

Agenda Item	Page No	Para	Update	Source/Reason
9	8	1.2	The paragraph states that the development site falls entirely within tenanted land. This is incorrect. The car park, shower/toilet blocks, and the Outdoors Project all are to be sited on land owned by the applicant.	Correction
9	9	2.1	The paragraph incorrectly describes the site being to the southern edge of Ditchling whereas it is actually to the north.	Correction
9	9	4.1	Amend paragraph 4.1 to include additional bullet point: <ul style="list-style-type: none"> The first 50 metres of the access road from Common Lane is to be constructed to a width of 5.5 metres using a dry macadam material, after which the road would be constructed from a compacted Mot surface. The overall width of the road is not to exceed 3 metres to include a central grass strip of 1 metre. Details of final road and access design including dimensions, measurements, and materials to be used are required thorough conditions 13, 14 and 25. 	Amendment / Clarification
9	13	6.1	3 additional letters of objection have been submitted. The points raised reiterate those already listed under para 6.1 of the report (<i>highway safety, the lease of the land, future pressures for development, impact on amenity of nearby residents, impact on users of public rights of way</i>)	Update
9	26	8.69 8.70	Amend paragraph 8.69 to include additional information: A stretch of approximately 15 metres of native hedgerow and trees are to be removed in order to facilitate the new access onto Common Lane. The vegetation to be removed consists of predominantly ash. Amend paragraph 8.70 to include additional information: Replacement planting of native tree and hedgerow species are to be provided to compensate for part of the loss associated with the access and visibility splays. Final details of planting are required through conditions 13 and 25, under Section 10 of the report.	Amendment / Clarification
9	25	8.63	Delete paragraph 8.63 and amend as follows: A Landscape and Ecological Management Plan (LEMP) has been recommended by the WSCC Ecologist and the SDNPA Landscape Officer to ensure appropriate management of the land within and adjacent to the application site. The LEMP was recommended to preserve and enhance features on site that are being retained, restored or created, such as grassland, ponds and ditches, scattered scrub, hedgerows and trees. Such a plan would set out how landscape and ecological features would be managed to benefit overall biodiversity and landscape character. For example, this would include provision of hedgerows and trees	Update / Amendment

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			<p>that would be suitable for dormice and other small mammals, and maintaining and enhancing grassland areas and connectivity between parts of the site for use by reptiles and great crested newts.</p> <p>The application site consists of the fields outlined in red but excludes wider areas of fields to the west of the camping ground that are to be retained for agricultural use. These fields are not owned by the applicant but are tenanted under a 20 year lease. It was on this basis that officers recommended a Section 106 agreement (rather than a planning condition) to secure ongoing land management for the application site and the land beyond the red line on the plan.</p> <p>Further to the publication of the committee report, the applicant's agent has questioned whether it is reasonable and appropriate to require the LEMP for this area through a Section 106 agreement. The agent highlights a difficulty in securing such a legal agreement between the Local Planning Authority, the applicant and a separate land owner. It is argued that where a third party is not willing to give their consent to enter into a separate legal agreement the development would become unviable.</p> <p>Secondly, the agent argues that the recommendation for the 106 to be secured within a 3 month period adds further pressure on the applicant to engage with the land owner and agree to the LEMP, with the potential to jeopardise the delivery of the scheme.</p> <p>Thirdly, it is questioned whether the development is in fact made acceptable in planning terms because of the Section 106 agreement. It is argued that a LEMP could still be carried out effectively within the areas within the application site.</p> <p>Paragraph 204 of the Planning Practice Guidance states that a planning obligation should only be sought where it meets the following tests:</p> <ul style="list-style-type: none"> • necessary to make the development acceptable in planning terms; • directly related to the development; and • fairly and reasonably related in scale and kind to the development <p>Officers have contacted the WSCC Ecologist and SDNP Landscape Officer. The Ecologist has advised that there would not be reasonable grounds to recommend refusal of the application if a LEMP were not to be secured for the land management of the wider field. However, the Ecologist has confirmed that there would not be an in principle objection on ecological grounds if the LEMP were to be tailored to the land within the red line of the application site. The LEMP would include sufficient land within the application site to ensure protection measures for reptiles and great crested newts during the construction of the new access road (avoiding the fragmentation of ponds, ditches and hedges). This is also reinforced by conditions 17 and 18 under Section 10 of the report.</p>	

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			<p>The Landscape Officer has reiterated previous concerns regarding the impact of the development upon landscape character, and therefore a management plan is still recommended. Although desirable to see a wider plan of land management, it is considered that there would still be good opportunities for landscape enhancement within the red line of the application site. For example, the applicant has advised that the camping and cabin fields are to be largely retained as tall grass meadow, which could be included as an management opportunity for landscape and ecological enhancement within the LEMP.</p> <p>The Landscape Officer previously advised that the development presents an opportunity to improve species rich grasslands that are distinctive to the Low Weald. Even if tailored solely to the application site, the LEMP could enhance grassland areas through a wildflower meadow management regime. Seeds and planting should be native and of Wealden origin.</p> <p>On this basis, officers consider that the development is still acceptable in the absence of a Section 106 agreement, and the requirement for the LEMP through planning condition would justify the proposed scheme against the degree of harm caused to the landscape character of the local area, having regard to para 116 of the NPPF. If members are minded to grant planning permission it is recommended that a condition for the LEMP is included under section 10 of the report.</p>	
9	30	10	<p>Amend recommendation:</p> <p>Application SDNP/17/01224/FUL is recommended for approval subject to the completion of a Section 106 agreement and the following conditions:</p> <p>Insert after Condition 18 the following additional condition and renumber other conditions below it:</p> <p><i>Prior to commencement of the development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:</i></p> <ul style="list-style-type: none"> <i>a) description, plan and evaluation of features to be managed including the grassland, hedgerows, ponds and wetland areas;</i> <i>b) ecological trends and constraints on site that might influence management;</i> <i>c) aims and objectives of management;</i> <i>d) appropriate management options for achieving aims and objectives;</i> <i>e) prescriptions for management actions, together with a plan of management compartments;</i> <i>f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period;</i> <i>g) details of the body or organisation responsible for implementation of the plan;</i> 	Update / Amendment

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			<p>h) a scheme of ongoing monitoring, and remedial measures where appropriate; i) details of legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer in partnership with any management body(ies) responsible for its delivery.</p> <p>The approved LEMP will be implemented in accordance with the approved details and where deemed necessary by the Local Planning Authority shall include contingencies and/or remedial action to be further agreed and implemented where the results from monitoring show that conservation aims and objectives of the LEMP are not being met.</p> <p>Reason: To ensure appropriate on-going management of the land beyond the completion of the development, to ensure fully functioning landscape and biodiversity objectives of the originally approved scheme, and in order to preserve and enhance biodiversity and landscape features within the subject site in accordance with the National Planning Policy Framework and to meet the purposes of the South Downs National Park.</p>	
9	27	9.1 Conclusion	<p>Conclusion to be amended as follows:</p> <p>The proposed development of this scale, design and layout amounts to major development for the purposes of paragraph 116 of the National Planning Policy Framework within a rural area and sensitive landscape. However, the diversification of the existing farming business through a well-integrated tourism enterprise will promote year-round tourism and opportunities for the enjoyment and understanding of the National Park. Subject to conditions and the completion of a Section 106 agreement [INSERT: to include a Management Plan] for landscape and ecological enhancement, the proposed development is concluded to be in the public interest, thereby justifying special circumstances to promote social, economic and environmental sustainability. The proposal is therefore concluded to meet the purposes of the National Park. The proposal is considered to be in accordance with policies CP5, CP7, CP8, CP10, CP12, CP13, CP14 of the Lewes District Local Plan Joint Core Strategy, saved policies ST1, ST3, ST5, ST11, E16, E17, E19, T1, T10, T14 and ST30 of the Lewes District Local Plan 2003 and the National Planning Policy Framework.</p>	Update / Correction
9	7	Recommendation	<p>Delete points 1 ii) and 2:</p> <p>Recommendation: That planning permission be granted subject to the conditions set out in Section 10 of this report and the August update sheet. ii) the completion of a Section 106 agreement for a Landscape and Ecological Management Plan (LEMP) to be secured detailing landscape and ecological enhancements within and adjacent to the application site.</p>	Update / Correction

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			2. That authority be delegated to the Director of Planning to refuse the application, with appropriate reasons if the S106 Agreement is not completed or sufficient progress has not been made on the agreement within 3 months of the 10 August Planning Committee meeting.	
10	51	Recommendation	16 August should read 19 August 2017 (also change this at para 10.1)	correction
10	51	Exec summary	First line should read: The proposal is for a cattle barn of 1673sqm and 5.1 m eaves and 7.2m ridge height along with three 3.6-5.7m high earth sided clamps.	correction
10	-	-	Agent requests general clarification to following terminology in report: <ul style="list-style-type: none"> • 'Hit-and-Miss Boarding' should read: <i>Yorkshire Boarding or Space Boarding</i>. • 'Cattle waste' is not waste, but 'Farmyard Manure' (FYM), an essential agricultural product reducing need for chemical fertilisers. • 'Compost' is different to FYM. The proposal will not create compost. 	Clarification
10	52	3.1	5.1m to apex should read: 5.1 m to eaves and 7.2m to apex Concrete infill panels not 1.2m high but 2 x 1m high	correction
10	53	3.6	Agent stresses that most cereals produced would be fed to cattle. Cultivation would be a rotation	Addition
10	53	4.2	Agent responds: <ul style="list-style-type: none"> • The farm business will include grazing of other cattle at Ditchling Common and the 'V' at Westmeston. (this clarification also to be made to para 8.25) • The field is only crossed by one PROW • Field will be sown with grass on rotation (approx. 5 yrs grass then 5 yrs arable etc...) • Soils are not chalk but clay/greensand 	Response/clarification
10	54	4.5	Environment Agency. Amended plans, phased approach and proposed conditions are acceptable. Proposal demonstrates best practice in environmental impact and pollution prevention. During phased development field storage of manure and silage is accepted and controlled under other Agency Regulations.	Addition
10	54	4.7	County Archaeologist. Satisfied with phased approach to development and archaeology	Addition
10	54	4.11	Westmeston Parish Council - confirms no further comment	Addition
10	54	5.1	3 letters of support from previous respondents. Adds that traffic impacts during construction will be short-lived.	Addition

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10	55	5.6	<ul style="list-style-type: none"> Amended plans do not assist to north. Machinery/tractor noise to neighbours north & downwind of site already audible but it recedes as machinery moves southwards, downslope of ridge which is proposed barn position. Future use of straw and silage blower and straw/feed chopper to bed and feed cattle along the open northern side, will be noisy and very dusty on frequent daily basis, including early morning – see http://www.kuhn.co.uk/internet/prospectus.nsf/0/223614466922E5BDC125721400394FD9/\$File/Prospectus%20PRIMOR%202060H%20%20GB.pdf . Silaging, machines would be operate often late at night, along the main entrance/service path and the area would be used to clear manure. The barn would also deflect noise northwards. Therefore proposed location will cause maximum noise and during darker months, headlamp nuisance, affecting neighbour to north including bedroom windows which is within 400m national protected curtilage distance. This would be reduced by following suggestions: <ul style="list-style-type: none"> Excavation of building and front (northern) service access and yard A bund immediately south of northern hedge The combined height/depth of these to equate to 3.5 to 4 metres (approximate height of a modern tractor exhaust system), providing noise and light bufferage. This would lower the ridgeline, limiting visibility from PROWs to north. Bund would also offer additional cattle protection from northerly winter winds. Similar successful solution at Gooseford Farm, Okehampton in Dartmoor National Park in line with National Park purposes. 	Addition
10	56	5.8	Agent replies: Bridleway 29e is not in the field or touched by proposal	Response
10	56	5.9	Local Footpath Secretary for Ditchling & Westmeston - support Bridleways Group [see 5.8] regarding RoW 29 in Ditchling and frustration for riders to be unable to access the bridleway from either end. This anomaly reported to County Rights of Way office.	Addition
10	58	8.6	Line 3: Replace: <i>and in fact would be lower in height than some. With and would be similar in height to others.</i>	Correction
10	59	8.11	Line 2-3: Replace: <i>but in height lower than some of these and lower than some of those forming the adjacent group at Stocks Farm With and in height similar to others forming the adjacent group at Stocks Farm</i>	Correction
10	59	8.13	Line 4 Delete 'and some taller' Last line add: <i>It is also considered that in terms of height, the building is reasonably consistent with other buildings.</i>	Correction
10	60	8.18	Agent confirms that cattle are to be sold finished from Stocks Farm	Correction
10	61	8.30	Replace last sentence with:	Correction

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			<i>At 5.1m eaves and 7.2m ridge height (built largely at existing ground level with fill of around 40cm at the eastern end it is similar in height to some of the existing buildings and the land forming earth clamps along much of its southern side will obscure much of its southern side to a height somewhat above eaves level.</i>	
10	65	Condition 7	To read: 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 <i>and a timetable for their provision</i> have been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. <i>The system shall be completed in accordance with the approved timetable and permanently maintained thereafter.</i>	Amendment
10		Condition 8	Line 1 after 'permission' insert: <i>(or other period as may first be agreed in writing by the Local Planning Authority),</i>	Amendment
10		Condition 14	Line 1 change <i>12 months to 24 months (or other period as may first be agreed in writing by the Local Planning Authority),</i>	Amendment
10	69	Plans	11767/10A: DETAILS (e.g. roof, & floor, steelworks etc.) 11767/GA01B: PLAN & ELEVATIONS (but no translucent sheets on southern roof-slope) 11767/Planning 1B: LOCATION PLANS 11767/ Planning 2B: PROPOSED LOCATION & BLOCK PLANS HLA 231 01: LANDSCAPE PLAN with planting strategy HLA 231 02: LEVELS PLAN including proposed clamps HLA 231 03: SECTIONS HLA 231 04: SURVEY PLAN	11
11	71	Recommendation	Amend to read as follows: 1) That delegated Authority be granted to the Director of Planning to grant planning permission subject to: a) The completion of a legal agreement to secure the following, which is delegated to the Director of Planning: i) Transport, travel and highway obligations contained within the legal agreement attached to SDNP/15/01303/FUL ii) Relevant future management and maintenance obligations contained within the legal agreement attached to SDNP/15/01303/FUL	Amendment

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			<p>iii) A future viability review to assess affordable housing provision if the development is not completed such that the 22 flats hereby approved are ready for occupation and the offices have been provided to at least shell, ready for fitting out within 3 years of the date of this permission ((SNP/17/00387/FUL) and to secure suitable provision according to the outcome of the review, and</p> <p>b) The conditions set out in Paragraph 10.1 of this report and the August update sheet.</p> <p>2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed within 3 months of the 10 August 2017 Planning Committee meeting. (This amendment also to be made at para 10.1)</p>	
II	75	7.7	<p>The emerging Lewes Neighbourhood Plan has undergone a period of pre-submission public consultation. The Neighbourhood Planning group is currently considering responses in the preparation of amendments. At this time the emerging plan carries very limited weight.</p> <p>Among its proposed policies HC4 contains similar requires as the Core Strategy and Saved policies CP4 and EI; that loss of employment sites will be resisted, proposals should be supported by clear demonstration that the site is not currently viable and that an alternative can be provided.</p>	Addition
II	77	8.11	<p>Line 4 <i>Two years</i> to change to <i>three years</i>.</p> <p>Officer comment: The applicant has requested a longer timescale given the time needed to undertake land remediation, estimated as 7 months here and that numerous associated conditions of the existing permission have taken longer than normal to discharge. These reasons, coupled with the several phases comprising which the wider development (79 dwellings approved under SDNP/15/01303/FUL), the requested timescale of three years before a review is triggered is considered reasonable here.</p>	Amendment
II	89	Plans	<p>101 A: PROPOSED BLOCK PLAN</p> <p>112 E: SOUTH DOWNS ROAD APARTMENTS GROUND FLOOR...</p> <p>119 H: PROPOSED SITE SECTIONS</p> <p>130 C: GROUND FLOOR PLAN</p> <p>131 B: FIRST FLOOR PLAN</p> <p>132 B: SECOND FLOOR PLAN</p> <p>133 B: THIRD FLOOR PLAN</p> <p>134 C: PROPOSED & APPROVED ELEVATIONS</p> <p>135 D: PROPOSED & APPROVED ELEVATIONS</p> <p>136 D: PROPOSED & APPROVED ELEVATIONS</p>	

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			137 C: PROPOSED & APPROVED ELEVATIONS	
13	117	9.1	<p>Insert additional condition as Condition No: 4 and renumber subsequent conditions accordingly.</p> <p><i>4. The advertisement for which consent is hereby granted shall not be installed until a detailed scheme and specification for replacement planting within the existing landscaped area has been submitted to and approved in writing by the Local Planning Authority, such specification shall include details of the species and size of such replacement planting.</i></p> <p><i>Reason: To conserve and safeguard the landscape character and visual amenity of the area.</i></p>	Update / Correction
16	11	Footnote 4	Hyperlink in footnote 4 is incorrect and should be: https://www.southdowns.gov.uk/planning/planning-policy/national-park-local-plan/authority-monitoring-report-amr/	Correction
16	21	Footnote 7	Hyperlink in footnote 7 is incorrect and should be: https://www.southdowns.gov.uk/planning/making-an-application/	Correction
16	10	4.5	Insert <i>East Sussex, Brighton & Hove and South Downs Waste and Minerals Sites Plan (2017)</i> to list of Joint Minerals and Waste Local Plans	Update
16	12	4.12	Change the words 'leas authority' to 'lead authority'.	Correction
16	14	4.12 (15)	Change the sentence '...therefore carries real weight in the decision making process for planning applications for <u>tat</u> area covered by the NDP' to 'that area'.	Correction