

Agenda Item 10
Report PC48/17

Report to	Planning Committee
Date	10 August 2017
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/17/01024/FUL
Applicant	Mr & Mrs Taylor
Application	Erection of cattle building and installation of earth-bunded outdoor silage clamp and farmyard manure store
Address	Stocks Farm, Spatham Lane, Westmeston, BN6 8XJ

Recommendation:

That authority be delegated to the Director of Planning to grant planning permission, subject to consideration of any further comments received before 16 August in response to current publicity and subject to the conditions substantially in the form set out in Paragraph 10.1 of this report.

Executive Summary

The proposal is for a cattle barn of 1673sqm and 5.1m height, along with three 3m high earth-sided clamps for storage of silage and cattle waste. This will adjoin an established farmstead at Stocks Farm and other buildings. The development is needed to increase herd size from around 250 to 500 and to allow for a ten year term supply contract with a beef supplier, which provides an assured supply of healthy calves and sale of mature animals. Its shape and design allows for good ventilation, which is important in minimising risk of disease and allowing for efficient feeding and maintenance by on-site farm machinery.

The development is around 3km north of the South Downs Way and scarp, it is set among the late mediaeval fieldscape of the low Weald. From this vantage distance, materials, vegetation and proximity to the farmstead are such that the landscape impact is not significant. Closer-to private and public views, including those from a footpath crossing the farm, are affected by the new building and land-forming of the earth clamps. Shallower grading of the clamps has been achieved by amended plan but steeper, less visible side faces will be landscaped by new planting of a small copse (or 'shaw') and remodelling and augmentation of existing attenuation ponds. The latter will serve sustainable drainage and as new habitat, meeting National Park purposes.

As part of a 171ha agricultural business, the proposal will continue the existing pattern of growing of fodder and bedding and sale of surplus. This maintains economic use of the landscape in and close to the National Park. A simple management plan could be applied to the part of the 37ha of applicant-owned land within the Park, to ensure the continuation of good existing maintenance of its hedges and trees. The plan can also cover maintenance of drainage, ponds and habitat which are formed as part of the development and to minimise risk of pollution and storm flooding.

Visual impacts on neighbours are considered reasonable; conditions are needed to ensure the building is unlit in order to safeguard amenities and dark skies. Risk of odour and flies are considered to be low due to the low-moisture content of feed and manure. Noise risks during construction can be managed by limiting hours of work during this period. In the longer term noise from animals is considered low risk due to the low-stress environment provided by the barn and because groups of new animals are assembled and socialised before arriving on-site.

The application is placed before the Committee due to the important policy considerations.

I. Site Description and Use

- 1.1 The site comprises a field of approximately 1.5ha located immediately to the west of the groups of existing agricultural buildings and dwellings at Stock Farm. The field is 150m to the west of Spatham Lane (Class C Road) and reached via a metalled farm track which runs westward through the farmyard. The site is part of the wider Stocks Farm business which comprises 37ha owned by the applicant. A further 134ha is rented, largely within Westmeston, Ditchling and Hassocks Parishes also at Plumpton and a small amount (6ha) at Burgess Hill.
- 1.2 The field is moderately-sloping, rising approximately 5.6m towards the north over a distance of 220m (gradient 1:39). It is rough pasture with mixed and well-managed boundary hedges containing sporadic hedgerow trees, similar field divisions continue to the north and south of the site which can be seen from high vantages along South Downs Way 3km to the south. Along the eastern boundary are two existing attenuation ponds. A public footpath crosses the field east-west, approximately 60m from the southern boundary. Ditches from the site flow southwards to Bevern Stream and the chalk stream network. To the west is Fourfields Farm containing several livestock sheds of large footprint.
- 1.3 The existing group of farm buildings to the east of the site, range in age roughly between early and late C20th. The newer barns are the taller, estimated around 6m – 8m in height, and form the north and western edge of the existing group, these are steel-framed, clad with galvanised steel and timber and some blockwork infill, with cement-fibre roofs. A silage clamp formed by timber sleepers is located to the south of the group and covered with plastic sheeting to a height of approximately 3m when full.
- 1.4 Buildings are used variously for the rearing and housing of 200 head of Aberdeen Angus cattle and storage of machinery and straw bedding and feed. The latter is mixed fodder and grass silage grown on the wider holding and rented lands along with straw bedding, surplus feed is sold on. The youngest cattle (up to 12 weeks) are fed with imported pellet feed. Cattle are brought to the farm at ten days of age, and finished between 24 – 30 months, including outdoor grazing, fulfilling a beef contract with a major retail supplier.

2. Relevant Planning History

- 2.1 None in South Downs National Park records since 2011.

3. Proposal

- 3.1 Permission is sought for the construction of a steel-framed cattle barn of 91.4m x 18.3m (1673sqm) and 5.1m to the apex. Ground levels are part cut in by approximately up to 60cm and partly raised approximately up to 70cm. This would be positioned 8m to the west of the west-most existing barn and 11m from the northern boundary hedge and a field gate. Its long side would be aligned east-west. The design would be similar to the late C20th barns using timber hit and miss vertical-timber boarding to the walls on three sides, for ventilation. Below this would be concrete infill panels up to 1.2m for shelter. The northern side would be open-fronted but with metal rails and gates to retain the cattle.
- 3.2 Permission is also sought for a conjoined series of three earth-sided clamps, to be located approximately 8m south of the proposed barn. These would be created by importation of chalk and subsoil with a top-soil cover to raise up the land to a height of 3.6 – 5.7m. Their combined width would be 66m, aligned east-west, and a length of 55m, aligned north-south. A wider area to the south east and west of the clamps would be re-graded in order to blend the raised earth into the existing sloping ground as far as possible. This re-grading has been amended recently amended to achieve a shallower gradient than the originally proposed.
- 3.3 Planting would include a new copse (or 'shaw') to the north-west. Existing ponds to the east of the site would be remodelled and augmented by an additional sediment pond and reed beds to replace and increase existing drainage and filtration and create new habitat.
- 3.4 Each clamp would have a concrete floor and drain into an individual underground drainage tank. Two clamps would be used to store silage from the wider farm holdings, the third

would be used to store manure and used straw bedding to form compost which would then be spread on the holding.

- 3.5 The barn would bring the capacity for beef cattle to 500 head. New calves would arrive at the farm in groups (45 head/group) roughly every nineteen days. On arrival they would be acclimatised and quarantined for a few weeks in one of the existing barns and then join older groups in the proposed barn where they would be housed and fed permanently until a target weight is achieved. After this they would be moved to another farm (not the applicant's farm) for finishing by another farmer under an ongoing long-term supply contract.
- 3.6 Feed would comprise the silage produced on the farm and stored in the proposed clamp, to be mixed with imported meal. Other fodder crops would continue to be produced to ensure land rotation, but in future this would be sold to agricultural merchants. Alongside the proposed beef cattle the applicant intends to run a sheep flock of about 200 head, to graze the land. These would be lambed in the remaining farm buildings in springtime. Other buildings would continue to be used for agricultural feed storage and machinery.

4. Consultations

4.1 County Highway officer – No comment

Has confirmed no comment to make.

4.2 Landscape Officer - comments

The site is in within the Low Weald Character Area and 'Adur to Ouse Scarp Footslopes'. The early post-medieval consolidated strip fields are rare in the National Park. The C19th Stocks Farm farmstead with its Loose Courtyard 'L' shaped plan type, is characteristically associated with this pattern. Field boundaries of significant age contribute to this distinctive landscape. Ponds are also highly characteristic although those existing on-site are quite modern. The proposal raises a number of fairly new issues for the National Park not-least the very large-scale agricultural building.

The proposed building continues the linear form of the farmstead, its simple form, timber cladding, removal of proposed south-facing roof-lights (as amended) and that it is unlit is in keeping with the surroundings and due to distance, not of significant impact from the South Downs Way and scarp.

It is noted that the intensive farming here would remove grazing animals from the landscape. The intrinsic links between grazing animals in this part of the Weald and landscape are deeply-set and plain to see. Local projects are attempting to maintain this.

The proposed clamps would be within a surviving post-medieval field, which is crossed by a number of rights of way, thus significantly altering topography and the local view. The result could appear incongruous or even alien. Hence recent landscape discussions and amendment have south a less impactful design.

Details are needed by condition of tree and species planting to create a small shaw/copse in the north-west corner of the site and of the cleaned ponds to the east and their proposed planting. Furthermore, the field is intended to be sown with grass for 4 years then reverted to arable. However, I recommend that it is sown with Wealden Native Origin Seed (WNOS) and grazed on a conservation basis as an enhancement, and as an opportunity to retain some livestock grazing in this location.

Details of the bund should also be secured via a condition. A farm-wide landscape and biodiversity management plan for the next 5 years. Where possible this should also include clearance of rubbish or waste currently stored in the yards around the farm.

4.3 East Sussex County Council, Lead Flood Authority – Insufficient information

Supports rainwater harvesting but object unless adequate rainwater storage is provided to prevent increase in risk of surface water flooding.

4.4 SDNPA ranger (water) – Advice

Avoid spreading wastes on bare soils on chalk in winter months to minimise impact on water environment.

4.5 Environment Agency (EA) – Final comment awaited (Members will be updated)

A copy of the EA's direct response to the applicant confirms that provision of concrete base to proposed clamps and associated drainage tank for effluent would be compliant with EA regulations. A reed bed system if included could filter run off from the backs of the earth bank of the clamp and create new habitat. Rainwater harvesting, reusing clean water will reduce pollution risk. Deterioration of existing buildings noted but that care is being taken over pollution prevention.

4.6 County Rights of Way – Awaited (Members will be updated)

4.7 County Archaeologist – No objection

Recommends conditions – a scheme of investigation needed due to scale and proximity of farm complex in area used since Roman times.

4.8 County Ecologist – No objection

Replacement of existing ponds will enhance wildlife.

4.9 Environmental Health – No objection

Recommends condition regarding hours of site preparation and construction work and related traffic. Also comments that if the manure store is well drained the risk of nuisance from odours and insects will be less.

4.10 British Horse Society

Whilst supporting applicant, application does not indicate traffic volume and size of vehicles associated with use. Spatham Lane inadequate for increased traffic, it is well used by riders, walkers and cyclists whose safety should be maintained.

4.11 Westmeston Parish Council - Support

In the absence of proven detriment, WPC is aware of local concerns about traffic and visual impact. Environmental Assessment by SDNPA should address these.

4.12 Ditchling Parish Council - Confirms no comment.

4.13 South Downs Society – Support

The Society recognises essential role of farming in the landscape, the proposal is from a genuine agricultural business.

Conscious of the potential negative impacts including the visual impact of large structure, vehicle movements light pollution, noise, smell, flies and arrangements for the safe storage, disposal of waste and risk to any surface watercourses or underground water systems. Urge SDNPA to give closest attention to these.

5. Representations - 26no. received

Please note that the current publicity period expires on 15 August, which is reflected in the officer recommendation.

5.1 Support - 17 responses

- Current farm practices are not suitable.
- The farm would be jeopardised if not approved.
- It is essential to support farming in an uncertain future after Brexit.
- Construction traffic disruptions will be short-lived.
- Vehicle movements from the farm will be reduced not increased.
- The applicant holds a high standard for farming and is exploring Countryside Stewardship Scheme with Natural England.

- The applicants already address open access to the public, and aid biodiversity.
- The applicant successfully manages the SSSI.

5.2 **National Farmers Union (NFU) - Support**

NFU urges expediency in decision making, the proposal is underpinned by a service contract that has been negotiated by the applicant and the delay is causing some concern. Supports the conclusion of the submitted landscape and visual assessment (LVIA) that: *“there are good grounds, with regard landscape character and visual impact, for a planning consent to be granted”* Impact on near distance views close to the south and west of the site, can be mitigated by planting.

5.3 **Cliffe Veterinary Group (CVG) - Support**

The proposal provides high standards of health, welfare, and minimum antibiotic usage. CVG has provided longstanding veterinary care to Stocks Farm. Existing cattle buildings are not designed for large numbers, their inadequate ventilation has contributed to the incidence of respiratory disease. Electrical fans have had limited success.

5.4 **The Ditchling Society – Support**

Visibility of the barn is not ideal but the bund will conceal the bulk of it and in time the roof will become less conspicuous and no lighting is proposed. Local concerns regarding smell, noise and flies will be alleviated by efficient design and standard of operation. It is requested that an Environmental Impact Assessment be carried out. There will be considerable construction traffic but for a limited time. Upon completion lorry movements would decrease.

5.5 **Maria Caulfield MP - Support**

The applicant has a commitment to farming in the local area but this is an ever more difficult industry to remain in. The farm has been a part of the applicant’s family for generations, and support should be given to ensure the farm remains viable for the future. The applicant acts as a gatekeeper for the environment and the proposals remain in-keeping with the current landscape.

5.6 **Objection - 7 responses**

- Traffic increase onto Spatham Lane.
- Impact on road surface.
- Impact on horse riders using the lane.
- Reduction in speed limit required.
- Animal welfare concerns.
- Slurry management concerns.
- Significant landscape impacts.
- Assumptions are made regarding drainage.
- Unclear how much effluent, where or when it will be spread.
- Safeguards required to protect against pollution.
- Risk of fly nuisance.
- Concern regarding outdoor lighting.
- Are the bunds the correct height to hide the building from the footpath?
- Such a large building would detract views from Ditchling Beacon.
- Additional signage is suggested.
- No immediate solution to nuisance to neighbours through noise and odours.

5.7 **Neutral - 2 responses**

- Uncertainty regarding environmental protection.
- Concern regarding the level of response from East Sussex Highways.

5.8 Mid Sussex Bridleways Group – Comment

Development affects Bridleway 29e. The Group proposes that the South Downs National Park Authority play an active role in re-establishing the bridleway that runs parallel to Spatham Lane. This would provide an alternative safe route for Non-Motorised Users (NMUs) who currently use the lane.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise, having regard to the NPPF. The statutory development plan in this area comprises the Lewes District Local Plan Joint Core Strategy 2016 and saved policies of the Lewes District Local Plan 2003. The policies of relevance are listed below.
- 6.2 Policies of the Emerging South Downs National Park Local Plan, Preferred Options 2015 are of limited weight. These are also set out below.
- 6.3 The Neighbourhood Development Plan for Ditchling, Streat and Westmeston was formally submitted to the South Downs National Park Authority in May 2017 pending formal examination; it currently has limited weight but has undergone two rounds of public consultation.
- 6.4 It's emerging policies, support environmental protection, such as CONS22 & CONS7 alongside supporting economic growth and innovation, such as BIZ2, which recognises diversification and pressures and provides support for this and agricultural expansion of appropriate scales and locations. CONS10 and CONS16 – enhance ecological networks by habitat creation. TRANS 7 & 8 seek traffic calming and speed reduction in certain roads, including Spatham Lane. CONS 14 requires that development should not prejudice retention and enhancement of public footpaths

National Park Purposes

- 6.5 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.
- 6.6 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

- 6.7 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.
- 6.8 Paragraph 116 states that planning permission should be refused for major developments within designated areas such as the National Park 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 the terms of any national considerations and the impact of permitting or refusing it, upon the local economy;
 - The cost of, and scope for, development 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.

The question of major development is considered at section 8.1 – 8.14 below.

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

6.10 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 provides some guidance in relation to farming in the National Park, which underpins landscape character, biodiversity and ecosystem services, is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan. Relevant policies are below:

- Policy 1 seeks to conserve and enhance the natural beauty and special qualities of the landscape and its setting, in ways that allow it to continue to evolve and become more resilient to the impacts of climate change and other pressures.
- Policy 3 seeks to protect and enhance tranquility and dark night skies.
- Policy 11: Support land managers to access and maintain agri-environment schemes that deliver high-quality results on the ground and influence the development and delivery of new incentive schemes.
- Policy 12: Support conservation grazing on semi-natural habitats as part of a profitable livestock and mixed farm economy.
- Policy 13: Support the financial viability of farm businesses through appropriate infrastructure and diversification developments, in particular, encouraging those that will support sustainable farming. (Sustainable farming in this context is profitable farming that operates in harmony with the environment, adapting as necessary to avoid long-term harm to the special qualities of the National Park).
- Policy 15: Increase understanding of farming and of farmers as the custodians of many of the special qualities of the National Park.
- Policy 28 seeks to improve rights of way to provide a better connected and accessible network for a range of abilities and users, and to reduce conflict where it occurs.
- Policy 29 seeks to enhance the health and wellbeing of residents and visitors by encouraging, supporting and developing the use of the Park as a place for healthy outdoor activity and relaxation.

The NPPF, para 28 supports a prosperous rural economy. Planning should promote sustainable development, including agriculture and rural business. Para 115 affords the highest status of protection to protected landscapes, including National Parks and at 103, priority should be given to the use of sustainable drainage systems (SUDS) , to minimize the risk of increased flooding, although the application site is in the area of lowest risk according to national classification.

7. Planning Policy

7.1 The relevant policies of the Lewes District Local Plan Joint Core Strategy 2016 are:

CP7 – Infrastructure

CP8 – Green Infrastructure

CP9 – Air Quality

CP10 – Natural Environment and Landscape Character

CP12 – Flood Risk, Coastal Erosion, Sustainable Drainage

CP13 – Sustainable Travel.

CP14 – Renewable and Low Carbon Energy

7.2 The saved policies of the Lewes District Local Plan 2003 which are also relevant are:

ST1 – Infrastructure provision

ST3 - Design, Form and Setting of Development

ST11 – Landscaping of development

CT2 – Landscaping, Conservation and Enhancement

- T1 – Travel demand management
- T10 – Safe and secure pedestrian routes

8. Planning Assessment

Consideration of whether the proposals are major development and paragraph 116 of the NPPF applies.

- 8.1 Determining whether proposals are major development is a matter of planning judgement to be decided by the decision maker, based on all the circumstances relevant to the proposals and the context of the application site. Counsel's advice to the SDNPA by James Maurici QC in 2014 recommended a framework of principles and criteria derived from case law, guidance and appeal decisions for officers to use in their judgement of this question as follows (in no order of importance):
 - a) The definition in the Town and Country Planning (Development Management Procedure) Order (DMPO) 2015
 - b) Whether the development falls within Schedule 2 of the EIA Assessment regulations and whether it would be EIA development.
 - c) Any development which has the potential to have a serious adverse impact on the natural beauty, recreational opportunities, wildlife and cultural heritage of the National Park by reason of its scale, character or nature.
 - d) Consider the application in its local context.
 - e) Whether the application requires the submission of an assessment of the likely traffic, health, retail implications of the proposals.
 - f) Whether the development can be described as 'major' taking into consideration the ordinary meaning of the word.
- 8.2 **On point a)** the proposal falls within this definition of Major, (the Development Management Procedure Order 2015). The building provides more than 1,000sqm floorspace and the site is more than 1ha.
- 8.3 **On point b)** the proposal was not considered by officers to have the potential for *significant effects* on the environment and a formal screening opinion confirmed that an EIA was not required. Various aspects of the development and its impacts are considered in section 8.17 below.
- 8.4 **On points c) and d):** the local context contains existing farmsteads which comprise a group of buildings, around a series of loosely arranged yards. The closest buildings to the site are more modern and of a similar design and materials as the proposed building. To the west are the more scattered livestock buildings at Fourfields Farm in more open locations.
- 8.5 The proposal would be close to the existing group, and continue the east-west alignment, which has evolved over time; partial screening would be provided by long established hedges and trees at the boundary.
- 8.6 In this context the proposal is considered to both continue and blend with the pattern established by the evolution of the farm group. It would not be seen in isolation or be the only building with a floor area of this scale and in fact would be lower in height than some. It would not have a separate curtilage and would be part of the overall group. The proposals would share the existing access with the rest of the farm buildings and yard and be supported by the functions of those buildings, which provide space for storage and the applicant's home. There would therefore be a strong functional and physical relationship between the new building and those which exist on the farm.
- 8.7 The proposed clamps are also an agricultural feature often found in farmsteads (one existing is to be removed). It too would be closely associated with the farmstead and its location is a product of its functional use and connection with the farm. The design uses tapered earth rather than 'hard' engineering (except for the concrete floor of the interior) which would not be excessive in height and its orientation would allow it to integrate with the workings of the farm. The proposed re-grading and eventual vegetation would assist with softening the visual impact of the clamps. The proposed re-grading of the land itself would also not have a

significant landscape impact because the proposed landform would not appear overly engineered, settle over time and be colonised by grass. It would also not preclude other agricultural uses, grazing and cultivation of the field.

- 8.8 Any impact from either each individual aspect of the proposals or together is likely to be localised due to the context outlined above, rather than wider landscape harm. Accordingly, in this context the scale, character and nature of the proposal is not considered to have a serious adverse impact on the natural beauty, recreational opportunities, wildlife and cultural heritage of the National Park.
- 8.9 **On point e)** the applicant was required to submit a detailed planning statement and a Landscape and Visual Impact Appraisal, which is typical of many developments of varying size through the National Park. Detailed transport assessment was not needed and the Highway Authority is satisfied with the proposals. The Environmental Health officer is also satisfied, with no requirement for detailed reports on health; the site does not require remediation, nor the detailed reports usually needed for sites with contamination. As such the development is not of a scale or nature such as to require detailed assessment reports beyond those which apply to many developments in the National Park.
- 8.10 **On point f)** consideration has been given as to whether the development can be described in a common sense view in as major development. 'Major' in the English Dictionary is described as "more important, bigger, or more serious than others of the same type."
- 8.11 The proposed building is sizeable in footprint, similar in some case to those at the nearby Fourfields Farm, but in height lower than some of these and lower than some of those forming the adjacent group at Stocks Farm. Its design is consistent with others at the farm and those nearby. Outwardly it denotes no obvious specialised or more important function than those others, nor would it stand out in terms of its scale.
- 8.12 The proposed clamp is taller than the existing one at Stocks Farm. However its earthen design and graded slopes are less formal and engineered than the vertical timber walls of the existing. It will tend to blend with the natural land.
- 8.13 **In summary of points a) – f)** above, it is only the first test which describes the development as major. The more qualitative and contextual tests combine to form a different conclusion. The proposal is within a landscape where there are other buildings of similar design, some of them of similar floorspace and some taller. It is related to the physical and functional form and evolution of the farmyard and served by it. Its design denotes no obvious specialised or more important function and the application required few specialist assessment documents or formal Environmental Impact Assessment. Impacts can be assessed although the usual examination of submitted information, as follows in the next sections of this report.
- 8.14 It is therefore concluded that the development is not major development for the purposes of paragraph 116 of the National Planning Policy Framework (NPPF). Accordingly exceptional circumstances do not need to be demonstrated. However, a considered examination of the need for and effect of the proposal is required in accordance with applicable planning policies and practice, as follows.
- 8.15 National policy guidance and local policies are supportive of agricultural projects as part of sustainable development. Sustainability includes consideration of environmental, economic and social impacts. Among the considerations here are the agricultural need on which development is based, implications for production and land husbandry and the relationship of these to the landscape and enjoyment of the National Park, which are the first purpose of its designation.
- 8.16 Roads and public footpaths, which provide access to the countryside should be retained, particularly where the amenity value of the latter contributes to green infrastructure. Consideration must also be given to impacts on neighbouring amenities. Sustainable drainage is encouraged, particularly where large development may lead to increased run-off. Water quality associated with development is also important in the National Park context (and under its purposes), where chalk streams and aquifers are linked to biodiversity. Water

bodies and management can be used to create and enhance habitats.

8.17 Therefore the main considerations in this case are:

- a) Principle of Development and Need
- b) Landscape and Visual impact
- c) Drainage and Water
- d) Biodiversity
- e) Neighbouring Amenities
- f) Highways, Access and Traffic

Principle of Development and Need

- 8.18 Stocks Farm is currently an Aberdeen Angus rearing enterprise, using the 37ha applicant-owned farm and 134ha of rented lands in the adjoining parishes and at Burgess Hill (6ha). This provides for pasture and feed for 200 - 250 head cattle, which are reared in the existing farm buildings and open-grazed before being sold on for finishing. A small herd of grazing sheep is also kept. Surplus feed is sold.
- 8.19 In recent years rearing costs have increased while sale prices have fallen, which has affected profitability. Due to increased foot and mouth restrictions and the current scale of production, it has also become harder to source new calves locally, leading to a mixture of smaller groups being brought from further afield, (typically the west country). In turn this has led to greater incidence of TB 'tracers' and need for testing, also greater incidence of pneumonia.
- 8.20 Consequently there are now significant periods of uncertainty in production and in the overall business, combined with long working hours (10 hours daily) and reduced profits. Most of the existing buildings do not allow for more efficient ventilation and management which might reduce this, nor for increased herd size, which might address the reduced profit.
- 8.21 The proposed barn would allow the herd to be increased to 500 head, a scale of production which allows for a long term rearing contract (10 years) to be entered with a specialist beef supply merchant. This would provide the applicant with a regular supply of new mixed-breed calves, pre-screened for health. The role of the applicant and the proposed building would be to rear these calves on a permanently-housed basis over several months to attain a target weight. Cattle would then be returned to the supplier for finishing at another farm.
- 8.22 The design of the barn, with its relatively shallow depth and with its long southern wall of hit-and-miss boarding facing into the prevailing wind, would have good natural ventilation. This is important in minimising incidence of pneumonia. The open northern side allows for feed and bedding to be delivered by farm machinery, (such as a small tractor), more easily than in the existing buildings where this is done manually. New hard-surfacing would surround the barn.
- 8.23 The result in economic terms is a contractually assured and less labour intensive footing for continued production of food and agricultural activity over the next decade. The current business uncertainties due to disease risk are also reduced. This accords with the economic and social aspect of sustainable agriculture.
- 8.24 The choice of location alongside the farmstead allows feed and machinery to be on hand and for regular tending of animals. Locations away from the site and outside the National Park would involve greater travelling and vehicle movements, incurring inefficiencies and costs. As already mentioned, existing buildings are unsuitable for adaptation to serve the proposed enterprise.
- 8.25 The wider holding and lands would continue to produce crops for cattle fodder, the surplus being sold to agricultural merchants. Cattle would no longer be grazed in the open but the existing sheep would continue to do so and the herd size is planned to increase. Compost from the barn via the proposed clamp, would provide fertilizer for the lands.
- 8.26 Whilst the continuation of this mixed and integrated approach to the much wider 171ha

holding is a matter for the applicant in the future, there is good economic reason for the continuation of crop production and related land management. There are however two considerations of interest.

- 8.27 The first is that the applicant-owned farm of 37ha partly occupies an important area of landscape partly in the National Park. As seen from public response, the farm business as run to-date has reputation for good husbandry. To ensure that this continues after the change in production for which the development is proposed, it is considered reasonable to seek a management plan to ensure that land remains well managed, with hedges and trees maintained, including regard for their biodiversity value and that of the new habitat to be created by the pond and shaw planting associated with the clamps. This is described further at 8.34 -.36, and 8.46 - .48 below.
- 8.28 The second point is that an obsolescence condition can be attached to a grant of planning permission, to require that the barn and clamps are removed if no longer required for agricultural purposes within the next ten years and the land restored. This would be in step with the national approach in current Permitted Development rights, which serve to balance agricultural needs with restraint over development in the countryside, a balance which is of heightened importance in the protected landscape of the National Park.

Landscape and Visual impact

- 8.29 The environmental aspect of sustainable agricultural development requires consideration of its landscape impact; landscape value being the first purpose of the National Park. The proposed barn and earth-built clamps have two visual impacts; those on distant views and those from closer to. The summarised analysis by the landscape officer at 4.2 above assist in this.
- 8.30 Firstly, the existing farmstead, with its loose courtyards and linear east-west alignment and late medieval field system contained by hedges, is a characteristic of the Low Weald Character Area which fringes the northern scarp of the Downs. The proposal continues this east-west progression of buildings, its ridge running roughly parallel with the contours. It uses some of the materials of the existing complex of buildings. At 5.1m height (with part cut and part raised slab levels (approximately -60cm / +70cm), it is somewhat lower than existing buildings and the land-forming to form earth clamps along much of its southern side will obscure much of its southern side.
- 8.31 As with other buildings at the farm, its cement fibre roof will become dull and weathered. The unlit building, with rooflights no longer proposed on the south roofslope, will be seen alongside the existing cluster of buildings and contained within the intimate system of fields enclosed by hedges, sporadic trees and woods. The distant public views from the Downs some 2-3km to the south, (such as Ditching Beacon) is not considered to be significant.
- 8.32 Closer-to, there are private views from the north and public views from footpaths within the site. Whilst private views have little weight in the planning process, it is noted that the roof and part of the upper northern side of the building will be visible from the neighbouring house and garden 270m to the north, above boundary hedges. As a private view and over this distance this change could not be considered significant in planning terms, but it lends weight to the importance of not including lighting, which could otherwise be intrusive upon the neighbour and within the Dark Skies Reserve. A planning condition could be used to this effect.
- 8.33 The applicant has also suggested that intervening hedges to the north could be allowed to grow a little higher to increase screening. This could be included as part of management plan, with care as to a suitable height, in order to avoid the hedges in themselves becoming overly tall in the landscape.
- 8.34 To the south the barn and earthworks forming the clamps will be largely obscured from the public footpath crossing the field by the proposed clamps. In the context of the existing farmstead, the visible parts of the roof and walls are somewhat limited. However, the overall impact in this closer-to view depends very much on the success with which the earthworks forming the clamps and associated landscape works, including new and remodelled ponds

and a small shaw (copse), are integrated with the landscape.

- 8.35 As originally submitted the shape and gradient of the clamps appeared somewhat alien in the landscape, creating a discernible mound. The amended plan has increased the distance over which re-grading would take place, up to the field edges in places. The result is more relaxed gradient to the south (approx 1:16) and less apparent mounding.
- 8.36 Where gradients to the east and west would be steeper, but less visible, recent amendments include a new stand of trees to form a shaw to the west, and an indicative series of new and remodelled ponds to the east. The inclusion of these features, which are characteristic of the low-Weald / Downland edge provide both visual mitigation and an enhancement. It also serves as improved habitat, suitable sustainable drainage and a means to regulate water quality, as described in the next section of this report. Details can be required by planning condition.
- 8.37 The applicant proposes that the field would be sown with grass for 4 years after development and then reverted to arable. However, the Landscape Officer recommends that it is sown with Wealden Native Origin Seed (WNOS) and grazed on a conservation basis as an enhancement, and as an opportunity to retain some livestock grazing in this location. This has been suggested to the applicant and an update will be given.
- 8.38 One last consideration is the removal of the existing clamp, which at 3m height with vertical timber sides and plastic cover, is unattractive. A planning condition can require its removal prior to first use of the new clamp. In the new clamps, a condition can also require details of the cover to be used; the applicant intends a purpose designed proprietary coloured cover, which is intended to blend better with the natural palette.

Drainage and Water

- 8.39 The site is within a low flood-risk area according to national flood-zone classification. Sustainable drainage is encouraged, particularly where large development may lead to increased run-off. Advice from the Environment Agency and the County drainage officer is supportive of drainage principles here but recommends further detail be obtained for consideration and approval.
- 8.40 The principle sustainable drainage elements to be provided are:
- a) Rainwater storage tanks. These will save water from the barn roof for use in cattle drinkers.
 - b) Individual gullies and tanks capturing and storing run-off from silage and waste clamps, which have impervious concrete floors.
 - c) A new sediment pond to the south east of the barn and north of existing ponds.
 - d) Gullies to convey farmyard surface-water to sediment pond.
 - e) Existing and proposed attenuation ponds remodelled to accommodate 1:100 year storm event, including any overflow from tanks
 - f) New reed-bed to serve as final filter for water passing from attenuation ponds to Bevern ditch.
- 8.41 These elements allow for direct re-use of roofwater for drinking; the isolation of runoff from silage clamps and composted waste, which contain raised nitrate levels; a system of linked ponds providing a management train of sediment settling, two attenuation stages and final reed bed filtration and absorption. This system will receive, store and clean farmyard run-off.
- 8.42 The Environment Agency is satisfied with this approach. Its separate regulatory approval is needed for the design and size of these various features, to ensure adequate capacity and condition of water. In parallel with planning conditions can be used to ensure a suitable landscape design and biodiversity value, details would also be sent to the County drainage officer as part of the planning discharge process. A minor enlargement of the application site to the south east of the proposed barn may be required to accommodate the amended system, but this is not a significant change.

- 8.43 Part of the management plan required for this project, will describe the maintenance of these features, ensuring that they provide for a 1:100 storm event. This will include emptying of the sediment pond in the event of a severe weather event, to provide capacity for any overflow of silage/compost tanks. This water will then be cleaned through the system of ponds and reed bed.
- 8.44 The system will replace the existing aged and deteriorated piped system, old ponds and silage clamp, therefore reducing current contamination risks to run-off.
- 8.45 The spreading of liquid wastes from silage and compost tanks and solid composts onto the wider farm and lands, is regulated by nutrient management and soli management plans approved by the Environment Agency in accordance with DEFRA's Cross Compliance Rules. Chalk and clean subsoils to be used for the construction of the clamps and materials for the base of the barn, are subject of Environment Agency controls and guidelines which ensure their uncontaminated quality.

Biodiversity

- 8.46 As mentioned in the previous sections, the proposal includes the provision of wetland habitat through additional and remodelled ponds and reed-beds which comprise the sustainable drainage system (SUDS) and landscaping. This demonstrates the multiple benefits of sensitive water management, in accordance with polices. It is supported by the County Ecologist.
- 8.47 By managing water quality through the detailed design of the SUDS and the separate and parallel nutrient management regulatory regime of the Environment Agency, the development is unlikely to affect the wider water environment, including chalk streams. The replacement of the aging system is likely to improve existing risks.
- 8.48 It is hoped that the applicant will agree with the Landscape Officer's recommendation at 8.37 above, for the sowing of Wealden Native Origin Seed (WNOS) on the slopes of the proposed clamps; and to retain livestock grazing here. An update will be given.

Neighbouring amenities

- 8.49 The visual impact from the neighbouring perspective is covered at 8.32 & 8.33 above. Other points made in responses received refer to concerns regarding risk of odour, flies and noise.
- 8.50 In consideration of these points the Environmental Health officer (EHO) observes that the barn will be mucked out on a relatively frequent interval (six times per year) and the mix of manure and straw bedding will be placed in the proposed waste clamp, with effluent draining to storage tanks. If the manure store is well drained odours and insects will be less likely to cause a nuisance. The applicant confirms that low water content in feed is an intrinsic part of the proposed husbandry producing a relatively dry manure.
- 8.51 Regarding noise from animals, the applicant observes that cattle which are well settled within established groups produce little noise. Incoming cattle will arrive in groups which have been preassembled and socialised elsewhere. They will in any event be acclimatised and quarantined on arrival in one of the existing farm building further away at the heart of the farmyard. Thereafter the space within the proposed barn is sufficient to ensure that groups are well spaced apart. Accordingly it is anticipated that cattle stress and related noise will be low. Mindful also of the distance to the neighbouring properties (270m north and approximately 300m east and north east), albeit some downwind of the site, it is considered that this is unlikely to be a significant impact.
- 8.52 Mindful of noise associated with construction and related delivery, the EHO recommends a condition to limit these activities to normal working hours. This condition would not affect other activities at the farm.

Highways, Access and Traffic

- 8.53 The Highway Authority raises no objection to the proposal. Access for construction will be from Spatham Lane across the applicant's field. Whilst this will increase vehicle movements for the duration of works, including the importation of materials, the applicant's contractor estimates 50no. round trip deliveries by 32 tonne vehicle per day for 37 days for

construction of the clamps. This it will be for a limited duration and during normal working hours.

- 8.54 In the longer term the applicant states that traffic is likely to be less than that already associated with the rearing of Aberdeen Angus. Future cattle will be sold and brought in larger groups. The majority of feed and bedding will be produced and used on the farm.
- 8.55 The proposal will temporarily affect public access to the field as earthworks to create the shallow re-grading of this part of the site as part of the landscaping to the clamps. The footpath will require temporary diversion. This can be achieved by routing walkers around the perimeter of the field until earthworks are completed. A separate Order will be sought from the County Rights Of Way office, whose formal response is awaited to the amended landscaping plan, but which has verbally indicated that this could be acceptable in principle. An informative can be attached, and the landscaping details required by condition can describe the extent of works.

9. Conclusion

- 9.1 The proposal provides for economic sustainability of Stocks Farm for at least the coming decade. The building is designed to allow for efficient husbandry, animal welfare and reduced risk of disease. Both the barn and the clamp rely on feed and bedding generated from the wider farm and lands with some imported supplement, and continued management of the land, some aspect of which can be included in a simple management plan, focused on landscape, biodiversity and management of drainage.
- 9.2 The location allows for efficient management and tending which locations away from the farmstead or outside the National Park would lack. Existing buildings are unsuitable for adaptation to serve the proposed enterprise. The proposal assures the continued production of food and management of land and it is considered to relate to the established pattern of farmyard evolution.
- 9.3 Visual impacts can be mitigated by the amended landscaping works, the gentle gradient of land forming; provision of planting and remodelled and augmented ponds. Some of these are also regarded as an enhancements to the landscape, which meets National Park purposes and policies. Drainage and pollution risks are subject to other regulatory regimes and planning conditions can guide the design and appearance of the system and on-going maintenance. Impacts on neighbours and local roads and access are in some cases short term during construction, managed by condition, and in the long-term they are considered to be reasonable.

10. Recommendation

- 10.1 It is recommended that authority be delegated to the Director of Planning to grant planning permission for planning application SDNP/17/01024/FUL, subject to consideration of any further comments received before 16 August in response to current publicity and subject to the conditions substantially in the form as follows:
- 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 plans listed below under the heading 'Plans Referred to in Consideration of these Applications'.
Reason: For the avoidance of doubt and in the interests of proper planning.
 - 3) Prior to construction above slab level a schedule and samples of external materials and finishes to be used in the construction of the barn hereby approved, and any associated hard-surfaces, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out strictly in accordance with the approved details.

Reason: In the interests of amenity, the landscape and National Park Purposes.

- 4) The development hereby approved shall be carried in accordance with the proposed levels plan and section drawings both numbered hla 231 01, so that re-levelling of the field within which the development is situated, is carried out concurrent with the construction of the clamps and manure store hereby approved. There shall be no further increase levels above those shown in the aforementioned drawing for the clamps, land or slab level for the barn, unless the Local Planning Authority gives prior written approval for such changes.

Reason: To ensure concurrent re-grading so that the clamps and store are blended into existing topography and to control increases in levels for these and the barn in the interests of amenity, the landscape and National Park Purposes.

- 5) The development hereby approved shall be carried in broad accordance with the Landscape Plan drawing hla 231 01 (subject to inclusion of additional details of the drainage/attenuation ponds required at condition 7 below). A landscaping scheme including planting shall be implemented during the first planting season following the substantial completion of the development hereby approved in accordance with a planting scheme which shall first be submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. written specifications (including cultivation and other operations associated with plant and grass establishment:
2. schedules of plants, including those for the woodland shaw, pond area noting species, planting sizes and proposed numbers/densities where appropriate:
3. retained areas of grassland cover, scrub, hedgerow and trees.

Reason: To ensure landscape planting and its establishment in order to blend with the existing landscape in the interests of amenity, the landscape and National Park Purposes.

- 6) If within a period of five years after planting any tree or plant comprising the landscaping scheme referred to in condition 5 above, is removed, dies or becomes seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure landscape planting and its establishment in order to blend with the existing landscape in the interests of amenity, the landscape and National Park Purposes.

- 7) With the exception of the barn hereby approved (and its related roof water 'grey-water' harvesting system which shall be installed concurrent with the barn), the clamps, manure store shall not be substantially completed not brought into use until nor shall any associated hard-surfacing be constructed until details of the sustainable surface-water drainage system comprising gullies; tanks; greywater harvesting; ponds and reed beds, including the size and design of these component parts, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The system shall be completed within twelve months of the date of this permission and brought into use prior to the substantial completion and first use of any approved clamp or manure store.

Reason: To ensure the phased provision of adequate drainage and control of the amount and quality of run-off, water in the interests of sustainable drainage, control of flood risk and quality of the water environment.

- 8) Within eight months of the date of this notice of permission details of a biodiversity improvement plan shall be to and approved in writing by the Local Planning Authority to include a description of how planting and the provision of drainage, ponds and reedbeds will improve local biodiversity, including arrangements for aftercare.

Reason: To ensure that new planting and drainage, including ponds and reedbeds will improve local biodiversity in accordance with the purposes of the National Park.

- 9) Within eight months of the date of this notice of permission, (or other period as may first be agreed in writing by the Local Planning Authority), a management plan shall be

submitted to and approved in writing by the Local Planning Authority to include the management and maintenance of :

- a) the sustainable drainage system to ensure on-going provision for storm drainage and continuing biodiversity value and minimised risk of pollution;
- b) new habitat formed by the new shaw planting;
- c) hedges and trees at Stocks Farm;
- d) tidying of the farmyard at Stocks Farm to follow the substantial implementation of the development hereby approved.

Reason: To ensure on-going management and maintenance in the interests of drainage, surface water flood-risk, water quality, biodiversity and continued management of trees and hedges which are important in the landscape of the National Park, in accordance with National Park purposes.

- 10) Trees and hedges close to the development shall be protected for the duration of development works and aftercare, in accordance with BS5837: 2012 Trees in relation to design, demolition and construction. This shall include protection during any excavation works.

Reason: To safeguard trees which are an integral part of the character of this important pastoral landscape.

- 11) There shall be no internal or external illumination of the barn, clamps or manure store hereby approved, or of any associated hard-surfacing around the barn.

Reason: To protect the character of the countryside, and the designated International Dark Night Reserve, which is part of the special quality of the South Downs National Park.

- 12) Details of any cover, including the colour and finish, to be used for the clamps and manure store hereby approved, shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity, the landscape and National Park Purposes.

- 13) The development hereby approved shall be used for agricultural purposes only. If within a period of 10 years from the date on which the development either of the barn or of the clamps and manure store is substantially completed and if planning permission has not been granted on an application, or has not been deemed to be granted under Part 3 of the Act, for development for purposes other than agriculture, within 3 years from the date on which the use of the building or extension for the purposes of agriculture within the unit permanently ceased, then, unless the local planning authority have otherwise agreed in writing, the building, clamps and manure store and any new associated hard-surfacing must be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the local planning authority and the developer.

Reason: Development in the protected landscape of the South Downs National Park has only been approved in the interests of agricultural need of the countryside. Removal and restoration is considered reasonable in the event that it is no longer need for these purposes.

- 14) The existing silage clamp shall be entirely removed within 12 months of the date of this permission (or such other time as may first be agreed in writing by the local planning authority), and the area restored according to details which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: Development in the protected landscape of the South Downs National Park has only been approved in the interests of agricultural need of the countryside. Removal of the existing clamp and restoration is considered reasonable.

- 15) No development of any phase shall take place until the developer has secured the implementation of a programme of archaeological work for that phase, in accordance

with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

- 16) No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post investigation assessment for that phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 15 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.

- 17) No demolition, site clearance, preparation or construction work associated with the construction of the development hereby approved shall be carried on outside of the hours: 08:00 to 18:00 hours Monday to Friday and 09:00 to 13:00 hours on Saturdays. No working is permitted at any time on Sundays or Bank Holidays. No machinery shall be operated, no process shall be carried out and no deliveries or collections shall be made at the site outside of these specified times.

Reason: To protect the amenity of the locality during the period of development works.

11. Crime and Disorder Implications

- 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. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality 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 updating of the agent and discussion of issues during the course of the application.

TIM SLANEY

DIRECTOR OF PLANNING

South Downs National Park Authority

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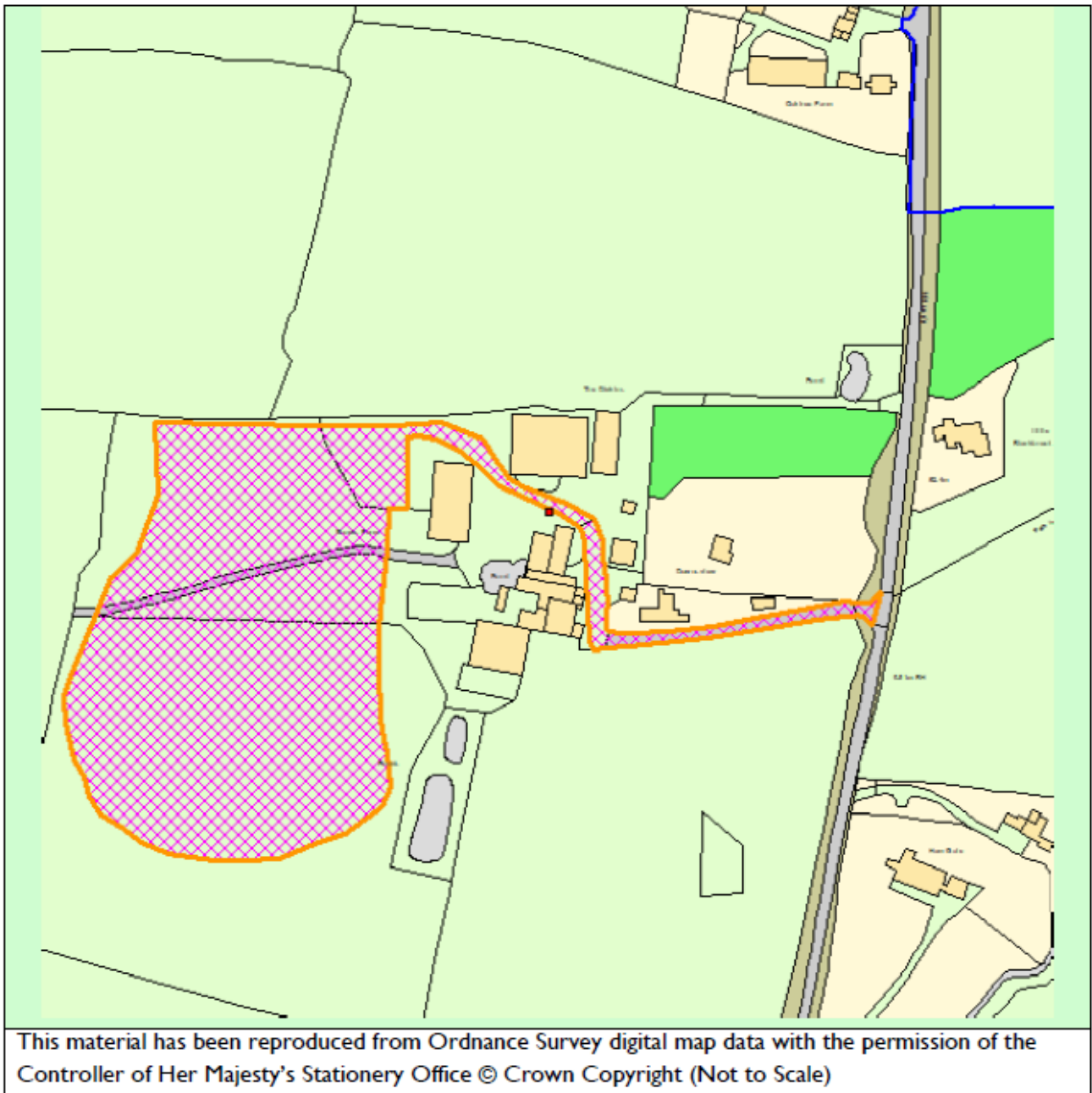
Appendices: 1. Site Location Map

2. Plans referred to

SDNPA Consultees: Director of Planning & Legal Services.

Background Documents: [All Planning Application and Listed Building Consent plans, supporting documents, consultation and third party responses](#)
[National Planning Policy Framework, 2012](#)
[National Planning Practice Guidance](#)
[SDNP Partnership Management Plan](#)
[Lewes District Local Plan Joint Core Strategy 2016](#)
[Lewes District Local Plan \(2003\)](#)
[Lewes District Council Saved Policies](#)

Site Location Map



Plans Referred to in Consideration of these Applications

The applications have been assessed and recommendation is made on the basis of the following plans and documents submitted: (to be included in report update)

Plan Type	Reference	Version	Date Plan Received	Status
Plans				
Plans				
Plans				
Plans				
Plans				
Plans				
Plans				
Plans				
Plans				
Documents				
Documents				
Documents				

