will result in an expected reduction of 5dB at the practice ground/driving range and an expected reduction of 2 dB at the clubhouse. The reduction in noise on the existing Public Rights of Way is considered to be negligible. A change of 3dB is the minimum perceptible under normal conditions and a change of 10dB corresponds to the halving or doubling of a sound. It is generally accepted that an increase of 3 dB(A) or more is the threshold at which a permanent noise effect becomes significant. The expected maximum noise reduction at the golf course as a result of the construction of the bund is considered to be 'minor beneficial' on the scale for rating permanent noise effects but is still considered to be significant.

8.40 The noise assessment has also considered the impacts of the bund on the residential areas to the south of the A27 (Hangleton Valley Drive, Warenne Road, and Honey Croft). The noise modelling does not predict an increase in noise to the south of the A27 by reason of noise reflection off the proposed bund.

8.41 Noise generated during the construction phase also has the potential to impact on amenity. The noise assessment concludes that noise generated by individual HGV movements on the access road and plant machinery will be masked by road traffic on the A27.

8.42 Dust has the potential to impact on the amenity of both residents and rights of way users. It is proposed that all loads delivered to the site will be sheeted and a water bowser will be kept on site and used for spraying the haulage route in dry conditions. Observation of the speed limit will also reduce dust generation. A wheel bath (wash) is also proposed. Stripped back topsoil will be seeded to prevent wind borne dust.

8.43 As the material intended to be used is inert, odour is not expected to be an issue. The applicant has stated that any putrescible materials will be stored on closed skips in the waste segregation area.

8.44 As recommended by BHCC Environmental Heath, a Construction Environmental Management Plan will ensure that the developer is aware of their local responsibilities to residents and users of the adjacent PROW, and that suitable and sufficient risk assessments are undertaken with a view to limiting where practicable problems such as noise and dust arise. The Environmental Statement submitted outlines a number of mitigation measures that can be incorporated into a Construction Environmental Management Plan.

Rights of Way

8.45 Criterion iv of Policy WMP2 (b) of the Waste and Minerals Plan states that consideration should be given to any detrimental effect on the environment, landscape and/or recreational opportunities and the extent to which to could be satisfactorily mitigated. Policy WMP25 (d) seeks to ensure development has no unacceptable effect on the recreational use of an area or the use of existing public rights of way.
West Hove Golf Club is surrounded by a number of Rights of Way, including a national cycle route on the old railway line directly to the east of the site. The bridleway running through the golf course (to the west of the club house) and the bridleways to the east (which cross the A27 at the southeast corner of the site) generally run in a north - south direction meaning cyclists and people on horseback must travel quite a distance before they can cross over. This limits the potential for short loops out of the urban areas to the south of the A27. People on foot also need to walk as north as Monarch’s Way before they can turn in an east-west (or vice versa) direction.

The proposed bridleway, running in an east - west direction along the bund, is highlighted in the Brighton and Hove Rights of Way Improvement Plan 2007-2017 as a ‘missing link’ (no.39). Missing Link 39 is recognised as a top 6 priority in the Improvement Plan.

The access road to the golf course traverses both a footpath and a bridleway. HGV movements along the access road have the potential to impact on Rights of Way users. Warning signage and clear lines of sight for people crossing the access would be necessary.

As previously stated at paragraph 8.42, the noise assessment submitted with the application concludes that there would be a negligible reduction in noise levels for users of the existing Rights of Way in the area. The landscape and visual impact assessment states that the bund will have some screening benefit from Monarch’s Way as it ascends Benfield Hill to the north-east, and on the Dyke Railway Trail. This will be intermittent, breaking up the linear form of the road in views, but not masking traffic to a high degree. The assessment concludes that the impact on recreational users of the completed bund in term of noise increase/decrease is negligible.

BHCC support the inclusion of the bridleway subject to the applicant entering into a Section 25 agreement of the Highways Act 1980.

In addition to the bridleway, the applicant has proposed providing an Open Access Land designation on the lands to the south of the golf course where the bund will be constructed and sowed with a wildflower and grass mix. The total area proposed to be dedicated is 3.6 hectares. On 'access land' the public will be able to walk freely, subject to some local restrictions or exclusions, under the CRoW Act 2000. Dogs are allowed, but will have to be kept on a short fixed lead in the vicinity of livestock and between 1st March and 31st July, when most birds are breeding. This is considered a welcome addition to a network of Open Access Land to the north of the A27 serving the urban areas to the south, including access lands at Roundhill (east slope) to the east and Foredown Ridge to the west. The SDNP currently has the smallest percentage area of Open Access Land of any National Park with only 5% of the total area mapped under the CRoW Act. The applicant will be expected to enter into a Section106 agreement in order to secure the provision of the Open Access Land.

The applicant has worked with both the SDNPA Landscape Officer and Rights of Way Officer in order to provide a high standard right of way that will withstand use by cyclists, walkers and equestrian users in all conditions whilst not to appearing overly engineered. The proposed development therefore provides for increased access to the National Park in an area where Rights of Way are heavily used and additionally would provide for an identified link in the PROW network to be secured. It is considered that the proposed development is in line with the second National Park purpose.

Biodiversity

Policy WMP27 (b) of the Waste and Minerals Plan seeks to conserve and enhance the local natural environment, and maximise opportunities for increasing biodiversity and habitat creation. Development which would have a significant adverse impact on sites of national and local importance for nature conservation will be resisted.

The proposed development will result in the loss of some semi-improved grassland and scrub. Although it is difficult to fully assess the potential impacts, this loss is likely to be acceptable given the proposals to create new areas of scrub and to bring existing areas of habitat into appropriate management. Mitigation measures for habitats set out in the
Environment Statement, and Appendix B 'Biodiversity Mitigation Management Plan (BMMP) (version 1.2 January 2015)', are broadly sufficient to minimise the impact.

8.55 The site qualifies as a "key reptile site" supporting an exceptional population of slow worm, a good population of common lizard and a low population of adder. Slow worms, grass snakes, common lizards and adders are protected against intentional killing or injuring under Schedule 5 of the Wildlife and Countryside Act 1981, as amended. The Ecology Officer has noted that there is a lack of clarity in the application over the proposed translocation of reptiles. However a condition has been recommended by the Ecology Officer to overcome these concerns.

8.56 Surveys undertaken in 2010, 2012 and updated in 2014 confirmed the presence of a badger sett on site. Badgers and their setts are protected from harm and disturbance under the Protection of Badgers Act 1992. The site is likely to support birds and invertebrates although from the information available it is considered unlikely that there are any rare or notable species present. The Ecology Officer has recommended that monitoring of species should continue for at least three years post construction. It is also recommended that all impacted species should be monitored including bats, badgers, reptiles and breeding birds in accordance with the BMMP (Version 1.2, January 2015).

8.57 The Ecology Officer has highlighted opportunities for biodiversity enhancement include the provision of bird and bat boxes within the site, improved management of existing semi-improved grassland within the rough and improved wildlife connectivity through scrub planting. The applicant has proposed 20 small woodland bird boxes particularly aimed at hole-nesting birds, ten bat boxes and two reptile hibernacula which are detailed in the BMMP (Version 1.2, January 2015). A condition required the implementation of the BMMP will secure these biodiversity enhancement features. It has been recommended that planting schemes should use appropriate native species, of local provenance if possible, of known value to wildlife. The applicant has taken advice from the SDNPA Ranger Team in relation to seed selection which will be controlled by the Landscape Management Plan required by condition.

Archaeology

8.58 Policy WMP27 of the Waste and Minerals Plan seeks to protect and enhance the built and natural environment including heritage assets.

8.59 The site is of archaeological interest due to its location on an area of the South Downs which was utilised and occupied during the prehistoric and Roman periods. The site has not been investigated archaeologically so presently contains no recorded archaeological remains and is not currently in a defined archaeological notification area. The site is however immediately adjacent to a number of archaeological sites, including ones of national importance, which raises the potential for archaeological remains to exist within the area of the proposed groundworks associated with this proposal.

8.60 Although the applicant has not carried out intrusive investigation of this potential, they have had discussions with the County Archaeologist and have agreed that if planning is granted the first phase of work on this site will involve an archaeological evaluation to identify and characterise archaeological remains. These results will then inform a mitigation strategy for either a revised design sympathetic to these remains (which will require a new planning permission), or full excavation and preservation by record. The applicant is prepared to take the risk of encountering nationally important remains or an expensive mitigation cost. The County Archaeologist has therefore requested conditions to this effect should permission be granted.

Water and flooding

8.61 Policy WMP 28a and 28b of the Waste and Minerals Plan seek to reduce the risk of flooding and protect the quality and quantity of water resources in the natural environment including groundwater abstraction areas within the chalk of the South Downs.

8.62 The western half of the application area is not in a Groundwater Source Protection Zone while the eastern half falls within the Total Catchment of a Source Protection Zone but not
within the Source Protection Zone itself. No objection has been raised by the Environmental Agency in relation to groundwater protection.

8.63 The submitted flood risk assessment (FRA) shows the site in flood zone 1 and therefore has a ‘low probability’ of fluvial flooding, with a less than 1 in 1000 chance. As the applicants’ submitted FRA has demonstrated that the proposed development would be at minimal risk from flooding and would not increase flooding elsewhere, it is compliant with paragraph 103 of the NPPF. The Environment Agency has no objections to the submitted development proposal from flood risk or groundwater protection perspectives. The proposal therefore accords with Policy WMP28a of the Waste and Minerals Plan.

Cumulative impacts

8.64 There are no similar projects or major development in the area that would give rise to any significant negative cumulative impacts. The nearest similar development is located to the west at New Barn Farm where a bund was constructed along the A27 a number of years ago. The bund at New Building Farm is not visible from West Hove Golf Club and lies beyond a significant natural escarpment. Therefore it is not considered to have a negative cumulative landscape or visual impact.

9. Conclusion

9.1 The principle of the proposed development has been considered against the tests set out at Para. 116 of the NPPF for major development within a National Park. It is considered that, while there are benefits associated with the proposed development, it would also result in the introduction of major development involving the importation of substantial amounts of recovered inert material. Disruption caused by construction could last for up to 2 years with up to 100 daily HGV movements Monday to Friday.

9.2 When originally designed, the A27 was intended to integrate with its downland setting rather than being screened so as to not reinforce the presence of the route. There is a concern that the proposed embankment, which was not considered necessary when originally constructing the A27 on noise or visual grounds, is to some extent contrary to the original design concept.

9.3 However it is accepted that the existing visual and noise impact of the A27 intrudes upon the enjoyment and landscape character of the SDNP. Furthermore it has been demonstrated that the proposed bund would visually enhance the visual and landscape quality and character of the SDNP by removing golf course features from certain views and the A27 from others. In terms of noise abatement, the bund would enhance enjoyment of the SDNP, although it is noted that the noise reduction benefits are minor and primarily benefit golf club users. In addition to noise and visual impact reduction, the bund presents opportunities for increased access and biodiversity.

9.4 The proposed development also presents an opportunity to improve access in a part of the National Park under pressure from recreational users. The proposed development would facilitate the establishment of a new Right of Way that is a priority in the Brighton and Hove Rights of Way Improvement Plan 2007-2017. The proposed Open Access Land is a welcome addition to a network of sites with similar access rights.

9.5 It is considered that the applicant has addressed the landscape concerns raised when the previous application (SDNP/12/00520/FUL) was refused. The previously proposed practice area has been removed from the bund and is therefore no longer elevated into the landscape while the covered driving range bays are no longer proposed. The reshaping of the bund has resulted in a less artificial landscape feature which assimilates into the surrounding landscape in far more sympathetic manner.

9.6 The proposed development would allow for the recovery of otherwise landfilled material and therefore assists in driving waste up the waste hierarchy.

9.7 Having regard to the purpose of the proposed bund to reduce noise and visual impact in this location; the consideration of alternative options; the increased Public accessibility; and, biodiversity enhancement opportunities, it is considered on balance that the public benefit of
the proposal is enough to satisfy the exceptional circumstances test. Furthermore, the proposal fulfils the first and second purposes of the National Park.

10. **Recommendation and Conditions**

10.1 That planning permission be granted subject to the conditions set out below and subject to the completion of a S106 agreement with obligations relating to:

- The creation of a Public Right of Way (Bridleway) under Section 25 of the Highways Act 1980.
- The dedication of the site under the Countryside and Rights of Way Act 2000 to create Open Access Land.

**Plans**

1. 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.

**Commencement**

2. The development hereby permitted shall commence before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the South Downs National Park Authority within 7 days of such commencement.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. The developer shall notify the South Downs National Park Authority in writing not less than 7 days of the dates of each of the following phases:

   i) Commencement of topsoil stripping;
   ii) Commencement of depositing of waste materials;
   iii) Commencement of final contouring of approved landform;
   iv) Commencement of final landscaping approved under this planning permission.

   Reason: To enable the South Downs National Park Authority to control the development and to monitor the site to ensure compliance with the planning permission, to minimise the impact upon amenity and to comply with policies WMP 23b and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

4. Any temporary site access, hardstanding, skip, container, structure or erection in the nature of plant or machinery used in connection with the development hereby permitted shall be permanently removed from the site when no longer required for the purpose for which built, erected or installed.

   Reason: To enable the South Downs National Park Authority to adequately control the development and to ensure that the land is restored to a condition capable of beneficial use in accordance with Policy WMP 17 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

**Cessation of Operations**

5. All works approved by this planning permission, including but not limited to the deposition of waste, shall cease within 36 months of first commencement of deposition, including a period for remedial works as detailed in the Environmental Statement (Version 8) received December 2015.

   Reason: To ensure the development is carried out in accordance with the proposed timescales within the application and in the interests of amenity in accordance with Policy WMP 25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.
Approved Operations

6. No more than 1,200 Heavy Good Vehicles (HGVs) shall enter the site and no more than 1,200 HGVs shall leave the site during the permitted operating hours in any calendar month. The weekly average of 300 HGVs entering the site and 300 HGVs leaving the site during permitted operating hours shall not be exceeded by more than 40%. The daily average of 60 HGVs entering the site (Monday to Friday) and 60 HGVs leaving the site (Monday to Friday) during permitted operating hours shall not be exceeded by more than 50%. A written record of vehicles (including registration number, time and date of the movement and volume/tonnages of material for deposit within each HGV Load) entering the site associated with the permission hereby granted shall be kept onsite from the first day of deposition and shall be made available to the South Downs National Park Authority for inspection upon request.

Reason: To limit the volumes of traffic in the interests of the amenity of the area in accordance with Policy WMP 25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

7. Inert waste only of the types listed in the applicant’s submitted Environmental Statement (Version 8) received December 2015 shall be used in the construction of the bund. No minerals, compostable materials or non-inert materials, shall be imported to, treated at or exported from the site.

Reason: Other materials raise policy, environmental and amenity issues that would require consideration afresh and in order that the South Downs National Park Authority can limit use of the site to that permitted and to safeguard the character and appearance of the South Downs National Park in accordance with Policies WMP 25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

8. No crushing, screening or sorting of waste shall take place on site.


9. Prior to the commencement of development, details of soil stripping and storage shall be submitted in writing to the South Downs National Park Authority and implemented in full once approved.

Reason: To ensure efficient operation of the site in and in interests of amenity of the area in accordance with Policy WMP 25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

10. Topsoil shall only be stripped, as far as practicable, in a dry and friable condition. All topsoil shall remain on site for use in restoration, and shall be stored at a height of no more than 2 metres in the location indicated on Drawing No: 520.067 Rev D, dated 15/05/2014. Within six months shall thereafter be kept free of injurious weeds at all times.

Reason: To prevent damage to, and ensure the reuse of, existing soils on site.

11. All vehicular access and egress to and from the West Hove Golf Club access road, as indicated on Drawing No: 520.06 Rev D, dated 15/05/2014. No other access shall be used by vehicles entering or exiting the site.


Hours of Operation

12. No HGVs associated with the operation shall enter or leave the site and no construction operations shall take place outside the hours of 0730 and 1700 Monday to Friday. There shall be no working on weekends, Public or Bank Holidays.

Protection of Amenity and Environment

13. Prior to the commencement of any development a Construction Environment Management Plan (CEMP) for the hereby approved development shall be submitted to and approved in writing by the South Downs National Park Authority and thereafter implemented and maintained throughout the construction period. The CEMP shall demonstrate compliance with the Environmental Statement (Version 8) received December 2015 and include the following details:

(i) Entrance and exit procedures, routing and warning signage
(ii) Scheme of works for the control and mitigation of noise, dust and vibration
(iii) Contractor's temporary buildings and parking and fencing
(iv) Details for handling spillages and odour
(v) Details of haulage route to include construction method and phasing
(vi) An effective wheel cleaning facility as indicated on Drawing No: 520.06 Rev D Contractors Works Plan
(vii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how complaints will be dealt with, reviewed and recorded (including details of any considerate constructor or similar scheme).


14. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.


Archaeology

15. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the South Downs National Park Authority. The development hereby permitted shall not commence until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation and that provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and Policy WMP 27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

Landscaping

16. No development shall take place until a landscape management scheme for the hereby approved development is submitted in writing to the South Downs National Park Authority.
The Landscape Management Scheme shall demonstrate compliance with the Environmental Statement (Version 8) received December 2015 and the approved landscaping plan (Drawing No: 520.05 Rev D). The Landscape Management Scheme should include the following details:

(i) Any scrub clearance proposed;
(ii) Pernicious weed management;
(iii) Remedial landscaping works for failed planting;
(iv) Details of grassland/wildflower/scrub management methods proposed;
(v) Details of hard landscaping, including drainage, fencing, signage and bridleway surface.

Any trees, shrubs, plants or wildflower planting which within a period of 5 years from planting are removed or become seriously damaged, diseased or die shall be replaced in the next planting season with others of such size and species as may be agreed in writing with the South Downs National Park Authority.


17. Prior to commencement of final contouring of approved landform in accordance with phasing outlined in Condition 3 of this planning permission, a topographic survey shall be submitted in writing to the South Downs National Park Authority for approval to demonstrate ongoing conformity with the landform and contours shown on the approved plans.

Reason: In the interests of visual amenity and to secure a satisfactory development in accordance with Policies WMP2 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

Ecology

18. No development shall take place (including any demolition, ground works, site clearance) until a method statement for avoidance of harm to reptiles has been submitted to and approved in writing by the South Downs National Park Authority. The content of the method statement shall include the:

(i) Purpose and objectives for the proposed works;
(ii) Detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
(iii) Extent and location of proposed works shown on appropriate scale maps and plans;
(iv) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
(v) Persons responsible for implementing the works;
(vi) Initial aftercare and long-term maintenance (where relevant);
(vii) Disposal of any waste arising from the works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.


19. The development hereby permitted shall be implemented in accordance with the Biodiversity Mitigation and Management Plan (BMMP) Version 1.2, dated January 2015 or later versions to be submitted in writing for approval by the South Downs National Park Authority.
Reason: To make appropriate provision for natural habitat within the approved development in the interests of biodiversity and in accordance with Policy WMP27b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

**Site illumination**

20. There shall be no artificial lighting installed on the application site unless agreed in writing with the South Downs National Park Authority.

**Reason:** In the interests of the amenity of the area in accordance with Policy WMP 25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

**Stockpiles**

21. No stockpiles of material waiting to be deposited shall exceed a height of 3 metres from the natural level of the surrounding land.

**Reason:** In the interests of visual amenity in accordance with Policy WMP2 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

**Decision Notice on Site**

22. A copy of this decision notice together with the approved plans and any schemes and/or details subsequently approved pursuant to this permission shall be kept at the site office at all times and the terms and contents thereof shall be made known to supervising staff on site.

**Reason:** To ensure the site operatives are conversant with the terms of the planning permission.

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 Minerals and Waste Officer and SDNPA Landscape 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**

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Appendices

1. Site Location Map

SDNPA Consultees

Legal Services
Application documents:
http://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N86MSUTUHN800
SDNP/12/00520/FUL – previously refused application:
http://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M3UPIPTU1V00

National Planning Policy Framework
National Planning Policy for Waste
National Planning Practice Guidance
SDNPA Partnership Management Plan
East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan
Brighton and Hove Local Plan 2005
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