

Report to	Planning Committee
Date	14 June 2018
By	Director of Planning
Local Authority	Chichester District Council
Application Number	SDNP/17/05372/FUL
Applicant	The Barlavington Estate
Application	Change of use of existing traditional former agricultural building to educational/recreational retreat centre, and other works including installation of 1 no. conservation style roof light.
Address	Wiltshire's Barn, Folly Lane, Sutton, West Sussex

Recommendation: That the application be approved subject to the conditions set out at paragraph 10.1

Executive Summary

The application proposes the change of use of a traditional rural building to provide an educational/recreational retreat centre, together with new parking and improvements to the existing access. The building was previously used to store machinery, and has fallen into dis-use being no longer suitable for agricultural purposes. The building is considered to be a non-designated heritage asset, and some form of re-use is required to ensure its long term conservation.

The main purpose of the building would be for use as a Forest School classroom, to educate and inform local school children of the special qualities of the South Downs National Park (SDNP). When the building is not in use for this purpose it is proposed to be used by artists as a retreat centre and occasional use as a bunkhouse for those attending longer artist courses.

The proposal to convert the redundant heritage asset, and change of use to an educational facility is supported in principle. The development must however be considered in terms of other impacts, including landscape and ecology. The site is adjacent to the Duncton to Bignor Escarpment Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC), and consideration must be given to the nature and extent of the proposed activities and whether these could impact on the special features for which the sites have been designated. Neither Natural England nor the County Ecologist have any objection to the proposal, subject to conditions to secure appropriate mitigation measures. The proposal is therefore considered to be acceptable and approval is recommended.

The application is placed before Members due to the applicant being the Barlavington Estate, which is in the ownership of SDNPA Member Sebastian Anstruther.

I. Site Description

- 1.1 The site is located on the eastern scarp slope of Barlavington Down, approximately 6km south of Petworth. The nearest residential properties are Folly Cottages, approximately 400m to the north, and the settlement edge of Sutton, approximately 500m to the south east. The building does not sit prominently within the landscape and is generally seen against the backdrop of higher ground and mature trees.
- 1.2 The site is accessed from Folly Lane, a narrow rural lane, from 'Chalky Lane' a single width green lane bordered by high hedgerows which runs east-west from Folly Lane over the South Downs to 'Dog Kennels' at Upwaltham on the A285. This historic lane formed part of the pre-modern road network from Sutton to Chichester, and goes on to become footpath 714 as it passes Wiltshire's Barn, linking with the wider Public Right of Way (PROW) network. Parking for the proposed activities will be sited within the barn's existing enclosure which extends to the south of the building.
- 1.3 The six bay barn has previously been used to store farm machinery, and is considered by the Historic Buildings officer to be a non-designated heritage asset, of some architectural and historic interest. The building sits within a flint wall enclosure, which would be used for the parking of vehicles including school mini-buses.
- 1.4 The site is directly adjacent to the Duncton to Bignor Escarpment SSSI and SAC to the west, covering part of the scarp slope, within which there are also two areas of ancient and semi natural woodland; Northcomb Wood to the north-west and Farm Wood to the south-west of the site. The field to the south of the barn forms part of a medieval deer park.

2. Relevant Planning History

- 2.1 There is no relevant planning history for the site.

3. Proposal

- 3.1 The application proposes to convert the traditional, open fronted barn for use as an educational and recreational retreat centre. The facility would mainly be used by local schools as a base from which to educate young people about the natural environment.
- 3.2 A new window would be formed to the side elevation and a conservation type rooflight fitted to the rear elevation. A series of glazed doors would be fitted within a new external wall to the front elevation to provide natural light within the working area, and inserted between existing timber posts and struts. An accessible wc and shower room and kitchenette would be incorporated within the building, which would be heated by a wood burning stove. No external lighting is proposed.
- 3.3 Visitors would access the site via Folly Lane and the existing track leading up to the barn known as 'Chalky Lane,' with parking provided within the existing flint-walled enclosure, which is proposed to be surfaced with gravel.

The proposed uses

- 3.4 The building is currently redundant, being unsuitable for modern agricultural practices. The proposal primarily seeks to convert the building for use as a rural training base, which could be used by local primary schools to educate young people about the natural environment following the Forest Schools principles, which foster important personal, social and emotional life skills through nature-based activities. This would offer local children an educational experience in a 'wild woodland' setting, with safe, experiential learning experiences that are designed to foster self-esteem, self-confidence and teamwork skills. The main activities associated with the Forest School use would be located in and directly outside the barn, where a variety of different habitats and environments may be studied.
- 3.5 During school holidays, when not in use by schools, the building is also proposed to be used as an artists' retreat centre. It is anticipated that artists using the centre may wish to attend short courses, or use the centre over a number of days. Given the overall low impact of such a use, this is considered acceptable, however officers would have concerns in regard to the building being used for standard tourist accommodation, which could represent a more intensive use. It is therefore considered reasonable to restrict the use of the building for

overnight accommodation to persons attending artistic courses, and the length of stay to up to 5 consecutive nights, through a suitable condition.

4. Consultations

4.1 Dark Night Skies - No objection, subject to conditions.

- The number of door sections have been reduced from 4 to 3.
- The glazing should be fitted with black out blinds, and the toilet light fitted with a timer.

4.2 Ecology - No objection, subject to conditions.

- No evidence of bats using the building was recorded during this survey. As such, the proposals are not likely to detrimentally impact bats (or barn owls).
- The mitigation measures set out within the original bat and barn owl survey report should be secured through any consent.
- All existing trees and other vegetation will be retained, however the plans refer to the existing verge at the entrance being cut back to improve accessibility. The methodology to avoid impacts should be secured through condition.
- Through securing the measures set out within Natural England's latest response in relation to the designated sites, the ancient woodland (which sits within parts of the designated sites) will also be sufficiently protected from operational impacts.
- A suitable Construction Environmental Management Plan should be secured through condition.

4.3 Environmental Health - No objection.

4.4 Highways - No objection, subject to conditions.

4.5 Historic Buildings - No objection, subject to conditions.

- The original posts will not be expressed particularly distinctly in the new timber/glazed screen, however the approach is acceptable.

4.6 Landscape - Comments.

- The barn is located within the Western Escarpment Biodiversity Opportunity Area, and biodiversity enhancements as opposed to mitigation should be sought on the site.
- The proposed uses are positive.
- The gravel surfacing of the car park could look out of character in a rural setting, suitable materials can be considered as a condition
- Landscaping across the site should be minimal and functional, including the entrance way, and should retain a rural, understated character with no external lighting.

4.7 Natural England - No objection, subject to conditions.

- The following mitigation measures should be secured to protect the Duncton and Bignor Escarpment Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI):
 - No picking/cutting of any plants/wood/invertebrates/other animals within the SAC/SSSI;
 - No collection of and wood or deadwood for firewood, or use of materials to build shelters from the SAC/SSSI;
 - Any fires must be contained in a firepit or similar within the confines of the barn and surrounds, away from the SAC/SSSI and completely extinguished before leaving the site;
 - Trampling and ground compaction must not take place within the SAC/ SSSI.

4.8 Public Rights of Way - No objection.

4.9 South Downs Ranger – Comments.

- A barn owl box and bat roost spaces should be provided.

- The woodland behind the barn contains some interesting archaeological features, including a large wood bank, and the impact of any forest schools activities on these features would need to be considered.
- Interpretation could be incorporated into any educational activities that take place.
- The existing track is in keeping with the rural lane and a tarmac-type bound surface would be inappropriate. Compacted loose surfacing options should be explored to allow year-round access, with a more stable surface where the track drops steeply down to meet the lane. Alternatively groups could be dropped at the track entrance and walk up, to ensure the rural character of the track is not significantly altered.

4.10 **Sustainable Economy** - Comments.

- An innovative solution to transforming a traditional agricultural building.
- The facility could support the visitor economy through the additional artistic components.
- The project aligns with the purposes and duty of the National Park and links with Outcome 10 of the Partnership Management Plan.
- The proposal could utilise and integrate the South Downs National Park Shared Identity within the concept design or internal fit-out.

4.11 **Sutton and Barlavington Parish Council** - Objection.

- In principle support for use of the site as educational/ recreational retreat centre.
- The potential impact on the natural beauty of the ancient woodland and wildlife against any opportunities the general public would gain from this development must be measured.
- The site is located in a sensitive isolated rural location adjacent to public rights of way.
- Folly Lane is a narrow single track with few passing places and the concern must be for the safety of children.
- Taking into account all factors of this application and where it is sited the PC object to these proposals.

5. **Representations**

5.1 9 third-party representations, including Duncton Primary School and The Royal Forestry Society, have been received in support of the application, raising the following:

- The barn is currently derelict and the proposal is a thoughtful, creative example of sustainable agricultural diversification that would enhance the area and improve its outlook.
- The development would bring an historic building back into use, preserving its key features while establishing a practical, and valued function.
- The development would provide a unique space with kitchen and toilet facilities close to the South Downs for high quality training of forest school leaders and outdoor educators in responsible countryside and environmental management.
- The proposal would allow young people and artists the opportunities to experience the South Downs landscape through low level managed use.
- Graffham Infant School and Duncton Junior School have worked with Barlavington Estate using their woodland, and would like to use the facility to enhance their outdoor learning programme for teachers and children.
- The proposal will help to eliminate security issues affecting isolated buildings.

6. **Planning Policy Context**

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan is the saved policies of the Chichester District Local Plan First Review 1999. The relevant policies are set out in section 7 below.

National Park Purposes

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

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

National Planning Policy Framework and Circular 2010

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

Relationship of the Development Plan to the NPPF and Circular 2010

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

The South Downs National Park Partnership Management Plan 2014-2019

- 6.5 The South Downs National Park Partnership Management Plan (SDPMP) 2014-2019 is a material consideration in the determination of planning applications, as outlined in national planning practice guidance. It outlines a vision and long term outcomes for the National Park. The following policies are relevant:
- 1: conserve and enhance natural beauty and special qualities of the landscape
 - 3: Protect and enhance tranquillity and dark night skies.
 - 9: The significance of the historic environment is protected from harm
 - 10: Improve the management of heritage assets, particularly focusing on those that are 'at risk';
 - 13: Support the financial viability of farm businesses through appropriate infrastructure and diversification developments encouraging those that support sustainable farming.
 - 15: Increase understanding of farming and of farmers as the custodians of many of the special qualities of the National Park.
 - 20: Raise awareness of woodland management
 - 21: Support woodland owners to provide diverse activities
 - 29: Enhance the health and wellbeing of residents and visitors
 - 30: Develop access for all opportunities
 - 31: Raise awareness and understanding about the National Park
 - 32: Encourage and support creative and cultural activities
 - 39: Manage vehicle parking to improve visitor experiences and reduce impact of traffic and parking;
 - 41: Maintain visitor enjoyment and influence visitor behaviour to reduce impacts;
 - 45: Develop high-quality learning experiences, particularly in the outdoors, and resource materials that link to the special qualities of the National Park.
 - 47: Education (rural skills)
 - 55: Promote opportunities for diversified economic activity.

7. Planning Policy

7.1 The following saved policies of the Chichester District Local Plan First Review 1999 are relevant:

- R2: Provision of Facilities in the Rural Area
- RE1: Development in the Rural Area Generally
- RE7: Nature Conservation – Designated Sites
- RE12: Rural Diversification
- RE14: Conversions in the Rural Area
- BE14: Wildlife habitat, trees, hedges and other landscape features
- T1: Accommodation and Facilities
- T3: Provision in Rural Areas
- TR6: Highway Safety
- TR8: Catering for Cyclists and Pedestrians

The draft South Downs National Park Local Plan

7.2 The Pre-Submission version of the South Downs Local Plan (2017) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation from 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the saved policies within the Chichester District Local Plan (1999), the policies within the Submission South Downs Local Plan (2018) are currently afforded considerable weight, depending on the level of objection received on individual policies. The relevant planning policies are:

- SD1 – Sustainable Development
- SD2 – Ecosystems Services
- SD4 – Landscape Character
- SD5 – Design
- SD7 – Relative Tranquillity
- SD8 – Dark Night Skies
- SD9 – Biodiversity and Geodiversity
- SD11 – Trees, Woodland and Hedgerows
- SD12 – Historic Environment
- SD13 – Listed Buildings
- SD19 – Transport and Accessibility
- SD20 – Walking, Cycling and Equestrian Routes
- SD21 – Public Realm, Highway Design and Public Art
- SD22 – Parking Provision
- SD23 – Sustainable Tourism
- SD25 – Development Strategy
- SD34 – Sustaining the Local Economy
- SD40 – Farm and Forestry Diversification
- SD41 – Conversion of Redundant Agricultural or Forestry Buildings

8. Planning Assessment

8.1 The proposal aims to convert and re-use a redundant and structurally sound agricultural building, which is also a non-designated heritage asset. The proposed educational use is consistent with the second purpose of the National Park, however must also be considered in terms of the first purpose, which is to conserve and enhance the natural beauty, wildlife and cultural heritage of their areas. On this basis, the main issues for consideration with regard to this application are:

- Principle of development
- Impact on the special character of the non-designated heritage asset, and its setting;
- Design, landscape and visual impact;
- Impact on ecology and designated sites, and
- Highway safety and impact upon the PRow network.

Principle of Development

- 8.2 In regard to policies in the Chichester District Local Plan (1999), saved policy RE1 restricts development in the rural area. Saved policy RE12 supports rural diversification, including conversions and changes of use which would result in a type and level of activity which would not be detrimental to the character of the surrounding area. Policy RE14 supports the conversion of rural buildings that are of historic merit providing these are structurally sound, and the development would conserve the character, fabric and setting of the building.
- 8.3 Policy SD41 of the Submission South Downs Local Plan (2018) 'Conversion of Redundant Agricultural or Forestry Buildings' carries considerable weight, and supports the conversion of agricultural buildings outside of defined settlement boundaries, providing the location is sufficiently well related to existing infrastructure, amenities and services; the existing vehicular access is suitable in landscape terms for the use proposed; the original building is structurally sound and capable of conversion without the need for substantial reconstruction, and there is no adverse impact on the agricultural character of the building and its setting. With agricultural buildings that are identified as heritage assets, the proposal should incorporate the optimal viable use that will conserve and enhance their architectural and historic significance and setting. Wherever possible, essential utilities and other functional requirements should not harm significant internal or external fabric, which should be retained.
- 8.4 Saved Policy RE17 supports the provision of educational and community facilities in the rural area, providing that it may be demonstrated that a local need exists.
- 8.5 Saved Policy T1 supports proposals for the development of additional tourist accommodation and facilities provided that they do not cause demonstrable harm to the environment of the area which is the source of attraction to visitors and that are appropriate to the character of their location. Saved Policy T3 supports tourism proposals in the rural area provided these reuse existing buildings, and do not adversely affect the character and appearance of the surrounding landscape.
- 8.6 Policy SD23 of the Submission South Downs Local Plan (2018) carries considerable weight, and supports proposals for visitor accommodation that utilises existing buildings. Where proposals are outside settlement policy boundaries, proposals should be closely associated with other attractions or established tourism uses, including the public rights of way network. Policy SD34, Sustaining the Rural Economy, supports development proposals that promote and protect key sectors such as tourism and the visitor economy. In addition, the South Downs National Park Visitor Accommodation Review (2014) found there is a lack of tourist accommodation in the National Park at present.
- 8.7 The applicant has contacted local primary schools, including Graffham Infant School and Duncton Junior School, who have written to support the development which would provide a covered facility and base for their Forest Schools activities. Rather than providing a more traditional recreational facility, the proposed educational use of the building would promote opportunities for public understanding and enjoyment of the special qualities of the SDNP. The building would also be used during school holidays as a base from which visitors could appreciate and understand the National Park, however is not intended for overnight accommodation except for occasional use as a bunkhouse facility by those attending artist courses of more than one day.
- 8.8 The building would be used all year around to enable users to experience and understand the changing seasons. Sustainable means of transport would be encouraged, and although the likelihood is that most users would arrive by private motor vehicle, the overall scale of development is considered to result in a low intensity of use.

- 8.9 In summary, the principle of development is consistent with the second purpose of the National Park and therefore acceptable provided that considerations relating to heritage, landscape, ecology and highways may be satisfactorily addressed.

Cultural Heritage

- 8.10 The Historic Buildings officer has advised that Wiltshire's Barn is a 19th Century non-designated heritage asset of very simple structure, for a utilitarian purpose related to agriculture. The base contains a single horizontal band of brick, with noticeable differential in masonry quality below, which suggests the development may have originally taken the form of a small walled compound. This was likely raised to the current eaves height during the 19th Century and a simple roof added to provide open-sided, covered storage. The structure is likely to have been an 'outfarm' associated with a nearby farmstead.
- 8.11 Paragraph 131 of the NPPF states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 135 states that in weighing applications that affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 8.12 Policy SD12 of the Submission South Downs Local Plan (2018) supports development proposals that enhance or better reveal the significance of heritage assets, and appropriately re-use redundant or under-used heritage assets with the optimal viable use, which secures their long-term conservation and enhancement, including of their setting.
- 8.13 The Historic Buildings officer has no objection to the proposals, following the provision of further details by the applicant including:
- Detailed drawings showing a satisfactory relationship between the existing timber posts and masonry plinths supporting the open front and the framed glazed screen, with the posts largely integrated into the new external front wall.
 - The front face of the existing timber posts will be slightly proud of the timber boarding on the face of the new wall, and part of the existing masonry plinths would be proud of the new wall, in order to express the existing original structure.
 - Relocation of the kitchen window from the side elevation, which is original flint wall, to the new screen on the front elevation.
- 8.14 In summary, officers consider that the scheme represents a good reuse of an otherwise redundant agricultural building, which would also secure considerable public benefit. Conditions relating to conservation workmanship may be secured through condition.

Design and Landscape Impact

- 8.15 Policy R2 only permits the development of new recreational facilities in the rural area where they are a type and level of provision which would not have a serious effect on the resources and character of the countryside.
- 8.16 Policy SD4 'Landscape Character' of the Submission South Downs Local Plan (2018) carries considerable weight, and supports development that conserves and enhances the existing landscape character features which contribute to the distinctive character, pattern and evolution of the landscape; and safeguards the experiential and amenity qualities of the landscape. Policy SD5 'Design' supports development that demonstrates a landscape-led approach and respects the local character of the area. Proposals should both integrate with, respect and sympathetically complement the landscape character and utilise architectural design which is appropriate and sympathetic to its setting. Proposals should also incorporate hard and soft landscaping treatment which takes opportunities to connect to the wider landscape and enhance green infrastructure.
- 8.17 The setting of the barn is considered to be highly sensitive as a result of its proximity to the SAC and SSSI, and the contribution it makes to the character and story of agricultural expansion in the landscape, which is considered to be Post-Medieval. It would also be important to retain the existing rural access track without this being resurfaced with an

inappropriate material (see Highways below). The Landscape officer has no objection to the proposal, and details of surface materials for the proposed car park, access track and other landscaping, which should be minimal, could be secured through condition.

- 8.18 The proposed materials, which include corrugated black tin roofing, and timber doors and fenestration, are considered in keeping with the historic agricultural appearance of the building, and the existing structural posts and struts to the front elevation would be adequately expressed.

Ecology

- 8.19 Part 11 of the NPPF draws attention to the duty to protect the natural environment and to the opportunities for its enhancement. Paragraph 118 of the NPPF states that proposed development on land within or outside a SSSI that is likely to have an adverse effect on a SSSI should not normally be permitted. Paragraph 119 clarifies that the presumption in favour of sustainable development (under paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.
- 8.20 Policy SD9 of the of the Submission South Downs Local Plan (2018) carries considerable weight, and states that development proposals must retain, protect, and enhance features of biodiversity and geological interest and ensure appropriate and long-term management of those features. Proposals are required to contribute to the protection, management and enhancement of biodiversity and geodiversity, for example by enhancing Biodiversity Opportunity Areas. Proposals that may impact the integrity of a SAC or the notified special interest features of a SSSI, and which cannot be either avoided or adequately mitigated will be refused, unless the benefits of the development clearly outweigh the likely impact.
- 8.21 The application site is adjacent to the Duncton to Bignor Escarpment (SAC) and (SSSI), which are internationally and nationally important nature conservation areas that benefit from statutory protection and are safeguarded under the planning system. The site is also located within the Western Escarpment Biodiversity Opportunity Area.
- 8.22 The Parish Council has objected to the proposal due to its potential impact on the natural beauty of the ancient woodland and wildlife, and objections were initially received from both the County Ecologist and Natural England due to a lack of ecological information and sufficient detail in regard to the proposed activities. Further ecological information was subsequently provided, including details of the activities that will be carried out on and around the site as follows:
- Forest School training for a two groups per year; for 6 weeks at a time, equivalent to 12 sessions of 3 hours each across the year.
 - Two training days per term, approximately 6 per year.
 - There are no plans to use the site in school holiday periods.
 - Approximately half of the time would be spent in the woodland area and half of the time in the built facility, with some, younger children remaining within the built area of Wiltshire's Barn.
 - Groups of children number between 15-18 (for safety reasons and to ensure the high ratio of adult support as mentioned below), with 4 adults.
 - Groups will normally work in the immediate area (within 250m) of the barn and occasionally walk up the footpath to a higher area of the Downs.
 - Adult training groups number around 15, with a 2 trainers. This group may venture in a wider area to investigate the diversity of the area.
 - The barn will be used as a base, more so during wet weather.
 - Tasks could include sustainably gathering firewood, cooking on an open fire (within the Wiltshire's barn site only). The lighting of fires would be taught on a 1:1 basis with a Forest Schools Leader.
- 8.23 The applicant has also advised that during holiday periods the building would be utilised as an artist's retreat, where individuals could use the building for short periods, and gain inspiration from the surrounding natural environment.

- 8.24 Natural England have no objection to the proposal provided that mitigation measures are secured to protect the SAC and SSSI to ensure:
- No picking/cutting of any plants/wood/invertebrates/other animals within the SAC/SSSI.
 - No collection of and wood or deadwood for firewood, or use of materials to build shelters from the SAC/SSSI.
 - Any fires are contained in a firepit or similar within the confines of the barn and surrounds, away from the SAC/SSSI and completely extinguished before leaving the site;
 - Trampling and ground compaction does not take place within the SAC/ SSSI.
- 8.25 The SDNPA acknowledges the above measures, and although these could not be reasonably imposed through a condition, officers consider that the requirements of Natural England could be met with reasonable management and education.
- 8.26 The County Ecologist has considered the additional ecological information, and is satisfied with the mitigation measures proposed in relation to protected species, which include bats, barn owls, dormice and reptiles. Securing the measures set out by Natural England in relation to the designated sites will also satisfactorily protect the areas of ancient woodland within parts of the designated sites from operational impacts. To protect the site during construction, a Construction Environmental Management Plan may be secured through condition.

Highways

- 8.27 Access to the site will be via 'Chalky Lane,' which is narrow, agricultural track. The track is currently quite rutted, and is likely to require levelling to allow minibuses to pass. Emerging policy SD21 'Public Realm, Highway Design and Public Art' states that development will not be permitted where it would reduce the biodiversity, landscape and amenity value and character of historic rural roads. This representations received during the submission consultation are broadly supportive, and considerable weight may therefore be given to this policy.
- 8.28 The Highways Authority raise no concerns in regard to additional traffic and potential safety issues to the highways network, however required a vehicle tracking diagram, demonstrating sufficient turning capacity within the car park for cars, minibuses and construction vehicles, and drainage details. Subsequent plans have demonstrated both tracking and a linear drain and soakaway close to the junction of the access lane with the public road to avoid surface water from the track discharging onto the road.
- 8.29 The Highways Authority have also required further details of how the access onto the public road would be improved, including a minimum of 20m in length along Chalky Lane from the junction to be a bound surface. However, officers are of the view that a bound surface could harm the rural character of the lane. The Highways Authority have acknowledged this concern, and are happy to consider alternatives, given the relatively light proposed use.
- 8.30 The applicant has advised that the existing arrangements would be widened to enable easier vehicular access, which would involve reducing ground levels to the affected area and removing some scrub. No existing mature trees or areas of planting would be affected. In regard to the resurfacing materials, the applicant has offered to apply a compacted loose surface option to avoid impacting the rural character of the lane. The Highways Authority are satisfied with this approach and raise no objection, subject to conditions to secure final details of the access and surfacing.

Dark night skies

- 8.31 The site falls within zone E0, which is the Dark Sky Core. Policy SD8 of the Submission South Downs Local Plan (2018) requires development in this area to conserve and enhance the intrinsic quality of dark night skies, including a darkness curfew.
- 8.32 The Dark Night Skies officer raised concerns in regard to the extent of glazing, which was subsequently reduced through revising the number of glazed doors from 4 to 3 in total. The overall glazing will be no more than 25% of the internal floor area with the majority being provided along 50% of the area of the front wall. No external lighting is proposed, and

details of timer controlled black out blinds, and a PIR sensor light to the wc could be secured through condition.

9. Conclusion

- 9.1 It is considered that the proposed educational use of the building would promote welcome opportunities for public understanding and enjoyment of the special qualities of the area, and would be consistent with the National Park's second purpose, and the policies of the SDPMP 2014-19, in particular policies 31 and 32. The proposal would also conserve and enhance a non-designated heritage asset, which is part of the agricultural cultural heritage of the area. The proposed use and extent and nature of activities would not have a negative impact on the designated sites, or the special features for which they have been designated, and any impact on protected species may be satisfactorily mitigated.

10. Reason for Recommendation

- 10.1 The application is recommended for approval subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended). / To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans referred to in Consideration of this Application."

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

3. The building shall be used for forest school activities, and as an artists' retreat centre and bunkhouse courses, in association with the Barlavington Estate, and for no other use whatsoever.

Reason: To allow the Local Planning Authority to manage the use of land and prevent unsustainable development that would not comply with planning policy.

4. The building shall only be used for overnight accommodation by persons using the site as an artistic retreat, for periods of no longer than 5 consecutive nights. The owners/operators shall maintain an up-to-date register of those using the centre for overnight accommodation, and shall make this information available to the Local Planning Authority upon request.

Reason: To allow the Local Planning Authority to manage the use of land and prevent unsustainable development that would not comply with planning policy.

5. Prior to the commencement of the development hereby permitted, a detailed scheme of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in accordance with the approved development. The scheme shall include details of:

- i) Treatment of surfacing of the forecourt area for vehicle access and parking;
- ii) Any soft planting;
- iii) Trees and other vegetation to be retained in the scheme.

Thereafter the development shall be undertaken in full accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

All soft landscaping shall be carried out in the first planting and seeding season following the first occupation of the building, or the completion of the development, whichever is the sooner. All shrub and tree planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity and to protect the landscape character of the area.

Heritage

6. Prior to the commencement of the development hereby permitted, details of all new external window and door joinery shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include drawings and sections at a scale of 1:10 (including sections through glazing bars and meeting bars), to clearly show the construction of the joinery and the finished relationship to the jambs, cills and heads of the wall, method of opening, and details of final finish (including colour). The works shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of preserving the character and appearance of the non-designated heritage asset and its setting.

7. Prior to the commencement of the development hereby permitted, samples of the materials proposed for roof and walls, including timber boarding, and tin roofing material, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved samples.

Reason: In the interests of preserving the character and appearance of the non-designated heritage asset and its setting.

8. Prior to the commencement of works hereby approved, the following shall be submitted to and agreed in writing by the Local Planning Authority:
- i) Samples and/or technical details of the proposed rainwater goods, which shall be of cast iron or cast aluminium;
 - ii) Details of the proposed method of fixing the rainwater goods to the building, which shall avoid the use of a fascia board;
 - iii) The proposed position of the downpipes.

The works thereafter shall be completed in accordance with the approved details, which shall be thereafter retained.

Reason: In the interests of preserving the character and appearance of the non-designated heritage asset and its setting.

9. Prior to the commencement of the development hereby permitted, details of the proposed rooflights (including size, manufacturer, model number and flashing detail) shall be submitted to and approved in writing by the Local Planning Authority. The new rooflights shall be of a design which, when installed, do not project above the plane of the roof surface. The works shall be carried out in accordance with the approved details.

Reason: In the interests of preserving the character and appearance of the non-designated heritage asset and its setting.

10. Prior to the first occupation of the development hereby permitted, the flint boundary wall at the entrance to the building shall be repaired to the satisfaction of the Local Planning Authority.

Reason: In the interests of preserving the character and appearance of the non-designated heritage asset and its setting.

Dark Night Skies

11. Prior to the development hereby permitted being brought into use, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- i) Timer controlled black-out blinds to be affixed to areas of glazing.
- ii) PIR sensor light to the wc.

Thereafter the development shall be carried out and retained in full accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in the interests of amenity and protect the South Downs International Dark Night Skies Reserve.

Ecology

12. Works shall be carried out, and biodiversity enhancements shall be incorporated in the design, in accordance with the measures set out in section 6 of the Bat Building Assessment and Barn Owl Survey report (Arbeco, October 2017). The biodiversity enhancement features shall be installed under the advice of an ecologist.

Reason: In order to avoid impacts to protected species and provide adequate ecological enhancements.

13. Prior to commencement of the development hereby permitted, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented and adhered to during the works. The plan shall include the measures set out in the 'precautionary approach to vegetation clearance' section of the Letter from Arbeco, 16 February 2018, and further measures to avoid construction impacts to the adjacent designated sites to include and not necessarily limited to: pollution, dust, disturbance, storage of materials and use of machinery.

Reason: In order to avoid ecological impacts.

Highways

14. Prior to the commencement of the development hereby permitted, details of the access on to Folly Lane shall be submitted to and approved in writing by the Local Planning Authority, to include:

- i) Treatment of the access track surface to avoid mud and water draining onto the main highway;
- ii) Visibility splays

Thereafter the development shall be carried out and retained in full accordance with the approved details.

Reason: In the interest of and for the safety of persons and vehicles using the highway.

PROW

15. Footpath No 714 shall not be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works.

Reason: To ensure safe and convenient public access at all times across the full width of the PROW.

16. Any down pipes or soakaways associated with the development shall discharge into an existing or new drainage system and away from the surface of Footpath No 714.

Reason: To ensure safe and convenient public access at all times to the PROW.

Informatives

1. Any works to the junction will require a minor works agreement with the Highway Authority.
2. Any environmental licence, such as from Natural England, does not negate the need to provide the legal line of a PROW without additional structures. The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way (PROW); this can only be done with the prior consent of West Sussex County Council (WSCC), as highway authority, and possibly also a legal Order process by the district as the local planning authority.
3. Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed.

4. No drainage system shall be installed through the surface of the path without the prior consent of the WSCC PROW Team.
5. The development proposes shared use of a PROW with vehicles (and / or introduces a vehicle crossing point of a PROW), which increases the risk of accident or injury to a PROW user.
6. The internal decor should seek to integrate the South Downs National Park Shared Identity.

11. Crime and Disorder Implication

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

12. Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

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

14. Proactive Working

- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

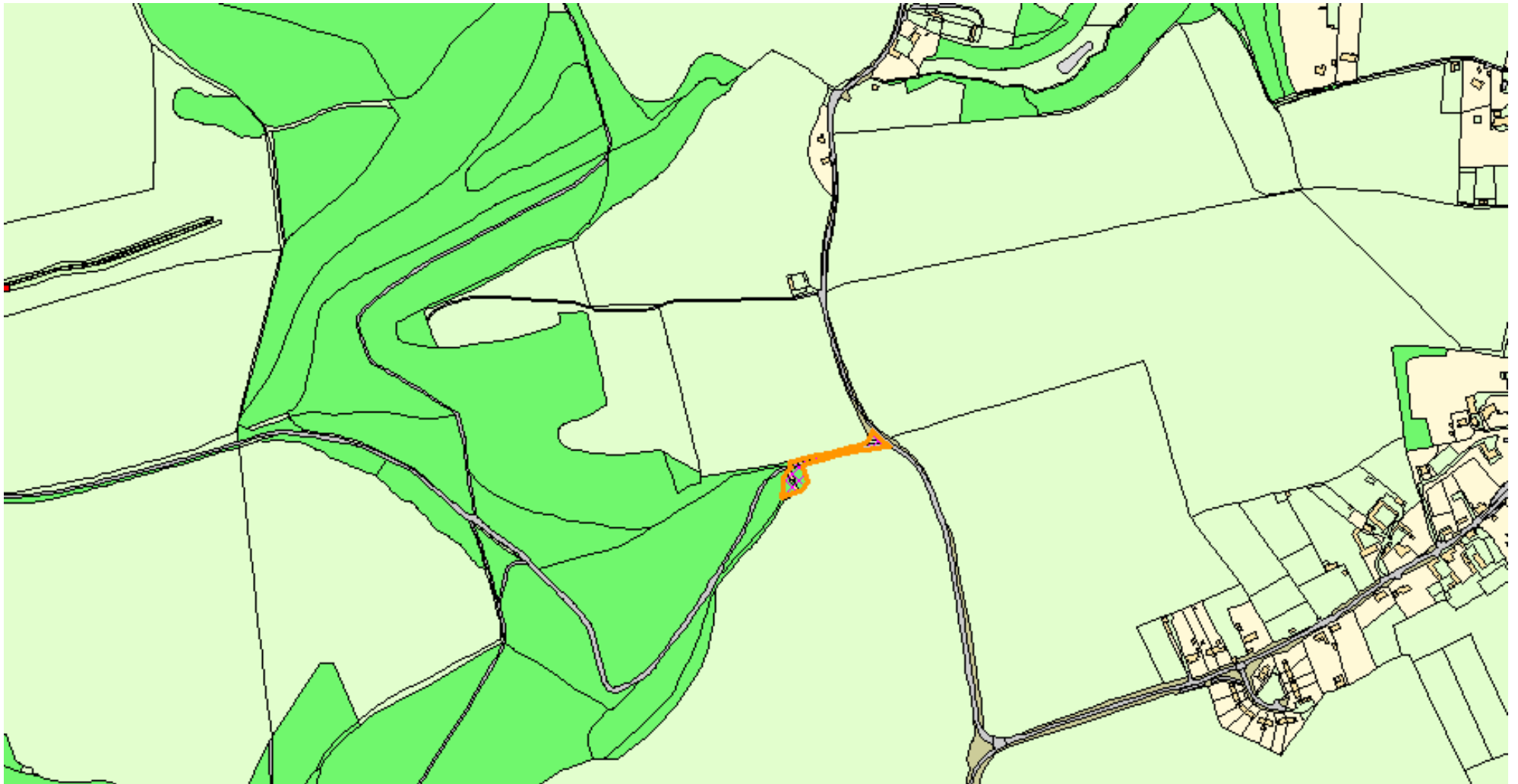
TIM SLANEY

Director of Planning

South Downs National Park Authority

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 Appendices I. Site Location Map
 SDNPA Consultees Legal Services, Development Manager.
 Background [All planning application plans, supporting documents, consultation and third party responses](#)
 Documents [Submission Downs National Park Local Plan 2018 and Schedule of Changes](#)
[National Planning Policy Framework 2012](#)
[Saved policies of the Chichester District Local Plan 1999](#)
[South Downs National Park Partnership Management Plan 2014-2019](#)

Site Location Map



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