

**Agenda Item 9  
Report PC47/17**

Report to	<b>Planning Committee</b>
Date	<b>10 August 2017</b>
By	<b>Director of Planning</b>
Local Authority	<b>Lewes District Council</b>
Application Number	<b>SDNP/17/01224/FUL</b>
Applicant	<b>Mr and Mrs D Macmillan</b>
Application	<b>Proposed campsite for 30 tent pitches for use between April - September each year. Erection of 20 log cabins for camping 11 months of the year, erection of Farm Shop/Cafe, erection of 4 washroom and toilet blocks, creation of a Car Park, formation of a New Access and Track, use of a Parcel of land by the Outdoors Project and a Proposed Soft Landscaping Scheme.</b>
Address	<b>Fourfields Farm, Dumbrells Court Road, Ditchling, BN6 8GT</b>

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**Recommendation:**

- 1. That planning permission be granted subject to:**
    - i) the conditions set out in Section 10 of this report.**
    - 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.**
  - 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.**
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**Executive Summary**

Fourfields Farm, locally known as Macs Farm, is an established free-range egg farm on the northern edge of the National Park, just north of the village of Ditchling within the District of Lewes. The farm comprises five poultry sheds, a farmhouse and storage and utility buildings, all of which are served by a single access from Dumbrells Court Road to the south-west.

The development proposes a form of farm diversification to support the existing egg production business across approximately 5.8 hectares of agricultural land to the north of the poultry buildings.

Permission is sought for: 1) the change of use of land to form a campsite for up to thirty tent pitches and the siting of 20 timber cabins; 2) the siting of four washroom/toilet blocks; 3) the relocation and conversion of an existing poultry shed to serve as a farm shop/café/office/classroom; (4) the construction of a new vehicular access from Common Lane adjoining a new car park for up to 65 vehicles; and (5) a change of use of a small piece of woodland to the east of the farmhouse to be used by local school groups for educational purposes.

The main issues in the determination of this application relate to the principle for tourism and visitor development in this rural location, the quality of the design layout and impact on the landscape, access and highway safety; impact upon residential amenity; drainage; and impact on biodiversity and ecology.

On overall balance the landscape harm likely to result from the diversification of the business (including new access, road and car park) is considered to be outweighed by social, environmental and economic benefits achieved through provision of an appropriate mix of tourist facilities, community and educational facilities, as well as enhancements to the natural landscape and biodiversity (to be subject to a legal agreement).

Taking into consideration all of the issues, the proposed development is considered to be an appropriate form of rural diversification of an existing agricultural business to warrant support under paragraph 116 of the National Planning Policy Framework, which only permits major development within national parks in exceptional circumstances when it has been demonstrated to be in the public interest.

In conjunction with further landscape and ecological enhancements, the development proposal is considered to address an identified need for the provision of visitor accommodation within the South Downs National Park, thereby fulfilling the first and second purpose of the National Park. Subject to conditions and a legal agreement the development is considered to be acceptable in this location.

The application is put before Members of the Planning Committee, as it constitutes a form of major development in the context of potential impacts upon the South Downs National Park.

## **1. Site Description**

- 1.1 The applicants setup the current business in 1997, which forms part of a larger family egg production business known as Grassington Rangers. The applicant's farm operates across an area of approximately 30 hectares of agricultural land due east of Common Lane (B1122).
- 1.2 Seventy percent of the land is under the applicant's ownership with the remaining thirty percent tenanted on a twenty year lease. The development site falls entirely within the tenanted land between a main poultry shed to the south and South View immediately to the north.
- 1.3 Vehicular and pedestrian access to the farm is currently via Dumbrells Court, which is a quiet residential road. At its closest point, the application site is located approximately 800 metres north east of the main crossroads within Ditchling Village, equivalent to 10-15 minutes walking distance.
- 1.4 The application site has well-established field boundary hedges and trees adjoining all sides of the two main fields, and has traditionally been laid to pasture for sheep grazing. The applicant states that for the last two years the land has also served as an informal campsite as a temporary use of land under Part 4 of the Town and Country Planning General Permitted Development Order 2015 (as amended).
- 1.5 A public footpath (64b) running north to south lies to the west of the application site and a bridleway (29e) runs through the wooded boundary to the south of the campsite fields. Both the footpath and the bridleway connect to Ditchling Common to the north and Ditchling village to the south.
- 1.6 The land directly to the north of the campsite fields is agricultural land however a row of residential houses are situated on South View and a larger detached house called Little Shepherds is situated approximately 100 metres to the north west. Many of these properties have views of the applicant's land and camping field from first floor bedroom windows.
- 1.7 Beyond the proposed camping field to the west are two fields, which are laid to pasture. Further to the west are several residential properties which front onto Common Lane approximately over 200 metres away from the proposed camping fields. Views from the rear of these properties are screened by existing vegetation in the form of hedges and tall trees.
- 1.8 To the south of the application site is the rest of the Applicant's land which is used for the egg production business and to the east of the site is a row of trees and hedges and agricultural land beyond.

## **2. Surrounding Landscape**

- 2.1 The site lies on the southern edge of Ditchling, on a farm outside of the settlement within the Low Weald National Character Area (NCA) and the 'Adur to Ouse Scarp Footslopes', based on the South Downs Integrated Landscape Character Assessment (ILCA).
- 2.2 Fourfields farm is thought to have developed around a series of outfarms, historically associated with Northend Farm, a nineteenth Century farmstead. As a result the majority of farming is somewhat detached from the original steading itself. Fourfields Farm is a much more recent group of buildings, with a new farmhouse created within one of the fields. The landscape within which the farm sits is one of formal planned/private enclosure dating from Medieval to Post Medieval period.
- 2.3 It is a landscape of consolidated strip fields, which gives this area north of Ditchling a unique character. Even more unique, the vast majority of fields are extant – surviving historic fields from this period, this survival speaks very much of the Weald but overall it is rare in the South Downs, particularly over such a relatively large area. Ponds and bodies of water within this area are also highly characteristic of the Weald.

### **3. Relevant Planning History**

- 3.1 The most relevant planning history is as follows:
- SDNP/14/06606/PRE - 20 pitch campsite – Advice given January 2015 (regarding provisions of the 28 day temporary use of land under the GPDO).
  - SDNP/15/01660/FUL - Erection of an implement shed (amendment to planning approval LW/09/0075) - Approved June 2015.
  - SDNP/16/02386/PRE - Camping pitches, log chalets, farm shop, new access - Advice given September 2016 – This response is attached as **Appendix 3** of the report.
  - SDNP/16/05738/HOUS - Erection of detached four bay garage/storage and office building - Approved January 2017.
  - SDNP/16/05843/PRE - Convert barn to three dwellings - Advice given April 2017.

### **4. Proposal**

- 4.1 The application proposes new development to diversify the income of the existing poultry farming business. The scheme comprises the following:
- A change of use of a 2.3 hectare agricultural field to allow for the siting of 20 holiday cabins to be used for 11 months each year. Each cabin would be constructed from timber with feather edged weatherboarding and a coated steel roof stated as Juniper green colour. The cabins would be constructed on skids thereby having no permanent footings, measuring 4 metres by 8 metres with a ridge height of 4 metres. Each cabin would provide an area for a bed, sitting area, table and chairs with a wood burner. A small veranda would be provided at the front of each cabin. No water, electricity or toilet or shower facilities are proposed, although rainwater is to be collected by rainwater tanks fitted to the rear of each cabin.
  - A change of use of a 1.9 hectare agricultural field to allow for camping of up to 30 tents between April and September each year. The camp area forms one part of a larger field, divided by an old ditch line which is marked by occasional vegetation growth.
  - The siting of four timber communal toilet and shower blocks (adjacent to a new car park) to be constructed with timber and a metal sheet roof, similar to the proposed cabins. Each block would measure 4 metres by 5 metres with a maximum height of 4 metres. Each building would provide 4 toilets, 4 sinks, 4 showers and 3 washing up sinks. These blocks would also be built on skids although it is anticipated there would need to be an attachment to water and sewerage pipes and electricity cables in the ground.
  - The relocation and conversion of an existing redundant poultry shed to serve as a mixed use building for office, classroom, kitchen, cafe and shop. This is a large structure designed to house poultry and constructed from a timber frame. The building would measure 32.5 metres by 8 metres (260m<sup>2</sup>) with a maximum ridge height of 4 metres. The exterior of the building would be clad in feather edged weather boarding to match

the appearance of the cabins. The unit would also be built on skids and therefore is said to have the ability to be moved, although it is still considered to be a building. The shed would have some attachment to the ground as it would be served by mains electricity and water. The shed would house a classroom with floor area of 40 square metres, an office of 24 square metres, a kitchen and service area measuring approximately 30 square metres, a dedicated cafe area with table space of 54 square metres, a retail area of local farm produce and basic camping supplies covering 40 square metres and a dedicated 17 square metre area to advertise local, services, activities and information about the local area and National Park through interpretation boards.

- The construction of a new permeably surfaced vehicular access from Common Lane spanning a distance of approximately 600 metres, to adjoining a new 65 space car park just south of the camping fields and public bridleway. The car park includes 5 mobility spaces and a drop off area close to the new toilet blocks. The new access works also entail a landscaping scheme although full details are not specified at this stage.
- The change of use of a small parcel of woodland approximately 130 metres to the east of the main farmhouse to be used by the Outdoors Project: a Brighton based Local Forest Schools Provider, working to encourage young people to engage with learning and outdoor activities. The Schools Project would relocate to this area from its current location to the north west close to the rear of properties along Common Lane. The informal use of this land would then cease.

4.2 The application is accompanied by the following documents:

- Planning Statement;
- Design and Access Statement;
- Landscape and Visual Impact Assessment;
- Preliminary Ecological Appraisal Report;
- Transport Management plan;
- Noise and Lighting Impact Assessments; and
- Highway Report

4.3 The Planning Statement includes details regarding evidence of need for the development and consideration of the site's suitability for the scheme. However the application does not include a wider site Masterplan, Surface Water Drainage Strategy or detailed Landscape Plan.

4.4 A premises license has already been granted by Lewes District Council on 12 May 2017, granting license for the sale by retail of alcohol and indoor and outdoor showing of films. The license registered under LN/2017/00167 expires on 11 May 2018. The applicant has confirmed that the license allows for occasional events which are to be carried out under a permitted 28 day temporary use of land as specified under Part 4 of the Town and Country Planning (General Permitted Development) Order 2015 (As amended). A copy is attached at **Appendix 4**.

## **5. Consultations**

### **5.1 Ditchling Parish Council - Support**

The Parish Council supports appropriate expansion, development and diversification of local rural enterprises and recommends approval subject to conditions for additional soft landscaping around the cafe building and campsite, provision of the new access track in full prior to the construction of the lodges and no additional external lighting on service buildings.

### **5.2 SDNP East Ranger Team - Awaiting comments**

### **5.3 SDNP Landscape Officer - Comment**

Revised comments received following initial response:

- Whilst I remain supportive of the principle of a campsite, the effect of additional built form, roads and tracks, car parking etc. remains a concern, given the highly distinctive landscape character created by these historic medieval fields.
- Concern to see any more built form and roads in this area and consider the owners should be seeking to consolidate some roads and buildings within the site over time using its historic context as a framework.
- Car parking – concern that the car parking as it stands creates a negative impact upon the historic route (parking cars so close along the hedgerow/tree-lined boundary. This linear form of parking extends the cars further out creating more potential for them to be seen in views.
- Request a whole farm landscape and biodiversity management plan.
- Some improvements have been made to the scheme it is very difficult to offer my full support for this application as it stands.
- Need to balance up all other issues against landscape.

**5.4 SDNP Sustainable Tourism Officer - Support**

- The proposal makes no mention of provision of accessible accommodation or facilities for disabled visitors.
- Opportunities for visitors to learn about the farm, egg production, the local area, farming, food production and the rural economy.
- Opportunities for job growth, and opportunities to safe-guard jobs and support the local economy by providing local food in the shop and cafe, informing visitors about the local area and encouraging visitors to utilise the shops, pubs, attractions and services in neighbouring Ditchling.
- The South Downs National Park Visitor Accommodation Review 2014 highlights a limited but growing supply of glamping offers and a gap for networked accommodation along the South Downs Way.
- Research in the Lewes District Caravan & Camping Study (2011) shows a strong demand for camping in Lewes District at weekends and during peak summer months.
- Most existing sites have spare capacity during the week and for most weekends outside the peak summer months and Bank Holidays, and there is a clear need to protect the landscape of the National Park.
- The location of the proposed development just outside the village of Ditchling, proximity to the South Downs Way and nearby visitor attractions, provides opportunities to support the local economy during the peak, shoulder and off-peak months.
- Proposal could benefit from proximity to the Dark Night Skies Discovery Site of nearby Ditchling Beacon during the longer winter nights.
- Opportunities to promote understanding and enjoyment of the special qualities of the National Park by visitors, for example using the Communicating South Downs shared identity and sense of place resource, and providing information on how to access the site, the National Park and other attractions by sustainable means.
- Proposal would benefit from detailed information on the provision, design and security of the cycle parking spaces and information on local bike hire options.

**5.5 East Sussex Highway Authority – No Objection subject to conditions**

- The main issues are access and visibility, trip rates, parking and preventing through traffic between the proposed and existing uses. The Highway Report has satisfactorily demonstrated that these additional trips can be accommodated on the highway network.
- A Stage 1 Road Safety Audit has been satisfactorily carried out on the access and sufficient parking is to be provided. The application is therefore acceptable to the highway authority and I recommend highway conditions are included in any grant of consent.

**5.6 East Sussex Public Rights of Way Officer - No Objection subject to conditions**

- Request that signage and speed humps are provided on the approach to the vehicle crossing with the bridleway.
- All works affecting the surface of the bridleway and footpath should be approved by ESCC and access to paths must be maintained at all times.

**5.7 East Sussex Ecology - No Objection subject to conditions**

- There are records of great crested newt c. 300m to the north of the proposed development, and there is suitable habitat for the species in and around the site, both terrestrial and aquatic (including ditches).
- Given the nature of the proposed development (buildings to be made off-site with no requirement for permanent footings, all trees and hedgerows to be maintained), it is considered acceptable that the development can proceed without the need for further survey work.
- However, a robust method statement detailing the measures that will be taken to avoid harm to great crested newts and reptiles is required and should be secured by condition.
- The mitigation outlined in the PEA report is broadly acceptable. To mitigate for the impacts of loss of habitat and increased disturbance, log piles and hibernacula should be provided.
- Artificial light can negatively impact on bats through e.g. causing disturbance at the roost, affecting feeding behaviour, avoidance of lit areas and increasing the chances of bats being preyed upon. The site should therefore remain unlit.
- The site offers opportunities for enhancement that will help the National Park Authority address its duties and responsibilities under the Natural Environment and Rural Communities Act and NPPF. It is recommended that an Ecological Design Strategy is required by condition, detailing the measures that will be provided to mitigate any potential impacts and to enhance the site for biodiversity. A Landscape and Ecology Management Plan should also be provided to ensure long term maintenance of those features for biodiversity.
- In summary, provided the recommended mitigation measures are carried out, the proposed development is unlikely to have a significant impact on biodiversity and can be supported from an ecological perspective. The site offers opportunities that will help the National Park Authority address its duties and responsibilities under the NERC Act and NPPF.

**5.8 East Sussex Archaeology - No Objection subject to conditions**

- It is noted that the application documentation has not met the requirements of policy I28 of the NPPF. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions.

**5.9 East Sussex Flood Risk Management Team - Comment**

- The required information has not been provided. A surface water drainage strategy showing how run off from the proposed development would be managed to prevent increasing the rate of surface water discharge from the site. This should be supported by hydraulic calculations.
- Whilst, in principle we support the use of water butts, there is no guarantee that capacity would be available in the event of an extreme rainfall event. Therefore these should be supported by a more appropriate SuDS system.

**5.10 Lewes DC Environmental Health - No Objection**

- The development will not challenge the objectives set out in Policy ST3 of the Lewes District Local Plan.

- Council has no records of any complaints or alleged noise disturbances caused at Fourfields Farm. Campsite conditions for noise state that no fireworks or amplified music are permitted on the site and that only low-level acoustic music is allowed until 22:00 hours. These are robust conditions and are policed by the owners whenever the site is in use.
- Vehicle movements at sensitive times of day might generate noise which is audible at some homes at the western end of South View - a suitable restriction to the permitted hours of access to and from the site is recommended.
- No objection subject to conditions for restricted construction times, delivery and waste collection hours, submission of a waste management plan, details of wood burning stoves and fuel and external lighting restrictions.
- Update - 13 July 2017 - having read additional third party comments, there are no further EH noise comments to offer, as there have been no reported noise complaints.

**5.11 Southern Water - No Objection subject to conditions**

- The relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.
- The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.
- Recommend an informative for the applicant to contact Southern Water regarding connection to the public sewerage system.
- Recommend a condition for details of means of foul and surface water sewerage disposal to be submitted and approved by the LPA

**6. Representations**

120 third party representations have been received. These comprise of 79 objections, 39 in support and 2 neutral responses. Every attempt has been made to record and take into consideration the views of individual contributors. However, it should be noted that some of the representations received are duplicates having been submitted online twice. A summary of the representations is as follows:

**6.1 Objections:**

- Major development in conflict with the purposes of the National Park.
- Overdevelopment of the site.
- Communal block is too large.
- May lead to further development in the future.
- The scheme is unsympathetic to the area's rural character.
- The proposal will affect neighbouring amenity.
- Loss of views from neighbouring properties.
- Site is not owned by the applicant raising questions about long term business plan.
- Proposed highway access is unsafe.
- The existing access via Dumbrells Court should be used.
- Unacceptably high volumes of additional traffic will be generated.
- Poor existing road infrastructure and further pressure on Ditchling roads.
- No detail of new entrance to the field.
- Concerns for safety and security of local residents.
- Sale of alcohol may result in antisocial behaviour and crime.
- The site is boggy and has poor drainage.
- Car park field becomes flooded in winter months.

- Such a large investment requires a master plan of the site.
- Development could affect other campsites in the local area.
- Disturbance to users of public rights of way.
- Other disused buildings within the farm could house the farm shop and café.
- Nuisance from noise associated with campers and other events.
- Air pollution from additional vehicle movements.
- Access and parking reduce green space.
- Detrimental impact upon local wildlife.
- Opening hours should be restricted.
- Poor infrastructure for sewerage and water supply.
- Harm caused to locally distinctive medieval field pattern.
- Potential for light pollution impacting on Dark Night Skies.
- Impact on adjacent landscape including woodland.
- A marquee is being used on site already.
- Too much signage associated with the campsite already.
- Impact on neighbours during construction.

6.2 Support:

- Acceptable development which will meet the purposes of the National Park.
- Farming is becoming increasingly financially unviable and farmers must diversify to remain in businesses.
- Visitors are able to experience the real working Sussex countryside.
- Campsite is sustainable and non-invasive on the landscape.
- The current camping venture has been very successful over the last two years.
- The applicant lives close by and does not wish to cause noise disturbance.
- This is a low impact sustainable development for Ditchling.
- The farm shop produce would sustain local business in the area.
- The land could revert back to agricultural use as the structures are on skids.
- The site is a sufficient distance from neighbours to mitigate risk of noise disturbance.
- Visitors would be encouraged to explore the area by foot or bicycle.
- Public rights of way would be promoted for use to explore the area.
- Opportunities to visit other local visitor destinations (Devils Dyke, Jack & Jill windmill).
- Support local businesses including shops, pubs, cafes and the nearby Ditchling museum.
- There is already a shortage of affordable camping facilities in the National Park.
- There is an identified need for affordable accommodation in the Lewes District.
- Educational opportunities for children to learn about farming and outdoor play.
- Promotes understanding of rural businesses within the National Park.
- The business is an asset to the local area.
- The site is well related to Ditchling.
- The campsites are set well away from neighbouring properties.
- The applicants encourage wildlife and have already installed owl boxes.

6.3 Neutral comment:

- The proposal is unclear.
- The scheme presents an odd mix of uses.
- Uncertainty about the shop opening hours.



- A well run campsite would encourage people to enjoy the National Park countryside.

**6.4 Third Party Contributor Comments**

**6.5 Maria Caulfield MP – Support**

- The applicant is committed to farming but it is an ever more difficult industry.
- The application will ensure the family farm remains viable for the future.
- The applicant acts as a guardian for the environment.

**6.6 The Ditchling Society - Object**

- This area will be vulnerable to development pressure in the future, and are concerned about the implications of granting change of use, together with new access, on a permanent basis.
- The Authority should consider putting a time restraint on any permission granted, allowing for time to set up the enterprise but ensuring it applies only to this particular diversification.
- The introduction of cabins, cafe/shop/educational facility together with a licence for music, films and alcohol will affect the quiet and natural setting.
- The cabins are of a very generous size and the communal block we believe is too large a structure at 32.5m long and disproportionate to the rest of the site.
- the campsite with supporting facilities and recent grant of a premises licence will potentially give rise to the introduction of events with a far greater impact.
- Concern regarding parking area for 60 cars, protecting residents of Dumbrells Court Road from construction work and access for the Outdoor Project.

**6.7 National Farmers Union – Support**

- Development helps to meet National Park objectives.
- Proposal meets sustainability criteria under para 14 of NPPF.
- Support for expansion of business in rural area under para 28 of NPPF.
- Development will secure future viability of the farm.
- There is a clear demand for tourist development in this area.
- It will be a quiet family campsite.
- The development will bring trade to local rural services.
- The development provides educational opportunities for schools and visitors.
- Farm diversification and subsidies are main factors ensuring business survival based on limited food production income.
- Food production elements of a farming business can often be loss making for extensive periods.
- Financial and labour investment required are substantial and involve considerable risk.
- In light of Brexit there are uncertainties about how farming will be supported.

**6.8 Free Range Egg Packers Association - Support**

- The MacMillan family are award winning members of the British Free Range Egg Producers Association and have been in the forefront of communicating farming and food production systems to the general public.
- The authority should support projects that bring consumers closer to organic and free range farms and give the public a better understanding of farming systems.
- Organic, free range egg farms are niche, welfare friendly farming systems that often need diversification income to make the businesses commercially viable - The alternative model are more intensive farms that meet resistance from consumers and local residents.

## 6.9 SDNP Education Officer - Support for the Outdoors Project

- The South Downs National Park would be delighted to see continued provision of outdoor learning for young people at this site, especially in understanding and enjoying the special qualities of the South Downs National Park.
- Your work will contribute towards the following outcome in the Partnership Management Plan for the South Downs National Park:
  - Outcome 6: There is widespread understanding of the special qualities of the National Park and the benefits it provides.
- Additionally, it fits well with the following policies:
  - Policy 45: Develop high-quality learning experiences, particularly in the outdoors, and resource materials that link to the special qualities of the National Park.
- Work with schools in Brighton will engage young people with the outdoors and the site at The Macs Farm widens the number of people able to access opportunities for learning about the special qualities of the National Park. Through these experiences, young people are more likely to seek to conserve these special environments in the future.

## 7. Planning Policy Context

### National Park Purposes

- 7.1 The two statutory purposes of the SDNP designation are:
- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
  - To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

- 7.2 If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

### National Planning Policy Framework and Circular 2010

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.

- 7.3 The National Planning Policy Framework is considered holistically although the following sections are of relevance:

- Section 1: Building a strong, competitive economy;
- Section 3: Supporting a prosperous rural economy;
- Section 7: Requiring good design;
- Section 11: Conserving and enhancing the natural environment.

The following paragraphs are of particular relevance: 14, 17, 28, 32, 39, 58, 109, 115-116, 118.

### Statutory Development Plans

- 7.4 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area comprises the **Lewes District Local Plan Joint Core Strategy 2016** (referred to in this report as JCS) and saved policies of the **Lewes District Local Plan 2003** (referred to in this report as LDLP). The relevant development plan policies listed below have been assessed and are considered to be compliant with the National Planning Policy Framework.

- 7.5 The following saved policies of the Lewes District Local Plan Joint Core Strategy 2016 are

relevant to this proposal:

- CP5 - The Visitor Economy
- CP8 - Green Infrastructure
- CPI0 - Natural Environment and Landscape
- CPI2 - Flood Risk, Coastal Erosion and Drainage
- CPI3 - Sustainable Travel
- CPI4 - Renewable and Low Carbon Energy
- ST3 - Design, Form and Setting of Development
- ST11 - Landscaping of Development
- ST14 - Protection of Air and Land Quality
- E17 - New Camping/Touring Caravan Sites
- CT1 - Planning Boundary and Key Countryside

7.6 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
- ST5 – Access for people with limited mobility
- ST11 – Landscaping of development
- ST30 – Protection of Air and Land Quality
- E16 – New Camping / Touring Caravan Sites
- E19 – Static Caravan Sites
- T1 – Travel demand management]
- T10 – [Safe and secure pedestrian routes]
- T14 – [Changes of use - Parking and sustainable access]

#### South Downs Partnership Management Plan

7.7 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sent 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. Relevant policies are:

- Policy 1 aims 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 aims to protect and enhance tranquillity and dark night skies;
- Policy 5 aims to conserve and enhance populations of priority species in and around the National Park, delivering targeted action where required;
- Policy 25 aims to actively promote water efficiency measures and more sustainable patterns of domestic, industrial, farming and leisure water use, to reduce overall water use;
- Policy 28 aims to improve and maintain rights of way and access land, to provide a better connected and accessible network for a range of abilities and users, and to reduce conflict where it occurs;
- Policy 29 aims to enhance the health and wellbeing of residents and visitors by encouraging, supporting and developing the use of the National Park as a place for healthy outdoor activity and relaxation;
- Policy 30 aims to develop ‘access for all’ opportunities, particularly supporting those groups currently underrepresented in the National Park visitor profile;

- Policy 31: Raise awareness and understanding about the National Park with consistent messages that inspire and celebrate a strong sense of place.
- Policies 37 and 39 seek to encourage cycling for commuting and leisure and promotion of a seamless network. Also the management vehicle parking.
- Policy 41 aims to maintain visitor enjoyment and influence visitor behaviour in order to reduce impacts on the special qualities and increase visitor spend in and around the National Park.
- Policy 42: Develop a consistent and co-ordinated approach to the promotion and marketing of the South Downs National Park as sustainable visitor destination.
- Policy 43: Support the development and maintenance of appropriate recreation and tourism facilities and visitor hubs, in and around the National Park, including a mix of quality accommodation, which responds to market demands and supports a sustainable visitor economy.
- Policy 48 seeks to support the towns and villages in and around the National Park to enhance their vital role as social and economic hubs.

#### South Downs Local Plan

- 7.8 The South Downs Local Plan – Pre-Submission was approved for consultation by the National Park Authority on 11th July 2017 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The next stage in the plan preparation will be the formal publication of the ‘Pre-Submission’ version (the consultation period will formally start in September 2017) and then submission of the Local Plan for independent examination. Until this time, the South Downs Local Plan – Pre-Submission is a modest material consideration in the assessment of this application in accordance with paragraph 196 of the NPPF, which confirms that weight can be given to policies in emerging plans following publication. Based on the stage of preparation of the policies within the South Downs Local Plan – Pre-Submission, they are currently afforded limited weight and are not relied upon in the consideration of this application.

#### Ditchling, Streat & Westmeston Neighbourhood Development Plan

- 7.9 The SDNPA has published the submitted Ditchling, Streat & Westmeston Neighbourhood Development Plan for consultation in accordance with Part 5 of the Neighbourhood Planning (General) Regulations 2012. The consultation will run from Wednesday 5 July to Monday 28 August 2017. Based on the stage of preparation of the policies within the Ditchling, Streat & Westmeston Neighbourhood Development Plan, they are currently afforded limited weight and are not relied upon in the consideration of this application.

### **8. Planning Assessment**

- 8.1 The main considerations to be determined as part of this application are:
- Principle of development;
  - Consideration of whether the proposal constitutes major development;
  - Design and impact on the National Park landscape;
  - Access, parking and highway safety;
  - Residential amenity;
  - Ecology;
  - Flood risk and drainage;

#### Principle of development

- 8.2 Policies CP5 and the Saved EI6 support the provision of year-round tourism development which is needed in the National Park and is sustainable, appropriate and sensitive to its location in scale, type and appearance. Policy CP5 also requires that facilities should be retained for visitor use, for instance by the terms and conditions of any planning permission.
- 8.3 The NPPF states that the purpose of the planning system is to contribute to the

achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

- 8.4 The two statutory purposes and duty of the National Park (as outlined in paragraph 7.1 of the report) also reflect the aims of the NPPF although it should be noted that within the National Park, if there is a conflict between the two purposes, conservation always takes precedence.

Consideration of whether the proposal constitutes major development (para. 116 of the NPPF).

- 8.5 Paragraph 116 of the NPPF states that planning permission should be refused for major developments within designated areas (including national parks) except in exceptional circumstances and where it can be demonstrated they are in the public interest. The NPPF doesn't provide a definition of what constitutes 'major development'. However, the PPG (Planning Practice Guidance) does provide guidance, whereby major development is defined as any development which, by reason of its scale, character or nature, has the potential to have a serious adverse impact on the natural beauty or recreational opportunities provided by a national park. The assessment of whether a proposal is major is therefore a matter of judgement based on the circumstances and context of the site.

- 8.6 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.

- 8.7 **On point a)** the proposal falls within this definition of Major (the Development Management Procedure Order 2015) as the site area exceeds 1 hectare.

- 8.8 **On point b)** the proposal is not considered to have the potential for *significant effects* on the environment, and despite the principle issues of landscape character, traffic generation,

drainage, and impact and biodiversity the proposal is not considered to be EIA development. However, the general effects of the development are considered in further detail below.

- 8.9 **On points c) and d)** the local context comprises agricultural land of high amenity and tranquillity value, also forming part of a wider, well preserved medieval to post-medieval field pattern. This characteristic is noted to be particularly unique to the Ditchling area and the Weald. The proposal is considered to impact upon the local cultural heritage of the National Park particularly in respect of the new access, road and car parking to facilitate the development and change of use of the land.
- 8.10 The local landscape within and beyond the site is considered to be particularly sensitive to change whereby the provision of up to 20 cabins, retail and café floor space and parking could result in a more suburban landscape character. The development is considered to have the potential for serious impacts on landscape character in the local rural context of the area, to therefore be considered as major development.
- 8.11 **On point e)** the applicant was required to submit a detailed Planning Statement and a full Landscape and Visual Impact Assessment, which is more typical of larger or more significant forms of developments through the National Park. A detailed Transport Assessment was also submitted to address issues of a new access and additional vehicle movements. Although no detailed Environmental Health assessment was required, the development is considered to be of a scale and nature requiring detailed assessment of reports beyond those which apply to many other developments within the National Park.
- 8.12 **On point f)** consideration has been given as to whether the development is 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."
- 8.13 **In summary of points a) – f)** above, the development is described as major under points a), c), d), e) and f). The operational development to facilitate the proposed use denotes the application required specialist assessment documents. The more qualitative and contextual tests are assessed in the next sections of this report. This judgement is based upon the overall scale of development and potential impacts upon the sensitivity of the local landscape and visual amenities of the rural area. The proposal is subject to the tests in paragraph 116 of the NPPF.
- 8.14 Paragraph 116 outlines that to be acceptable, major developments proposed within national parks must be demonstrated to be in the public interest, a test that is measured against three key factors. These are:
- the need for the development including national considerations as well as the impact of permitting or refusing the application upon the local economy
  - the cost of a scope for developing elsewhere outside of the designated area, or meeting the need for it in some other way;
  - any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

#### Need for development and impact on local economy

- 8.15 There is already a demonstrable need for development promoting tourism within the National Park, which is outlined in the South Downs National Park Sustainable Tourism Strategy 2015-2020. More specifically in the LDLP there is a need to promote touring caravanning and camping provision as is confirmed in the Lewes District Caravan & Camping Study 2011 (LDC&CS).
- 8.16 The demand for tourist facilities is highlighted by the National Park's Sustainable Tourism Officer who supports the need to support the local economy in peak, shoulder and off-peak months. The proposed campsite would be largely seasonal, however the cabins would provide almost year round accommodation and the farm shop and cafe would offer year round availability. This would provide wider economic benefits to the local area beyond the high season. Planning conditions could be used to restrict the use of cabins to holidaymakers whilst also allowing for reception facilities in the new office.

- 8.17 The National Park's Sustainable Tourism Strategy 2015-2020 (TS) is also relevant in highlighting that there is an overall reliance on day visitors to the National Park who spend much less than overnight stays. Officers consider there would be a substantial benefit in encouraging visitors to the Ditchling area to stay for longer periods of time and to support local businesses including shops, pubs, cafes and restaurants.
- 8.18 This need identified by the TS and LDC&CS reflect comments made by the applicant that camping on the land under Part 4 of the Town and Country Planning (General Permitted Development) Order 2015 (As amended) has been very successful over the last two years. It is on this basis that the expanded business is justified.
- 8.19 The farm shop and café element intend to serve visitors as well as guests staying at the site. The applicant has provided an outline of the suppliers intended to be used for the farm shop which are all located in Sussex. This includes local wine and beer from Court Garden (Ditchling). Butchery would be provided from Holmansbridge Farm (near Lewes) and Telscombe Village (near Saltdean). The sale of local produce and goods made within the local area and National Park is considered to be a tangible benefit to the rural economy, both within and around the National Park. A condition is recommended to ensure an appropriate stock of produce from the local area and to protect against an unrestricted use for general sales, which would not provide sound justification for retail floor space in this location. Additional produce to support campsite users can be agreed in writing with the local planning authority.
- 8.20 The South Downs National Park Visitor Accommodation Review 2014 (VAR) identified shortages of all types of accommodation at peak times, a strong demand for high quality accommodation and increasing demand for all types of accommodation. This highlighted the potential for the provision of holiday lodges and campsites close to existing facilities 'particularly on farms and next to country pubs' (page 48). The NFU has highlighted the possible long-term financial implications for the existing farm business at a time of uncertainty regarding the future of farming after Brexit.
- 8.21 It is considered that refusing the application on the grounds of no need for any tourism accommodation could be in conflict with the SDNPA's own objective to promote visitors to the National Park, exploring through the year. In addition, it is considered that the tourist development at the farm would be well related to Ditchling with good access to public footpaths and bridleways. The implications of approving the application are discussed in more detail below.

Cost and scope for providing outside South Downs National Park

- 8.22 The applicant has not sought to explore the possibility of locating new development outside of the National Park, as it is a form of farm diversification which requires close association with the existing free range egg business. Visitors to the site are encouraged to learn about running a farm business close to a popular tourist area within the Park. Officers have considered the said need for farm diversification, which is based on an expansion of the existing (albeit temporary) campsite business which appears to have been successful over the past two years.
- 8.23 At the pre-application stage the Local Planning Authority considered whether there would be scope for meeting the need for a farm shop through the conversion of an existing redundant chicken shed closer to the main farm and access via Dumbrells Court Road. It was considered that the reuse of this building for a farm shop would be unsuitable as it was felt to be too large and likely to have a detrimental visual impact.
- 8.24 The proposed development would be situated in relatively close proximity to existing poultry sheds and the farmhouse, allowing the applicant and her family to operate the business without the need to travel by car. This is considered to be more sustainable than relocating the proposal elsewhere. It is also considered that locating the proposals elsewhere would prevent visitors from exploring the local area of Ditchling and learning about free-range egg farming.
- 8.25 The cafe and shop would cater not only for guests staying at the site but would also have the

potential to attract walkers and cyclists using public footpaths, between Ditchling and Ditchling Common (See **Appendix 5**). The proposed use of the shed for this purpose is considered to have positive benefits in serving a wider recreational and community benefit with social and economic benefits for Ditchling and the community.

- 8.26 It has been questioned whether the proposed business constitutes a true form of farm diversification, given that the farm is already seeing a reduced income from the free range egg production, and that the scale of the business has already somewhat reduced. However, it is considered that the proposed tourism development relates well with the existing free-range egg business, as the two sites are closely associated with one another and visitors are attracted to both parts of the business (working on the farm, buying egg produce, camping close to the farm).
- 8.27 Supporters of the scheme have highlighted the benefits of a campsite that involves visitors in tours of the farm in order to enrich their understanding local farming practices. Furthermore, the cafe and farm shop is proposed to stock free range eggs and locally produced egg based products to be sold to visitors and guests staying in the campsite or cabins. The function of the existing free-range business is considered to be an important part of the applicant's future business, which is marketed as a primary selling point of the campsite in this location.
- 8.28 Overall, it is considered that there would be tangible economic, social and environmental benefits in locating the development close to the existing farm. Visitors are likely to be coming to this area in order to explore the National Park and enjoy the rural character of the area. Relocation outside of the park would undermine these benefits. Therefore, the principle for development is considered to comply with the second test of para 116, as well as Core Policy 5 of the Lewes District Local Plan Joint Core Strategy 2016.

#### Effect on Landscape

- 8.29 Landscape impact is noted to be one of the main issues raised by local residents both in support and objection to the proposed development. Following the submission of further information, it is considered that the revised LVIA is an appropriate assessment of the site, landscape character and visual impacts.
- 8.30 It is noted that a request was made during pre-application discussions (**Appendix 3**) for a whole site landscape masterplan to be submitted. This was also requested by the Landscape Officer however no masterplan is included as part of the submission.
- 8.31 The intact medieval field pattern between Ditchling and Ditchling Common is noted as a particular sensitivity in this landscape in the South Downs ILCA, and it is recommended to conserve this in the management guidelines. Retaining and enhancing this pattern would ensure the landscape's history can continue to be read and contribute to the area's local distinctiveness.
- 8.32 As highlighted in their consultation response, the landscape officer has recommended that the 'working farm character and unique field pattern should be informing *all* elements of the scheme in order to minimise this effect'. The proposed access track is indicated to run through 4 historic fields and the new car park will also create a large area of hardstanding. The landscape officer has expressed outstanding concerns regarding the effect of changes upon the historic field pattern, with potential for harm to the local landscape character. This harm is recognised, however it is considered that a degree of harm could be mitigated by an appropriately detailed landscaping plan (to be secured by condition), thereby avoiding unsympathetic planting schedules or layout of materials (hard kerb edges).
- 8.33 Having regard to the test of need for development and possible impacts (para 116 of the NPPF) it is considered that the main implications of approving this application would be the degree of harm to the character and appearance of a parcel of a larger historic field pattern. In particular, the harm would be largely associated with the construction of the new road and car park, rather than the farm shop/cafe or cabins, which are reversible development and have a lesser visual impact due to the amount of screening from medium to long range views by mature trees and hedgerow. It should be noted that the total footprint of the farm



shop/cafe/office has also been reduced through the removal of all external decking.

- 8.34 It is also recognised that the new road also has the potential to reduce connectivity for wildlife, limiting opportunities for certain species to move around, particularly between the pond to the west and nearby hedgerows. This is considered in further detail at paragraphs 8.38-8.45 and also at paragraphs 8.57-8.62.
- 8.35 Overall there are a series of significant social and economic benefits associated with approving the scheme whereby further environmental mitigation and improvements could be undertaken.
- 8.36 It is considered that a sufficient case has been made to demonstrate the need and for the Authority to understand why possible alternative locations outside of the National Park would not be appropriate. It is also recognised that there would be a degree of harm caused by the new road and car park to serve visitor traffic. The success of the scheme therefore depends upon the extent to which landscape effects could be moderated, and if so whether the public benefit identified would outweigh the landscape harm.
- 8.37 The provision of an area of land serving the Outdoors Project and local schools does not propose any buildings or structures and is receives support from the Park's education officer and a number of local residents. The proposed use is considered to have a minimal effect on the landscape and promotes the aims and purposes of the National Park, also adding weight to the justification for conversion of a building to provide a dedicated classroom area.

Design and impact on the National Park landscape

- 8.38 JCS policies CP8 (Green Infrastructure), CP10 (Natural Environment and Landscape), and JCS and LDLP policies ST3 (Design, Form and Setting of Development) and ST11 (Landscaping of Development) are all relevant to the determination.
- 8.39 JCS CP10 and JCS and LDLP policies ST3 & ST11 require that natural the landscape must be maintained and where possible enhanced or that development is otherwise resisted, mindful of the highest importance attached to landscape in these policies and the first purpose of the National Park.
- 8.40 The existing native hedgerow running to along the western side of the cabin field is an important feature, as it will provide screening of the café/farm shop/classroom. Although the building is large, the maximum 4 metre ridge height and position behind the hedgerow will mitigate any clear and open views from the highway or camping field which is parallel to the public right of way.
- 8.41 Although roof materials for cabins, wash facilities and the farm shop/café/office building are stated in the application to be juniper green in colour, officers considers this would be unsympathetic with the wider colour palette of the landscape, whereby juniper green would be likely to stand out above more subtle palette of natural greens and browns. It is therefore recommended that a condition be applied to secure further details of all finished materials to be use across all structures within the development site, to ensure they are in keeping with the rural character of the area.
- 8.42 The first 50 metres of the new access and road would be hard surfaced with details to be agreed prior to commencement. The remainder of the road would be surfaced in a permeable compacted surface with central grassed inlay, without kerbed edges to preserve a more rural character of a farm track. This would also encourage users to drive more slowly than a tarmac surface which would urbanise the character of the area. The car park is proposed to use 'Grasscrete' system (or similar) although further details of the finishes for the road and car park are to be agreed by hard and soft landscaping condition.
- 8.43 Overall, the landscape impact is considered acceptable. Whilst the development represents a new presence in undeveloped countryside, the site is relatively well screened from the wider landscape as is confirmed within the LVIA.
- 8.44 Subject to the legal agreement securing the Landscape Management Plan and conditions for details of landscaping as per the recommendations of landscape officer and ecologist, it is considered that the public benefits of a tourist and community development integrated with

further landscape enhancements would outweigh the harm caused by the construction of the new access, road and car park, thereby warranting support.

- 8.45 The tests under paragraph 116 and requirements under Part 11 of the Framework more generally are considered to have been addressed whereby it is considered there is a wider public benefit of the scheme, which warrants support. The development is considered to comply with policies CP5 and CP10 of the Lewes District Local Plan Joint Core Strategy (2016) and policies E16 and E19 of the Lewes District Local Plan (2003).

Access, Parking and Highway Safety

- 8.46 Planning policy and the National Park's second purpose require safe and secure access to be provided for new development. The relationship between the site and access into the Park is an essential consideration under the second purpose of the National Park. It is recognised that there have been a significant number of objections to the scheme on the basis of the new access onto Common Lane and concerns relating to highway safety and traffic congestion.
- 8.47 For sustainable transport, at paragraphs 29 to 41 of the NPPF account should be taken of safe and suitable access to the site for all people, including improvements to the transport network.
- 8.48 In terms of access and infrastructure, saved policies T1 and T10 require sustainable locations providing good access to services and provision for people with disabilities, unless the need for less sustainable location is overriding. Designs should prioritise walking, cycling and public transport.
- 8.49 East Sussex County Council, as the Local Highway Authority has not objected to the proposal subject to conditions. It has been confirmed that the proposed width of the new access onto Common Lane would be acceptable at 5.5 metres with a 6 metre junction radii. Furthermore, the visibility of 120 metres as shown on the submitted plans at 2.4 metres back is achievable and therefore also acceptable. The number of parking spaces has been calculated on the basis of 1 space per tent pitch or cabin with 10 spaces provided for the farm shop/café/staff uses. The total number of spaces is considered acceptable on the basis that some visitors will arrive by bicycle, foot or public transport.
- 8.50 With regard to policy CP13, it is noted that development should not simply be considered in the context of motorised movements, but should be located and designed where practical to give priority to pedestrian and cycle movements, with access to public transport. Ditchling is served by a Compass Travel local bus service and train services are accessible at Hassocks. Visitors would have access via the footpath and bridleways through the site and common Lane also has a continuous stretch of pavement running south to Ditchling.
- 8.51 Under Policy T10, provision should also be available for safe and secure pedestrian routes and bridleways, complementing the existing. The provision of rights of way improvements is among the green infrastructure possibilities required under policy CP7, and saved ST1 & ST5. The existing Public Rights of Way are to be maintained giving access to Ditchling and Ditchling Common. A minimum of a 3 metre gap is to be maintained with additional signage at the point where the new road crosses the bridleway.
- 8.52 Disabled access has been considered within the plan for the carpark although detail is limited in relation to availability of lodges. Further details can be required by planning condition to ensure level or ramped access for disabled visitors. This is compliant with ST5.
- 8.53 Subject to conditions, it is considered that the proposal would meet the objectives of policy CP13 of the Lewes District Local Plan Joint Core Strategy 2016 as well as saved policies E17, T1, T10 T14 of the Lewes District Local Plan 2003.

Residential amenity

- 8.54 It is recognised that noise nuisance is a particular concern for a number of objectors who live nearby to the site. Given the tranquil location there is a risk that amplified sound noise might carry.
- 8.55 Policy ST30 of the Lewes District Local Plan 2003 confirms that 'the Council will need to be

satisfied on the following matters: b) that development will have an acceptable impact on the surrounding area in terms of its effect on health, the natural environment, or general amenity, resulting from the releases to water, land or air, or noise, dust, vibration, light or heat’.

- 8.56 Several submissions state that late night events have resulted in unwanted noise carrying across the area. Lewes DC Environmental Health Officers have considered the concerns raised by objectors but found no record of complaints connected with the applicant's current campsite venture. As such, they raise no objection to the proposed scheme, although conditions are recommended to ensure protection of neighbouring amenity during construction periods and disturbance by deliveries and waste collection vehicles in accordance with policy ST30.
- 8.57 Concerns regarding loss of private views have been noted, however the impact of the development proposal on a private view carries limited weight in decision making. The subject site has been purposefully set back from residential properties to reduce visual impact.

#### Ecology and biodiversity

- 8.58 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by ‘[...] minimising impacts on biodiversity and providing net gains in biodiversity where possible’.
- 8.59 The site has potential for nesting birds, bats, as well as reptiles, slow worms, grass snakes, common lizards and adders. These species are all protected under the Wildlife and Countryside Act 1981 (as amended). There is also potential for the presence of great crested newt which is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010, making it a European Protected Species.
- 8.60 East Sussex County Council Ecologist has not objected to the application on the basis of the survey work undertaken and ecological report, although it is noted that the preliminary report makes no reference to the nearest great crested newt records, giving no certainty over what mitigation and enhancement measures will be appropriate. Despite this, the East Sussex Ecologist still concludes that the development is acceptable subject to conditions relating to the submission of an ‘Ecological Design Strategy’ (EDS) addressing protection and mitigation of wildlife including reptiles and great crested newts.
- 8.61 In addition to further work through the EDS, it is considered that there would be significant landscape and ecological improvements which could be undertaken to enhance the biodiversity status of the immediate area. Having regard to the harm associated with the provision of the new access across the currently open field system, the proposed Landscape and Ecological Management Plan (LEMP) improvements as recommended by East Sussex County Council Ecologist are considered to add significant weight in support of wider environmental enhancements to the site, and supporting the case for development being environmentally sustainable.
- 8.62 The Preliminary Ecological Appraisal Report (PEA) highlights that the site and adjacent fields consist of Semi-improved grasslands. Species-rich semi-improved grassland are under significant threat. Whilst recorded as ‘poor’ in the PEA, they have the potential to be enhanced through this scheme. If a sensitive management regime could be brought in to support the grassland and increase the species within it, it would amount to a significant landscape enhancement for this application.
- 8.63 Given the ongoing nature of such a management plan, which affects land beyond the red line of the application site, it would not be appropriate to recommend a Grampian condition for this longer term management as is suggested by the County Ecologist. Instead it is therefore recommended that the applicant enter into a Section 106 legal agreement to secure a formal commitment towards the completion of a Landscape and Environment Management Plan (LEMP) to be agreed with the Local Planning Authority and East Sussex County Council.

#### Drainage

- 8.64 The Lead Flood Authority has requested a full drainage strategy including hydraulic calculations for the whole of the application site. Having regard to the nature of the cabins which are not to be anchored to the ground, the camp field which remains as is, and farm shop/cafe/classroom which is a converted poultry shed, a full hydraulic survey has not been submitted with the application. However, it is noted that the proposed works also include the construction of an access, road and car parking which require further information regarding drainage details. Local representations also note that fields adjacent to the public bridleway are reported to become waterlogged in winter months. Although the applicant advises the finished surface of the road and car park would be permeable, a pre commencement condition is still recommended for surface water drainage and SuDS details to be provided to the Local Planning Authority before commencement.
- 8.65 All structures are intended to manage surface run-off using water catchment tanks filtering into natural soakaways. Cabins are to be fitted each with a water butt which will have overflow diverters, so when becoming full, the overflow will be diverted via above ground perforated pipes at approximately 20 mm in diameter hidden in taller grass of the untouched meadow within the campsite.
- 8.66 In summary, permeable surfacing is acceptable for the new road and car park however any residual risk of surface water could be managed by way of a planning condition for a detailed drainage strategy and details of appropriate SuDS to be provided before commencement. An effective program of SuDS may also have wider ecological benefits to be considered as part of the recommended LEMP. Subject to conditions the proposed development is considered to ensure compliance with policies CPI2 and ST1 and the National Planning Policy Framework.
- 8.67 Southern Water has advised that an existing foul sewer runs parallel to the roadside field boundary with Common Lane and then to the rear of properties along Common Lane. The applicant is required to discharge into the public sewer where possible. Where this cannot be achieved, alternative means of foul sewage treatment can be considered. It is recommended that a condition is used to require final details for the disposal and management of foul sewage and waste water.

#### Archaeology

- 8.68 The development has the potential to affect archaeological features through excavation and construction of the access, new road and car park. East Sussex Archaeology has recommended a condition for a Written Scheme of Investigation (WSI) to be carried out during works.

#### Impact on trees and hedgerow

- 8.69 The site layout has changed significantly since pre-application advice was given whereby the layout avoids the need to remove extensive amounts of trees or vegetation from the site.
- 8.70 The provision of an access, new road and car park would require removal of vegetation on the boundary with Common Lane and the new road and car park would encroach on trees and hedgerow close to the public bridleway. This will require root protection measures which will inform the detail of design and material for the road and car park.
- 8.71 The Local Planning Authority has considered the extent of works which would affect trees and hedgerows and concludes that there are no features within the site which would merit special protection through a Tree Preservation Order (TPO).
- 8.72 It is still recommended that further details of full tree protection measures are required by condition. Such measures would also inform the final design, layout and materials to be used in the formation of the access and carpark.

#### Dark Night Skies

- 8.73 Paragraph 125 of the National Planning Policy Framework confirms that, 'planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.' The South Downs Local Plan also seeks to protect the Park's Dark Skies Designation from unnecessary lighting associated with

development.

- 8.74 External light pollution is proposed to be kept to a minimum. The Lighting Assessment confirms that no external lighting is proposed in respect of the dark skies status of the National Park. Visitors are encouraged to enjoy the tranquillity of the site without illumination. Whilst concern has been raised that the proposal represents a potential excess of illumination and clutter it is considered that a suitable condition can ensure that lighting is appropriate for the location.

## 9. Conclusion

- 9.1 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 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.
- 9.2 The application is therefore recommended for approval subject to i) the schedule of conditions listed at Section 10 and ii) within 3 months of the date of the committee the completion of a Section 106 agreement for Landscape & Ecology Management Plan (LEMP) to be undertaken.

## 10. Recommendation and Conditions

- 10.1 Application SDNP/17/01224/FUL is recommended for approval subject to the completion of a Section 106 agreement and the following conditions:

### General Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)./ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the 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.

### Scope of the Development

3. The accommodation hereby permitted shall consist of not more than 20 cabins and not more than 30 tents at the site at any one time.  
Reason: In the interests of clarity to accord with the terms of the application and to control the intensity of the use hereby approved, in the interests of the wider management of the site
4. The opening hours of the café and shop hereby approved shall not fall outside of the hours of 08.00 hours and 19.00 hours on any day.  
Reason: In the interests of clarity to accord with the terms of the application and to control the intensity of the use hereby approved, to safeguard the amenities and tranquil character of the countryside and nearby properties and land users in accordance with the National Planning Policy Framework 2012.

5. Notwithstanding the submitted plan [shop/café floorspace plan 2015/120/PL5 B], a final floor plan of the multi-purpose building to serve the classroom, Café, farm shop, Office, kitchen, service counter and public display boards shall be submitted to and approved in writing by the Local Planning Authority prior to its first use. The floorplan shall illustrate the breakdown in floor area allocated to each use. The use of the building shall be carried out in accordance with the approved plan and the use retained thereafter, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the building serves an appropriate mixed use as stated within the application in the interests of achieving sustainable development in accordance with the National Planning Policy Framework 2012.

6. No items shall be sold from the shop other than produce from the agricultural holding known as Fourfields Farm, or The Mac's Farm (Dumbrells Court Road, Ditchling) and food and drink or other items produced within the South Downs National Park or within a 10 kilometre radius of the site unless otherwise agreed in writing with the Local Planning Authority. For the avoidance of doubt, the farm shop is not an un-restricted A1 use class in the Use Classes Order 1987 (as amended).

Reason: To ensure the sale of local produce and goods commensurate with the use of the building as a rural farm shop and in the interests of supporting local businesses in accordance with second purpose of the National Park, and the National Planning Policy Framework 2012.

7. The holiday cabins hereby approved shall not be used at any time for any purpose other than as holiday accommodation. They shall not be used as permanent residential accommodation for a single occupant(s) or for any other purpose in Class C3 (dwellinghouses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (As Amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: This development in the countryside, outside of any identified settlement, is only acceptable as holiday accommodation for use by short term visitors to the area to meet the second purpose of the National Park: the promotion of opportunities for understanding and enjoyment of the special qualities of the Park by the public. Other forms of residential development would be contrary to policies and purposes and would constitute an unsustainable form of development.

8. On their becoming redundant from the uses as approved, the cabins, toilet/washroom facilities and cafe/farmshop/office and any incidental or ancillary structures shall be removed from the site within 6 months and the land restored to a condition to be agreed in writing by the LPA within a period of 3 months on their becoming redundant.

Reason: To protect the character and appearance of the rural area where the structures have been specifically justified on the basis of supporting a rural business.

9. The new access, road and parking spaces shall be completed prior to the first use of the campsite and holiday cabins as approved.

Reason: to ensure the development does not increase vehicle movements from Dumbrells Court Road.

10. Prior to the first use of the first holiday cabins and campsite hereby approved, a site management plan shall be submitted to and approved by the Local Planning Authority, including the following:

- Site management in respect of noise and visitor activities such as barbeques, pets and camping.
- Arrangements for bicycle hire and storage.
- A Waste Management Plan identifying all waste streams and confirm how waste shall be collected, stored and disposed of.
- Information to be provide to visitors within the farmshop and cafe in advance referring to:
  - the limitations of cycle access to the north

- local visitor attractions and access to walking, cycling, horse-riding and public transport routes
- arrangements for bicycle hire

The Site Management Plan shall be implemented in accordance with the approved details and adhered to in the operation of the development hereby approved.

Reason: To ensure that visitors are informed of access to the site and recreational and educational activities in the National Park, in accordance with National Park purposes.

#### Detailed Designs and Landscape

11. Prior to the siting of the first holiday cabin or the farm shop/cafe/office building hereby approved, a schedule and samples of external materials and finishes shall be 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 and be retained as such thereafter.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with the National Planning Policy Framework 2012.

12. Prior to the first use of the site, provision shall be made for access to the premises by people with disabilities, and facilities (including toilets, cabins and the multi-use building) shall be provided in accordance with details to be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure people with disabilities have equal access to the buildings and facilities provided in accordance with the National Planning Policy Framework.

13. No development shall take place until a detailed Scheme of Soft and Hard Landscape Works for the whole site including access, road and car parking area has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) written specifications (including cultivation and other operations associated with plant and grass establishment),
  - b) planting methods,
  - c) schedules of plants, noting species, planting sizes and proposed numbers/densities or seeding where appropriate,
  - d) retained areas of grassland cover, scrub, hedgerow, trees and woodland,
  - e) manner and treatment of watercourses, ditches and banks,
  - f) a schedule of landscape maintenance for a minimum period of 5 years include details of the arrangements for its implementation,
  - g) details of all hard-surfaces, such as paths, access-ways, parking spaces and any seating area, including their composition, appearance, depth and permeability,
  - h) a timetable for implementation of the soft and hard landscaping works.

The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the rural character and amenities of the area and to minimise the risk of pollution and impact on biodiversity in accordance with saved policy.

#### Drainage

14. The development shall not commence until the following have been submitted to and approved in writing by the Local Planning Authority:
- a) finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage (SUDS) principles. The drainage designs should demonstrate that ground water monitoring and percolation testing during the winter period has been carried out to determine the feasibility of using infiltration methods and that the surface water runoff generated up to and including the 100 year, plus 30% for

climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event;

- b) provision within the site to prevent surface water draining onto the public highway;
- c) full details of the maintenance and management of the SUDs system is set out in a site-specific maintenance manual.

The scheme shall subsequently only be implemented in accordance with the approved designs and permanently maintained and managed in accordance with the site-specific maintenance manual.

Reason: In order to ensure effective drainage for the development using sustainable drainage methods and to ensure effective long-term maintenance in the interests of drainage, highway safety and nature conservation in accordance with the National Planning Policy Framework.

15. No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has been approved in writing by the Local Planning Authority. Such works shall be implemented to the reasonable satisfaction of the Local Planning Authority prior to the first use of the cabins or the camping field.

Reason: To protect water quality and to secure a satisfactory standard of development and long term maintenance in accordance with the National Planning Policy Framework.

### Trees

16. No development shall take place unless and until further details of tree protection to be implemented for the duration of development works and aftercare, (in accordance with BS5837: 2012 Trees in relation to design, demolition and construction) have been submitted to and approved in writing by the Local Planning Authority. This shall include protection during any excavation works. The approved details shall be adhered to during the course of development and aftercare.

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

### Biodiversity

17. The development hereby approved shall be implemented in accordance with the conclusions and recommendations of the Phlorum Preliminary Ecological Appraisal Report dated December 2016.

Reason: In the interests of biodiversity, to manage any residual risk and to enhance the ecological value of the site.

18. No development shall take place until an ecological design strategy (EDS) addressing biodiversity (including the protection of reptiles and great crested newts) has been submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location/area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works.



The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure appropriate protection measures are implemented for local wildlife including reptiles and great crested newts which are a European protected species.

#### Archaeology

19. Prior to the commencement of the development hereby approved the developer shall have secured the implementation of a Written Scheme of Investigation and archaeological recording in accordance with a written scheme to be first submitted to and approved in writing by the Local Planning Authority. The written scheme of investigation shall include a timetable for the investigation and the measures to be undertaken which shall include the archaeological monitoring of all ground works below the depth of 300mm below current ground level associated with the construction of the new facilities to ensure that any archaeological remains encountered are recognised, characterised and recorded. It shall also include provisions to ensure the results of the investigation are published and made publicly available. The timetable shall thereafter be implemented as approved.

Reason: To ensure that the archaeological interest of the site is properly safeguarded and recorded in accordance with National Park Purposes and the National Planning Policy Framework 2012.

#### Light pollution and lighting

20. No external lighting shall be installed on-site without the prior written approval of the Local Planning Authority and this condition shall apply notwithstanding the provisions of the Town And Country planning (General Permitted Development) (England) Order, 2015, or any Order revoking or re-enacting that Order.

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, in accordance with National Park Purposes and the National Planning Policy Framework 2012.

#### During construction

21. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:

- hours of operation;
- the anticipated number, frequency and types of vehicles used during construction;
- the method of access and egress and routeing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- details of public engagement both prior to and during construction works.

The development shall be carried out in accordance with the approved management plan with hours of operation at the site during any tree works, site clearance, preparation and construction restricted to hours between 08:00 and 18:00 Monday to Friday and 09:00 to 13:00 on Saturdays. No work 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 associated with the construction of the development shall be made at the site outside of these specified times.

Reason: To protect the amenity of residents in the locality in accordance with policy ST3 of the Lewes District Local Plan and the NPPF.

Residential amenity

22. Farmshop and cafe deliveries to the site shall be restricted to the hours between 07:00 and 17:30 Monday to Saturday only. No deliveries shall be made on Sundays or Bank and Public Holidays.

Reason: To protect the amenity of residents in the locality in accordance with policy ST3 of the Lewes District Local Plan and the NPPF.

23. Commercial waste collections from the site shall be restricted to the hours between 07:00 and 17:30 Monday to Saturday only. No collections shall be made on Sundays or Bank and Public Holidays.

Reason: To protect the amenity of residents in the locality in accordance with policy ST3 of the Lewes District Local Plan and the NPPF.

Highways

24. The development shall be carried out in accordance with the submitted Traffic Management Plan prepared by Allen Rolling's (2014/21).

Reason: In the interests of road safety and to ensure compatible vehicle movements between existing farm traffic and visitors travelling by car, bicycle or on foot.

25. No part of the development shall be occupied until such time as the vehicular access has been constructed in accordance with plans and details of visibility splays which shall be submitted to and approved in writing by the Local Planning Authority. Details shall indicate splays of 2.4 metres by 120 metres to be provided for the site vehicular access onto Common Lane [B21 I2]. Such details shall confirm the access has a maximum gradient of 2.5% (1 in 40) from the channel line or for the whole width of the footway / verge whichever is the greater and 11% (1 in 9) thereafter. Once provided and approved, the splays shall be constructed in accordance with these details and thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: In the interests of road safety

26. Notwithstanding the approved plans, no part of the development shall be occupied until a plan and details showing the car and minibus parking spaces, vehicle turning spaces and cycle parking spaces have been submitted to and approved in writing by Local Planning Authority. The spaces shall be implemented in accordance with the approved details and thereafter retained.

Reason: To provide appropriate car-parking and minibus space and to promote an alternative travel option to the use of the car for the development.

27. The gate shown in Appendix C of the approved Traffic management Plan across the internal access road to the immediate north of the Farmhouse shall be kept permanently closed [except for egg collections/farm vehicle access] to prevent a vehicular route through the site to Dumbrells Court from the campsite/café/farm shop. Any gate/s to be provided at the access onto Common Lane [B21 I6] shall be positioned at least 11m back from the edge of the public highway in order that a vehicle may wait clear of the highway whilst the gate/door is being operated.

Reason: To ensure that the use of the highway by persons and vehicles is not obstructed by waiting vehicles

28. Prior to the first use of the cabins, camping field or café/farmshop/office building the existing vehicular access onto Common Lane [B21 I6] shall be physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

## 11. Informatives

- This permission is subject to an agreement under Section 106 of the Town and Country Planning Act 1990 to be completed within a period of three months of the date of the August Committee meeting. Planning permission is to be refused if the agreement has not been completed or substantial progress made towards agreeing its completion within this period.
- It is recommended that discussions take place with a Building Control Inspector (either a suitable qualified independent inspector or the relevant Local Authority Building Control Department). Where building regulations approval is obtained and this is different from the planning permission granted, you should discuss this matter with the South Downs National Park Authority.
- The applicant is advised that this consent does not override any obligations in respect of protected species under the relevant wildlife legislation. In particular, it is an offence to disturb nesting birds or roosting bats which are protected species under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010. It is a criminal offence to wilfully cause harm to either. If you suspect that the development will disturb any protected species, or protected species are encountered during construction, works must stop immediately and advice sought from Natural England or a professional ecologist before proceeding.
- In the event that contamination is found at any time when carrying out the development it should be reported in writing to East Sussex County Council. An investigation and risk assessment should be undertaken and where remediation is necessary a remediation scheme should then be prepared, implemented and verified with copies of all relevant records being provided to East Sussex County Council.
- A formal application for connection to the public sewerage system is required in order to service the development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 03303 030119)
- Consent from East Sussex Highways will be required for any proposed alterations to public rights of way running through the site.
- The applicant will be required to enter into a Section 184 Licence with East Sussex Highways, for the provision of a new vehicular access. The applicant is requested to contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the licence being in place.
- The applicant will be required to obtain a permit for any highway works in accordance with the requirements of the Traffic Management Act, 2004. The applicant should contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the permit being in place.
- The applicant is advised of the requirement to enter into discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. The applicant should contact the Transport Development Control Team (01273 482254).
- The applicant is advised that the erection of temporary directional signage should be agreed with Transport Development Control Team prior to any signage being installed. The applicant should be aware that a Section 171, Highways Act 1980 licence will be required.

## 12. Crime and Disorder Implication

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

## 13. Human Rights Implications

- 13.1 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.

## 14. Equality Act 2010

- 14.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

## 15. Proactive Working

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

### TIM SLANEY

### DIRECTOR OF PLANNING

### South Downs National Park Authority

Contact Officer: Luke Smith

Tel: 01730 923844

email: [Luke.Smith@southdowns.gov.uk](mailto:Luke.Smith@southdowns.gov.uk)

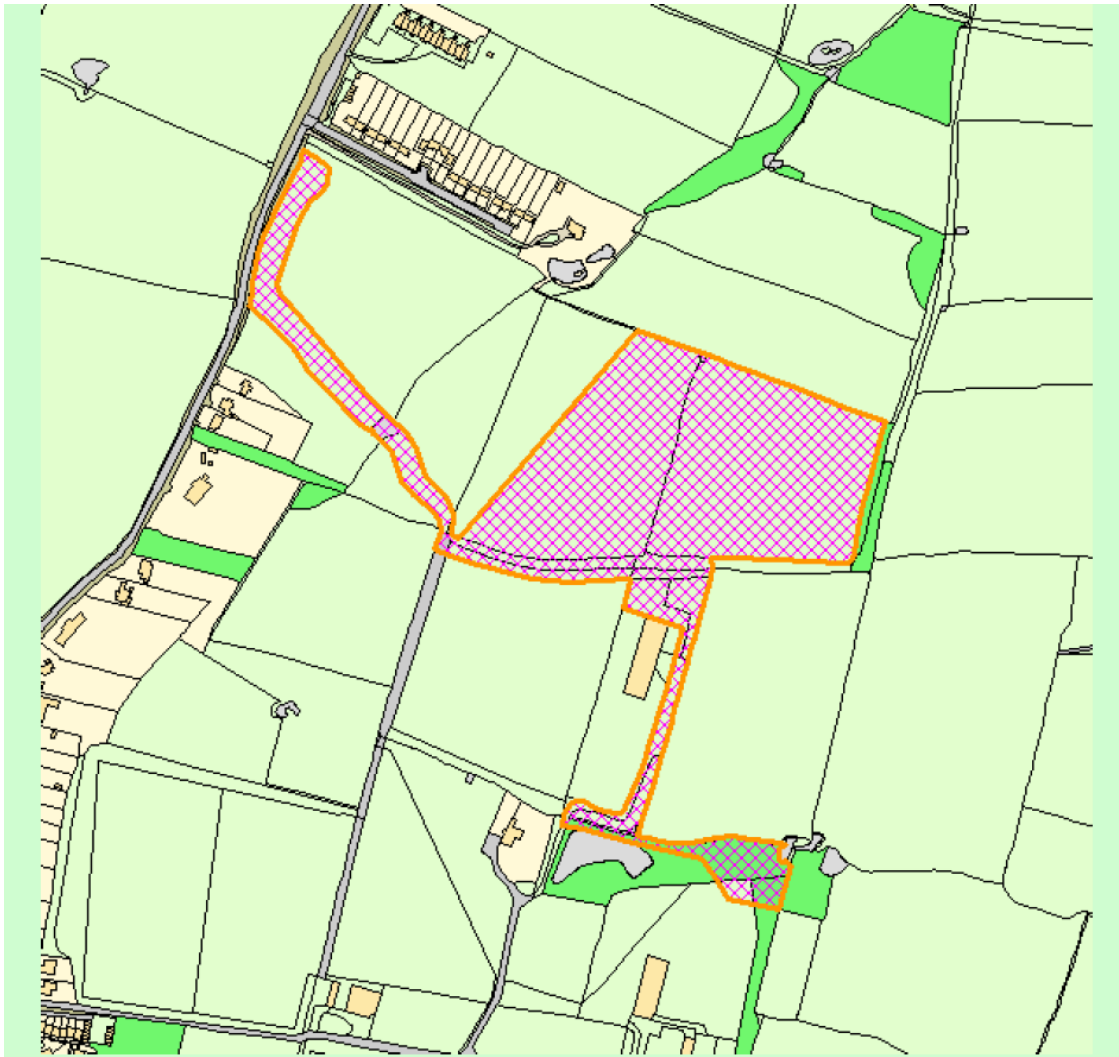
- Appendices:
1. Site Location Map
  2. Plans List
  3. 16/02386/PRE Pre-application Response
  4. License Summary LN/2017/00167
  5. Public Rights of Way Map

SDNPA Consultees: 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](#)
- [Ditchling, Streat & Westmeston Neighbourhood Plan](#)

**Site Location Map**



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### Plans Referred to in Consideration of these Applications

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Log Cabin	2015/I20/PL3	B	07.03.2017	Approved
Plans - Site and Location Context	PDA-FOU-LV-002			Not Approved
Plans - Site Plan	2015/I20/PL1	F	07.03.2017	Not Approved
Plans - General Arrangement	PDA-FOU-LV-004		07.03.2017	Not Approved
Plans - Viewpoint Locations and PROW	PDA-FOU-LV-003		07.03.2017	Not Approved
Plans - Shop/Cafe	2015/I20/PL5	B	07.03.2017	Not Approved
Plans - Washroom Building	2015/I20/PL4	A	07.03.2017	Approved
Plans - Amended Block Plan	2015/I20/PL1	K	27.07.2017	Approved
Plans - Shop cafe building	2015/I20/PL5	C	25.07.2017	Approved
Plans - Additional - Shop Cafe Floor Plan	2015/I20/PL5	B - FP	25.07.2017	Approved
Plans -	2015/I20/PL2	B	07.03.2017	Not Approved
Plans - Site Location Plan	2015/I20/PL2	C	07.03.2017	Approved

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

Appendix

**I6/02386/PRE Pre-application Response**



23 September 2016

Mr Adrian Moore  
Parker Dann – Chartered Town Planning Consultants  
Suite S10, Waterside Centre  
North Street  
Lewes BN7 2PE

Dear Mr Moore,

**Subject: Camping pitches, log chalets, farm shop, new access – Fourfields Farm, Dumbrells Court Road, Ditchling.  
SDNP/I6/02386/PRE**

I write with regard to the above pre-application enquiry, following our meeting on 05 July 2016 and meetings on site with the applicant. I apologise for the delay in responding.

As discussed at the meeting, what follows is a summary of our discussion and advice on queries raised during and since the meeting. I have also appended the consultation responses received to this letter, for your information, and a list of the likely policies relevant to the proposed development. You will note from the meeting and the consultation responses that there are a couple of omissions from the plan (public right of way and drainage ditch), which will need to be included on any future submission.

As mentioned at our meeting, The second purpose of the National Park is to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. The provision of sustainable tourist accommodation, (which reduces need for travel by private car in favour of more sustainable modes), in principle, would be supported by this purpose, as well as development plan policy.

A case would need to be made by yourselves, through a supporting statement to accompany the application, that this would be a good location for tourist accommodation and the other proposed attractions, with good links to Ditchling, public transport, the work, as well as other tourist attractions. It is important to demonstrate how the proposal would provide opportunities for increasing awareness of the National Park, its landscape, cultural heritage and wildlife, particularly by sustainable transport modes; for example what range of attractions and places could be accessed and by what means during an average length of stay at the site? The statement should also provide evidence that the type and scale of accommodation is sought after in this location.

The SDNPA has received a number of third party representations to the pre-application enquiry, which raise concerns regarding the impact the proposal would have on neighbour

amenity, local sewerage network and highway safety. These matters are discussed to varying extent below and would need to be fully addressed as part of any formal submission.

It is clear from the meeting at our offices and on site that the applicant's are very keen to develop and nurture strong links with the National Park's special qualities, and the work that is currently carried out as part of the management of the existing camping facility to raise awareness of the ongoing farming operations is highly commendable. This activity will need to be included as part of the supporting statement accompanying the application.

The proposed development would only be acceptable so long as there is no harm caused to the natural beauty, wildlife and cultural heritage of the area. These will take priority over the benefit the additional tourism accommodation would bring.

The SDNPA Landscape consultant has provided detailed comments regarding the proposed development, which support the principle of the proposed development and draw attention to aspects of the proposal that are considered to require amendment/clarification.

The site is well contained by existing field boundaries and is not easily visible from Ditchling Common Road to the west. A public right of way runs through the site (north/south) and another along the eastern edge, before crossing the site to meet with the other. There are currently unobstructed views from the right of way crossing the site up to Ditchling Beacon, which will be important to protect. It was highlighted at the meeting that the proposed location of the camping car park and shop/classroom building would have a detrimental impact on this sensitive view and would need their location would need to be reconsidered. Having visited the site since and discussed options for alternative building designs, the SDNPA still remain concerned about the siting of these building and parking area in this location. Planning policies prefer the re-use of existing buildings, but if this is not possible, it is important that the need for and benefit of such a new building is explained. The use of the chicken shed, currently in use elsewhere on the Farm, has been discussed with the applicant, which after further consideration is felt to be too large and would still result in harm to the landscape character and would have a detrimental visual impact. In terms of a shop and classroom building, would it be possible to site this in a similar location to the existing marquee? This would be far less intrusive in terms of landscape impact and would still be easily accessible from both camping fields.

It is also recommended that in terms of the impact on visual amenity, particularly from the public right of way running through the site that use could be made of the drainage ditch that runs across the same field, to contain the camping area to its eastern side of this and to provide additional hedgerow planting alongside. This would reduce the scale and impact of the proposal and also provide additional screening of the development and restrict the impact on properties in South View to the northwest.

With regard to parking, it is understood that the proposed access would not be implemented (if development were permitted), until after the camping provision and building had been established. If this is the case, then the existing access from the south would be utilised and an alternative parking arrangement, closer to this could be used (e.g. an expansion of the existing parking provision. At the meeting the possibility of using the land south of the proposed new access, adjacent to the chicken shed was raised, which was discounted by the applicant as the land is still required in association with the chickens to maintain the free-range/organic status of the farm. It was also mentioned that the farming operations would be altering over the next 5-10 years and it is possible that the scale of the existing free-range chicken activity would be reduced. If this is the case, then would it also be the case that the land *could* then be used for car parking? Unfortunately, the location of



the parking as proposed is considered to result in a visual intrusion that is harmful to the wider landscape setting, particularly when viewed from the public footpath. Any additional screening of this is likely to heighten this irregularity and would not overcome the concern. It is therefore unlikely that officers would be prepared to support this element of the proposal.

The proposed new vehicular access itself has been considered by ESCC Highway Authority through a separate pre-application enquiry. It is noted that significant visibility splays would need to be provided, which may require the removal or cutting back of the substantial hedgerow along the boundary with the highway. This would need to be carefully considered in terms of impact it would have on the character of the area: such works could have an urbanising effect, which would be inappropriate in this rural location. I would also advise that ESCC Highway Authority have recommended that all traffic should use the new access (if permitted), therefore if it is intended to retain both accesses for specific uses, their comments may be affected. Likewise, if all farm traffic were to access the site via the new access (if permitted), the impact on the properties to the south would be more significantly affected. This would need to be clarified as part of any formal submission and may require further discussion with ESCC Highway Authority.

Moving forward, I think it is fundamental that the applicant can provide an overarching masterplan that provides a broad timetable for the diversification programme, and considers what temporary solutions there might be in the lead-up to the more permanent provisions. This will help give the SDNPA a broader understanding of the wider operation of the enterprise and the impact the proposals would have on the Purposes of the Park.

Following our meeting and further discussions in-house, I am of the opinion that the use of the land by The Outdoor Project is development, which would require planning permission (please note, the whole site would constitute the planning unit and therefore the combination of the camping use and The Outdoor Project goes beyond the 28 days for a temporary use under Part 4 of the General Permitted Development Order 2015 (as amended)). It will be up to the applicant whether they wish to make an application separate from the application to the camping proposals, although both should be referred to in the masterplan. The impact of this development on neighbour amenity would be a material consideration in the determination of this application. The operation is very close to neighbouring properties and the intensity of the activity appears to be increasing as a result of the success of the enterprise. It may therefore be more appropriate for the activity to be located further from the neighbouring properties.

As you are aware the SDNPA is aiming to start charging CIL on applications received on or after 1 October 2016. Based on the details submitted thus far, the log cabins would be CIL liable (see paragraph 10 of the SDNPA CIL Charging Schedule).

In conclusion, the principle of retaining a camping use on site, to the east of the ditch, and the provision of log cabins is capable of receiving officer support, subject to concerns regarding landscape impact in particular being resolved. The parking arrangements and café/classroom building, are of greater concern and any new building would need to be justified and relocated in order to be acceptable in principle. Issues regarding the vehicular access and neighbour amenity as a result of this proposal would then need to be carefully considered. This would include the continued operation of The Outdoor Project activity on the site.

In the event a formal application is submitted, the following information should be submitted alongside the application form, plans and fee. Please note, each of these documents should

be proportionate to the scale of the proposed development and relevance, therefore it may not be necessary for these to be extensive in all cases. More information regarding the nature of these can be found on our

website: <https://www.southdowns.gov.uk/planning/making-an-application/local-validation-list/>

and in the consultation responses:

- Design and access statement
- Supporting statement (including Masterplan)
- Ecological Impact Assessment (Preliminary and any further surveys identified within)
- Lighting Assessment
- Noise Impact Assessment
- Surface Water and Foul Drainage Strategy
- Transport Management Plan
- Landscape Appraisal

It would be advisable to contact the Building Control department at your Local Authority to check if building regulation approval is required.

Please note that the advice contained within this letter constitutes an informal Officers opinion and does not prejudice, nor is binding upon, any future decision taken by the South Downs National Park Authority.

Yours sincerely,

Vicki Colwell  
Senior Planner Development Management  
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Chief Executive: Trevor Beattie

## Policies and Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the Lewes Joint Core Strategy 2016 and the saved policies of the Lewes District Local Plan 2003. The relevant policies to this application are:

CP5 – The Visitor Economy  
 CP8 – Green Infrastructure  
 CP10 – Natural Environment and Landscape  
 CP12 – Flood Risk, Coastal Erosion and Drainage  
 CP13 – Sustainable Travel  
 CP14 – Renewable and Low Carbon Energy

ST3 – Design, Form and Setting of Development  
 ST11 – Landscaping of Development  
 ST14 – Water Supply  
 ST30 – Protection of Air and Land Quality  
 E17 – New Camping/Touring Caravan Sites  
 CT1 – Planning Boundary and Key Countryside

The South Downs National Park Preferred Options Local Plan was approved by Members at Committee on the 16th July 2015 to go out for public consultation in September. The consultation period ended on 28th October 2015 and the responses received are being considered by the Authority. The next stage in the plan preparation will then be the proposed submission. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirm that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight. Relevant policies include: SD1, SD2, SD3, SD5, SD6, SD7, SD8, SD9, SD12, SD14, SD16, SD17, SD19, SD20, SD27, SD37, SD42, SD43 and SD44.

The Ditchling, Westmeston and Street Neighbourhood Plan Pre-submission Consultation concluded on 26 April 2016. The policies within this Plan are currently afforded limited weight. Relevant policies include: BIZ4 (Rural Diversification), CONS2, CONS3, CONS4, CONS8, CONS9, CONS10, CONS11.

In addition to the above, it is considered that the following paragraphs and sections of the NPPF are relevant to the determination of this application:

Paragraphs 14, 17, 28, 32, 39, 58, 115-116, 118  
 Sections: 3 (Supporting and Prosperous Rural Economy), 4 (Promoting Sustainable Transport), 7 (Requiring Good Design), 11 (Conserving and Enhancing the Natural Environment).

The outcomes and associated policies of the SDNP Partnership Management Plan are also a material consideration. The policies are listed elsewhere in this report. Relevant outcomes include 1, 2, 5, 6, 8 and 10.

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.

#### National Park Purposes

The two statutory purposes of the SDNP designation are:

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

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

Appendix 3

**Premises License (granted 11.05.2017)**

**PREMISES LICENCE SUMMARY**

Premises Licence No: LN/2017/00167

Postal address of premises, or if none, ordnance survey map reference or description:  
**Fourfields Farm, Dumbrells Court Road, Ditchling, East Sussex  
BN6 8GT**

Telephone number: 01273 845189

Licensable activities authorised by the licence:

- (i) **Sale by retail of alcohol**
- (ii) **Films**

Times authorised for the carrying out of licensable activities:

**Opening Hours**

Monday to Sunday 8am to 11pm

**Sale by retail of alcohol**

Monday to Sunday 10am to 11pm

**Films** (indoors and outdoors)

Monday to Sunday 10am to 11pm

Authorised supplies of alcohol: **On and Off the Premises**

**Holder of Premises Licence:**

Name: Grassington Rangers Ltd

Registered number of holder: 1971362

**Designated Premises Supervisor:**

Name: Kelly Stoner

Personal licence number: LN/2017/00068

Issuing authority: Lewes District Council

State whether access to the premises by children is restricted or prohibited:

n/a

## MANDATORY CONDITIONS

- (1) No supply of alcohol may be made under the premises licence –
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (3) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:

- games or other activities which require or encourage, or are designed to require or encourage, individuals to:
    - (a) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (b) drink as much alcohol as possible (whether within a time limit or otherwise).
  - provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries significant risk of undermining a licensing objective.
  - provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective.
  - selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
  - dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)
- (4) The responsible person must ensure that free potable water is provided on request to customers where it is reasonable available.
  - (5) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- (a) a holographic mark, or
- (b) an ultraviolet feature.

- (6) The responsible person must ensure that:
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
    - (i) beer or cider: ½ pint
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml, and
    - (iii) still wine in a glass: 125 ml, and
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises, and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- (7) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (8) For the purposes of the condition set on in (7):
  - (a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) 'permitted price' is the price found by applying the formula:  
$$P=D+(D \times V)$$

where:

- (i) P is the permitted price
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol
- (c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence:
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
- (d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question, and
- (e) 'value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.
- (9) Where the permitted price given by Paragraph (b) of paragraph 8 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (10) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 8 on a day ('the first day') would be different from the permitted price on the next day ('the second day') as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.



**(11) Exhibition of films**

- (a) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- (b) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (c) Where-
  - (i) the film classification body is not specified in the licence, or
  - (ii) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
- (d) In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

**CONDITIONS CONSISTENT WITH OPERATING SCHEDULE**

**(12) General**

- (a) The reason for this application is to provide a mobile food and drink unit to service customers using our camping facilities and ad-hoc visitors to the farm. We are proposing to extend the use of our facilities to incorporate private functions and other larger events in the future.
- (b) For any events involving more than 500 people, an event plan will be submitted to the responsible authorities 3 months prior to the event taking place.
- (c) Staff will be equipped with adequate training to deal and manage risks associated with licensed premises. Training will be updated regularly/when necessary.
- (d) Staff will have a good knowledge of the licensing law and have it in writing before they can serve alcohol. (d) Training/advice records which state the name, date and signature or both the trainee and trainer will be kept. These records will be made available for inspection by the licensing authority and/or police. The documentation relating to training should extend back to a period of three years.

**(13) The prevention of crime and disorder**

- (a) Staff members will record full details of any incidents in a log book. Details required will include names of persons involved, a brief description, time, date, the actions taken and the outcome of the situation. The logbook will be available on the premises always and will be available to licensing officers and/or police when required.
- (b) The premises supervisor or a competent member of staff shall manage the site to ensure no rowdy, noisy or offensive behaviour.

**(14) Public safety**

- (a) Regular risk assessments are undertaken and written records will be kept.
- (b) First aid kits will be kept at the premises and will be maintained with sufficient stock that is in date.

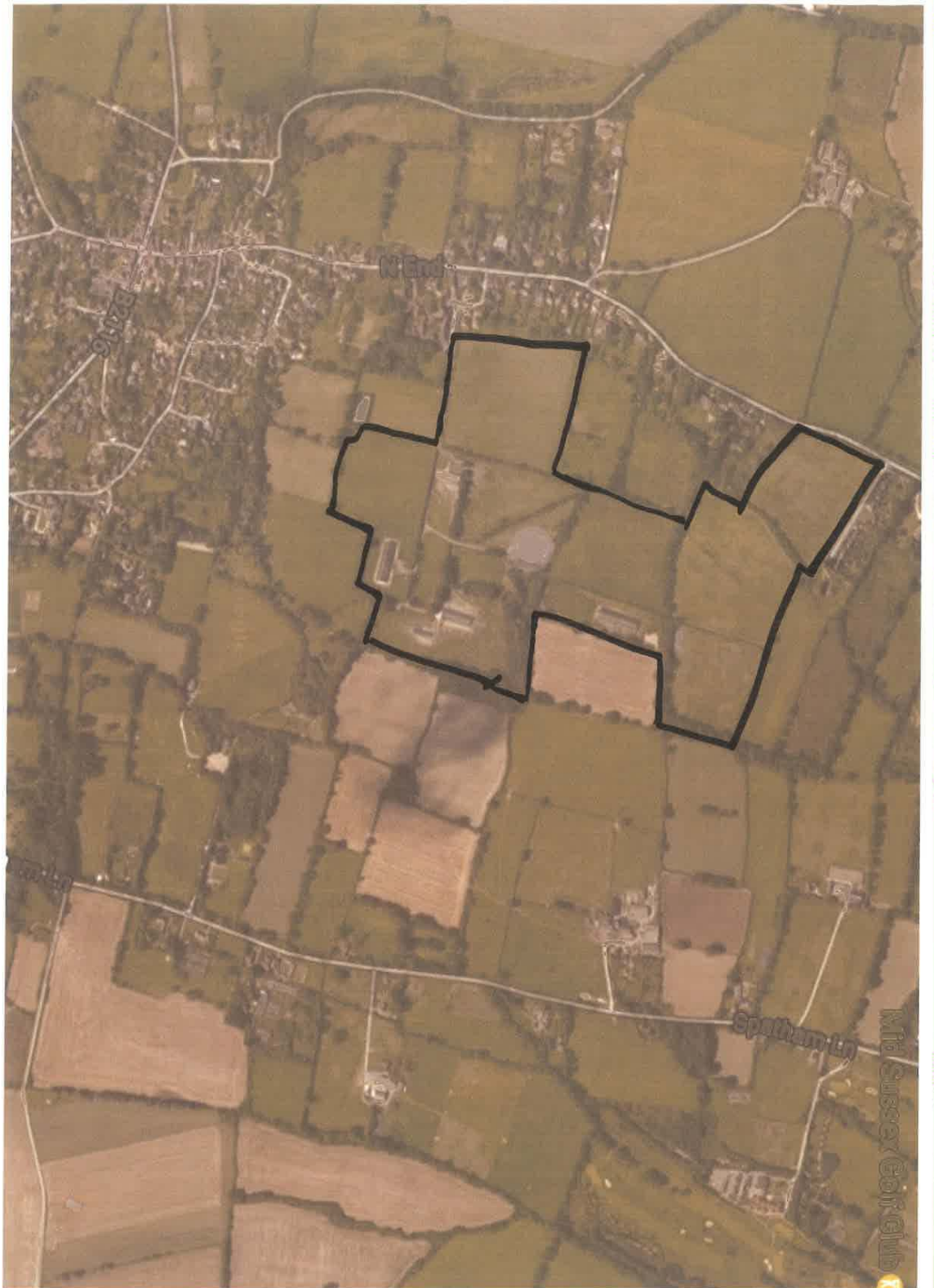
**(15) The prevention of public nuisance**

- (a) A draft Noise Management Plan (NMP) will be submitted to Lewes District Council Environmental Health no later than 3 months prior to any events involving more than 500 people.
- (b) Music will not be played at a level that will be unreasonably disturbing to nearby properties. Prominent notices shall be displayed close to the main exit and at various positions around the site reminding customers to respect neighbouring properties and to keep noise levels to a minimum.

**(16) The protection of children from harm**

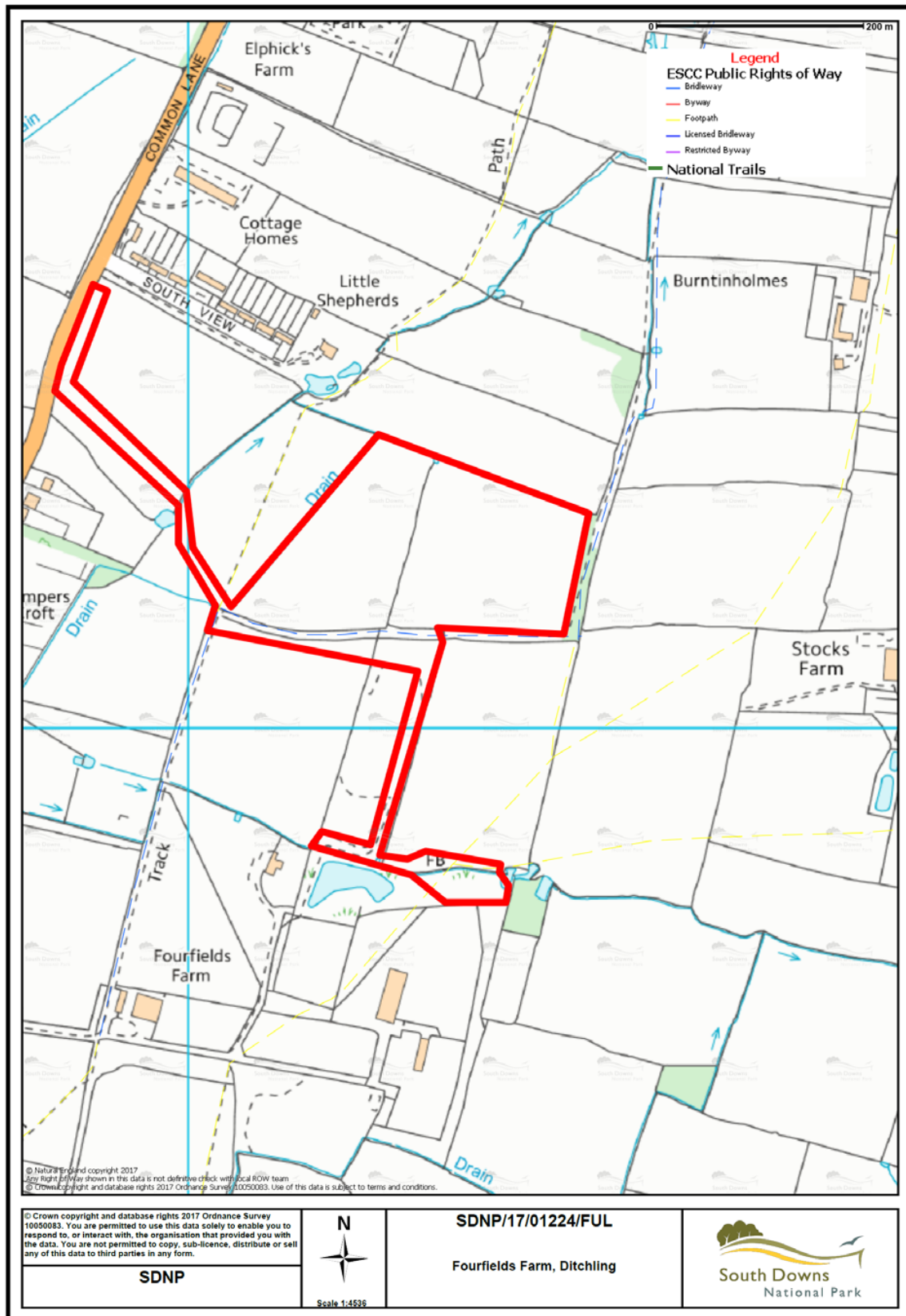
- (a) A written refusals register will be kept at the premises for inspection by the police or local authority. All entries will include the date, the type of drink refused, the time, the name or description of the customer, the reason for refusal and the name of the staff member who refused the sale.
- (b) Adequate training will be issued to staff to prevent underage sales. Training will be recorded, signed and dated by both the trainer and trainee. The documentation relating to training should extend back to a period of three years. These records will be made available for inspection by the licensing authority and the police.
- (c) A proof of age scheme will be carried out and advertised within the premises. The premises will adopt a 'Challenge 25' procedure. Accepted forms of photographic identification (ID) are passport, drivers licence or a PASS approved proof of age card.

**PLANS: As approved and attached.**



License Area LN/2017/00167

# PROW Map



Created by Lisa Smith on 31 July 2017