

Report to	<b>Planning Committee</b>
Date	<b>14 February 2019</b>
By	<b>Director of Planning</b>
Local Authority	<b>Chichester District Council</b>
Application Number	<b>SDNP/18/03926/FUL</b>
Applicant	<b>Mr and Mrs P Noonan</b>
Application	<b>Proposed opening up of existing deer farm to visiting members of the public for recreational and educational purposes, including the provision of picnic / rest areas and an outdoor children's activity / picnic area; alterations, conversion and replacement of existing farm buildings to provide farm shop / butchery, cafe, WC facilities and associated stores; siting of temporary cafe and toilets (during the construction phase); new building comprising farm business office, education room, farm workshop / store and WC's; and construction of car park, paths and associated landscaping</b>
Address	<b>Sky Park Farm, Durford Lane, West Harting, GU31 5PF</b>

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**Recommendation: for SDNP/17/02862/FUL:**

- 1. That planning permission be granted subject to the conditions set out at section 10.1 of this report and a legal agreement to secure £25,000 towards improvements to public right of way (no.FP858) adjacent to the site and/or the upgrading of the disused Petersfield to Pulborough (via Midhurst) railway line for non-motorised users.**
- 2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress made within 3 months of the Planning Committee meeting.**

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**Executive Summary**

The proposal would introduce an educational and visitor enterprise to diversify the existing agricultural operation of the site as a working Deer Farm. Supported by a farm shop and visitor café the proposal would promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public whilst the proposed built form and management of the land would conserve and enhance the landscape character of this part of the National Park. There would be an acceptable impact upon the amenity of neighbouring properties.

Adequate access and parking is proposed to safeguard against an unacceptable impact upon the local highway network whilst matters of contamination and biodiversity can be appropriately conditioned. Whilst the upgrading of the disused Petersfield to Pulborough (via Midhurst) railway line for non-motorised users cannot be achieved principally due to agricultural constraints, a financial

contribution is secured to upgrade the adjacent existing public right of way and/or the disused railway line elsewhere.

The planning application is therefore recommended for approval subject to the respective conditions listed at section 10.1 of this report and a legal agreement to secure £25,000 towards improvements to public right of way (no.FP858) adjacent to the site and/or the upgrading of the disused Petersfield to Pulborough (via Midhurst) railway line for non-motorised users.

## **1. Site Description**

- 1.1 The application site constitutes a 30ha parcel of land located to the east of Petersfield and north of West Harting. Currently in use as a deer farm the site is accessed from Durford Lane which, most commonly, is accessed from the A272.
- 1.2 The site is bounded to the north by the River Rother, to the east by the highway (with a sandpit quarry beyond) and principally to the west and south by agricultural land. The exception is a number of dwellings and an office complex accessed on Durford Lane to the north in addition to a dwelling located to the immediate south-east of the site adjacent to the existing barn complex.
- 1.3 To the far north of the site is the Grade II listed Durford Mill House, the Scheduled Ancient Monument at Durford Abbey and respective listed buildings at Durford Abbey Farm
- 1.4 Until 2016 the site was in poor condition including a number of glasshouses, an unauthorised dwelling and a vehicle repairs building. However, since the applicant purchased the farm in 2016 (changing the name from Rival Lodge Farm to Sky Park Farm) the unauthorised structures have been removed and the unauthorised uses ceased. A planting programme has been established alongside bringing the land back into agricultural use.
- 1.5 The site itself is therefore currently utilised as a commercial deer farm supported by the farm managers dwelling and the recently erected barn building. An older barn complex that is in poor repair is located in the south-east corner of the site.
- 1.6 In support of the agricultural enterprise extensive deer fencing has been erected across the site under permitted development rights to create a series of paddocks which are used for moving the deer around. This results in a series of footpaths running through the site.
- 1.7 Two of the footpaths are Public Rights of Way whilst the route of the disused Petersfield to Pulborough (via Midhurst) railway line, which is not open to the public, also runs through the site. The northern of these routes is accessed from Durford Mill Lane which adjoins the main highway, Durford Lane.

## **2. Relevant Planning History**

- 2.1 SDNP/18/00083/HOUS: Replacement single storey side extension and new pitched roof over open fronted porch of Farm Managers dwelling; Approved 16.03.2018
- 2.2 SDNP/17/06160/ANPR: Proposed hard surfaced races; Raised no objection 21.12.2017
- 2.3 SDNP/17/03651/FUL: Removal of lean-to and erection of extension to agricultural barn and changes to external cladding and roofing material; Approved 13.09.2017
- 2.4 SDNP/17/03348/ANPR: Proposed hard surfaced races; Raised no objection 28.07.2017
- 2.5 04/04281/COU: Retention of use of land and premises for repair and sale of motor vehicles; Allowed on appeal 02.11.2007
- 2.6 04/04287/COU; Retention of use of land and premises for storage and sale of reclaimed building materials; Refused and dismissed at appeal 02.11.2007
- 2.7 04/04288/FUL; Retention of mobile homes in connection with farming enterprise; Refused and dismissed at appeal 02.11.2007

## **3. Proposal**

- 3.1 The proposal is to diversify the existing agricultural enterprise on the land by introducing education and visitor facilities alongside a café and farm shop. The key elements of the proposal are therefore:

- The existing piggeries and associated pens and outbuildings would be part-converted and part-rebuilt to form a farm shop, café, staff room and toilets. The building to be converted would form the café whilst the other buildings would be demolished and rebuilt;
- The courtyard adjacent to the existing piggeries would be utilised as outdoor seating associated with the café;
- Adjacent to the courtyard a kitchen garden would be formed with the existing fence bounding the road being replaced by a 2m high brick wall to match the existing wall to the north;
- A single storey building would be erected to include a farm business office, education centre, store and workshop. The building would be finished in clay tiles on the roof and horizontal feather edge boarding on the walls;
- A single-storey storage building;
- Between the buildings, within the newly enclosed courtyard, hoggins would be laid with 58 car parking spaces and cycle spaces. Hedging would be utilised at the entrance to the courtyard to create a sense of enclosure;
- The existing access to the site would be retained and utilised as the main point of vehicular entry;
- The existing walkways through the land would be utilised for visitors to navigate the wider site and would lead to three principle visitor areas 1) adjacent to the existing pond to the west of the site 2) on the tree lined embankment in the centre of the site and 3) a continuous area adjacent to the River Rother that would include informal seating area; and
- A temporary café and toilet structure to be on the land for 24 months whilst construction works take place.

3.2 The barn, farm manager's house and existing agricultural enterprise, the farming of deer, would continue uninterrupted. This includes the land that is associated with the agricultural enterprise. For the avoidance of doubt the submitted Planning Statement states "it is not the intention for Sky Park Farm to become a sanitised version of a farm. It will remain a working farm first and foremost. The farming operations will always come first".

#### **4. Consultations**

##### **4.1 Access and Recreation Strategy Lead: Comments:**

- The route of the disused railway is the preferred alignment for the NMU path due to:
  - User levels, interest and experience diminish with every deviation from a singular alignment, path obstacle and incomplete section of an NMU route;
  - The path user experience would be much greater if the NMU path was sited on top of the former railway embankment due to the route heritage, elevated position, avenue of mature trees and views over the farm and broader South Downs landscape.
- The proposal for the NMU path to follow the adjacent public right of way raises concerns including:
  - Higher rights (i.e. bridleway status) would have to be agreed and secured through a formal Public Path Order via WSCC;
  - The path users would have to join the highway for approx. 375m to connect appropriately;
  - The current position of the new planting and high deer fencing, makes the footpath far too enclosed / narrow, making it an unpleasant experience to travel along; and
  - The whole of the FP858 to the eastern direction (before connecting with the highway) is not within the applicant's ownership.
- If the NMU path could be secured along the former railway embankment, SDNPA would support an application by the landowner to extinguish the adjacent public right of way.

- If the NMU path does follow the adjacent public right of way a £25,000 financial contribution should be secured to either improve the adjacent public right of way or contribute towards improving other sections of the disused railway. In addition, improvements to the width of the adjacent public right of way and an interpretation panel should be sought.
- 4.2 **Dark Skies Officer:** No objection subject to conditions
- 4.3 **Ecology Officer:** No objection subject to a condition
- 4.4 **Environmental Health:** No objections subject to conditions
- 4.5 **Harting Parish Council:** Objection:
- As Durford Lane is a historic rural road the proposed traffic increase is in conflict with Policy SD21 of the SDNPA Local Plan.
- 4.6 **Highways:** No objection subject to conditions
- 4.7 **Landscape Officer:** No objection; verbal comments set out within Planning Assessment
- 4.8 **Natural England:** No comment
- 4.9 **Public Rights of Way Officer:** No objection
5. **Representations**
- 5.1 **19 representations in objection:**
- Impact upon the local highway network with particular regard to increased traffic movements, the nature of the country lane serving the application site (which has two narrow bridges) and the junction at the A272;
  - Impact upon the highway network from construction traffic;
  - Impact upon local businesses that the proposed farm shop and café would be in competition with; and
  - Deliveries should not be allowed along Durford Mill Lane.
- 5.2 **6 representations in support:**
- The visitor attraction will encourage more visitors to the area who will appreciate the National Park;
  - Will generate employment opportunities;
  - Supports the sustainable diversification of the farming enterprise;
  - Proposals include high quality design;
  - Will support agriculture; and
  - Would enhance the character of the area.
- 5.3 **The British Deer Farms and Parks Association:**
- Support the diversification of the business as a model for sustainable Deer Farming in the UK;
  - There is continued and growing demand for venison which the proposal would support; and
  - Would support the viability of the farm.
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 comprises the Chichester District Local Plan (1999) and the submitted SDNPA Local Plan 2018. 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 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 updated National Planning Policy Framework (NPPF), which was issued and came into effect on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing 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.

#### The South Downs Partnership Management Plan (PMP) 2013

- 6.4 The PMP outlines a vision and long term outcomes for the National Park, as well as 5 year policies and a continually updated Delivery Framework. It is a material consideration in the determination of the application. The following policies are relevant: 1, 3, 5, 28, 29, 41, 42, 43 and 50.
- 6.5 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.

### **7. Planning Policy**

- 7.1 The following saved policies of the Chichester District Local Plan (1999) are relevant:

- RE1: Development in the Rural Area Generally
- RE8: Nature Conservation - Non-designated Sites
- RE12: Rural Diversification
- RE14: Conversions in the Rural Area
- BE11: New Development
- BE14: Wildlife Habitat, Trees, Hedges and Other Landscape Features
- BE16: Energy Conservation
- R2: Provision of facilities in rural areas
- R4: Public Rights of Way and Other Paths
- TR6: Highway Safety
- TR8: Catering for cyclists and pedestrians

#### The South Downs National Park Local Plan Submission (2018)

- 7.2 The Pre-Submission version of the **South Downs Local Plan** (South Downs Local Plan) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26<sup>th</sup> September to 21<sup>st</sup> 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 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. The Local Plan process is in its final stage before adoption with consultation on relatively minor Main Modifications due to start on 1<sup>st</sup> February 2019. Based on the very advanced stage of the examination the draft policies of the South Downs Local Plan can be afforded almost full weight.

- 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
- SD14: Climate Change Mitigation and Adaption of Historic Buildings
- SD16: Archaeology
- SD17: Protection of the Water Environment
- SD19: Transport and Accessibility
- SD20: Walking, Cycling and Equestrian Routes
- SD21: Public Realm, Highway Design and Public Art
- SD22: Parking Provision
- SD34: Sustaining the Local Economy
- SD41: Conversion of Redundant Agricultural or Forestry Buildings
- SD48: Climate Change and Sustainable Use of Resources
- SD50: Sustainable Drainage Systems
- SD51: Renewable Energy

## **8. Planning Assessment**

### Principle of development

- 8.1 Whilst relatively recent, the agricultural enterprise on the site is well established, having received acclaim from the British Deer Farms and Parks Association, forming a sound basis on which to now seek to intensify and diversify the use of the site. Accordingly, the principle of introducing an educational facility alongside a farm shop and cafe is considered broadly acceptable and is aligned with the second purpose to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.
- 8.2 The proposed education facility will enable opportunities for the agricultural enterprise to showcase the works that are being undertaken and raise awareness of the processes involved in sustainably reared produce. The farm shop and the café will support this approach with both being of an appropriate scale for the operations on site. Furthermore, the creation of visitor areas and access to the River Rother, on land which is currently private, would also increase opportunities to enjoy the special qualities of the National Park. Weight is also given to the employment opportunities that the proposal would create (8-9 FTE in addition to the 3 existing FTE agricultural workers). The proposal is therefore considered to principally be in accordance with policies RE12 (rural diversification) and RE14 (Conversions in the Rural Area) of the Chichester District Local Plan 1999 and policies SD38 (shops outside centres), SD39 (agriculture and forestry), SD40 (farm and forestry diversification) and SD41 (conversion of redundant agricultural or forestry buildings).
- 8.3 To safeguard against the proposed facilities losing their connection to the agricultural enterprise, and thus the rationale for their introduction in this location, planning conditions are proposed to control the hours of operation (the farm shop having longer opening hours to capture morning visitors), to restrict the use of the educational facility to being ancillary to operations on the site (to restrict it becoming a conference centre in its own right which would be unacceptable in this rural location) and to control the provenance of the goods sold in the farm shop (in accordance with policy SD38).
- 8.4 To enable the proposed operations to become open to the public in advance of the completion of building works a temporary café and toilet structure is proposed. This is considered acceptable and a condition is proposed to secure the removal of this temporary structure no later than 24 months after its introduction to the site.
- 8.5 Whilst a number of objections regarding the impact upon the viability of other local businesses is noted it is considered that the proposal is rooted in the activities on the site and it is not for the planning system to overtly regulate the free market in this regard.

### Design and landscape character

- 8.6 From a landscape land use perspective Harting has a well-documented history of deer parks and the recent re-establishment of this agricultural use on the site is therefore appropriate to the living landscape approach in this part of the National Park.

- 8.7 The proposed demolition of the existing buildings that are in poor condition is considered acceptable as they are not heritage assets and do not currently positively contribute to the character of the application site.
- 8.8 The proposed new structures on the site are considered to be of an appropriate design and scale to enhance the character of the application site and reinforce its established agricultural use. The new building on the western side of the courtyard, which would accommodate the education centre, would be subservient to the existing agricultural barn whilst the conversion of the building on the south-east corner of the site would bring it back into use whilst retaining its agricultural character. The use of timber windows and doors is proposed to be secured via condition to ensure an appropriate traditional finish, in accordance with the character of the structures proposed, whilst conditions are also proposed to ensure that the external materials utilised for the buildings, boundary walls and hardstanding are appropriate. The proposal acknowledges the eco-system services approach and, with specific regard to sustainability, a condition is proposed to secure appropriate measures to minimise energy consumption and maximise renewable energy generation.
- 8.9 The creation of a courtyard to accommodate adequate parking whilst also creating spaces for outdoor seating and a kitchen garden is considered an appropriate design solution. In addition, the insertion of seating in the designated picnic areas, the design of which is secured via condition, would appropriately enhance these areas.
- 8.10 The combination effect of the proposed works would therefore introduce a narrative and agricultural character that the site, whilst agricultural in operation, currently lacks. Given that all the proposed built form would be clustered near the existing built form, resulting in long distance views being unaffected, it is therefore considered that the proposal would enhance the landscape character of the application site.

#### Dark Night Skies

- 8.11 With regard to dark night skies although the application site is not part of the South Downs Dark Night Skies Reserve the sky quality is high enough to witness astronomical features and therefore fall within the 'bronze' level of sky quality under the IDA Reserve guidelines. Given this, it is important that any additional lighting does not decrease lighting pollution nor create an obvious alien intrusion into an otherwise dark landscape. Accordingly, planning conditions are proposed to secure the lux rating, hours of operation, angle of lighting and colour temperature of any new external lighting in addition to securing the use of low-transmittance glazing.

#### Heritage

- 8.12 Given the distance (in excess of 400m) between the proposed structures and the moderate intensity of visitors expected it is not considered that there would be any impact upon the special interest of the Grade II listed Durford Mill House, the Scheduled Ancient Monument at Durford Abbey or the respective listed buildings at Durford Abbey Farm.

#### Access

- 8.13 The Local Highway Authority have confirmed that they do not consider that the proposed development, and in particular the anticipated visitor numbers (75 per day average with a maximum prediction of 300-350 per day), would have a severe impact upon the local highway network. In reaching this conclusion the Local Highway Authority have had regard to the nature of Durford Lane, the junction of Durford Lane with the A272 and the potential in-combination effects with the adjacent quarry. Adequate parking for vehicles and cycles is also proposed.
- 8.14 To ensure that this acceptable impact remains in perpetuity conditions are proposed to secure the existing visibility splays, to make good the initial 10m of access from Durford Lane into the application site to ensure no debris is carried onto the highway and to secure the maintenance and provision of vehicle and cycle parking in perpetuity. Furthermore, to mitigate the impacts of construction traffic on the local highway network, conditions are proposed to secure wheel washing facilities and also agree the routes that construction traffic would utilise to access the site. Given that the access is set back from the highway,

allowing opportunities in the event of a queue forming for vehicles to wait off the highway, it is not considered necessary to require a visitor management plan in this regard.

#### Historic Rural Road

- 8.15 Durford Lane is considered to be a Historic Rural Road for the purposes of policy SD21 where development would not be permitted if there is a traffic increase of over approximately 10% and there would be an impact upon the biodiversity, landscape and amenity value and character of that road. Whilst the proposal would, on its busiest days, generate approximately 10% additional traffic on Durford Lane the majority of the year it would not meet this threshold. Furthermore, the current planning permission for the adjacent quarry is due to expire in 2025 with reduced activity expected from 2019 onwards thus reducing the overall traffic on Durford Lane from its current level. Accordingly, it is not considered that the proposal would have an unacceptable impact upon the biodiversity, landscape and amenity value and character of Durford Lane.

#### Disused Petersfield to Pulborough (via Midhurst) Railway Line

- 8.16 The Petersfield to Pulborough disused railway crosses through the site, including a raised area, and is accordingly protected by policy SD20 for potential future use as a non-motorised routes through the National Park. As the site already has two public rights of way crossing it, in the same orientation as the disused railway, the applicant has raised concerns regarding the further subdivision of the land parcel and the impact this would have upon their agricultural practices in addition to the presence of a gas pipe along the railway alignment. This is balanced against the ambition of the policy and concerns that the alternative of guiding the wider disused railway route along the adjacent public right of way would both not deliver the experience that the policy is seeking to achieve and require those using that route to use a section of Durford Lane to connect to the existing public right of way. Alternative suggestions of the SDNPA supporting the closure of one of the existing public rights of way, thus reducing the agricultural conflict, have also been put forward.
- 8.17 Whilst a balanced judgement, it is considered that requiring a further public point of access across the agricultural land parcel would be unreasonable given the presence of two existing public rights of way. Whilst the applicant could be encouraged to close one of the existing public rights of way and, effectively, replace it with the disused railway route it is not considered that the actions required to achieve this (i.e. a separate consenting process) are within the scope of this application. Given that the policy cannot be completely satisfied (i.e. avoidance) a combination of mitigation and compensation is proposed via a negotiated financial contribution of £25,000 that will be ring-fenced for expenditure on either improving the adjacent public right of way FP858 (mitigation) or towards the delivery of the disused railway line elsewhere (compensation). Whilst it is considered the existing public right of way is of sufficient existing width it is proposed to secure the installation of an interpretation panel to set out the history of the disused railway. Whilst this does not strictly comply with policy SD20 it goes some way towards satisfying the intentions of the policy and therefore reduces the negative weight attached to not fully complying with the policy when the overall planning balance is applied.

#### Neighbouring Amenity

- 8.18 There are both commercial and residential properties to the north of the application site on Durford Mill Lane and a single residential dwelling immediately adjoining the south-east corner of the site.
- 8.19 It is considered that, by reason of the distance present between the principle intensification of the site via the new structures and the dwellings and commercial uses to the north, that there would be an acceptable impact upon the amenity of the occupiers of these properties.
- 8.20 However, the adjacent property to the south would be within close proximity to the proposed café and farm shop. Therefore, to mitigate against any unacceptable impact, conditions are proposed to control the hours of operation of these uses in addition to controls on mechanical ventilation.



- 8.21 Deliveries to the site are also proposed to be controlled by condition to ensure that no deliveries, beyond those already taking place for agricultural purposes, can take place either via the minor access adjacent to the dwelling to the south or via Durford Mill Lane to the north.

#### Miscellaneous

- 8.22 Due to the previous uses on the site and the vulnerability of the uses proposed a condition is proposed to secure a scheme of investigation and, where necessary, mitigation to ensure that there is no contaminated land.
- 8.23 An ecological appraisal, including a bat survey, has been undertaken and the recommended mitigation and enhancements are proposed to be secured via condition.

### **9. Conclusion**

- 9.1 Given the above it is considered that the proposal is broadly in accordance with the Development Plan and there are no overriding material considerations to otherwise indicate that permission should not be granted. It is therefore recommended that planning permission is granted.

### **10. Reason for Recommendation and Conditions**

- 10.1 It is recommended to grant planning permission subject to a legal agreement to secure £25,000 towards improvements to public right of way (no.FP858) adjacent to the site and/or the upgrading of the disused Petersfield to Pulborough (via Midhurst) railway line for non-motorised users and 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 areas identified as 'Public Access Areas' on approved plan no. SDNP-CHI-NM-245.17 Rev F and SDNP-CHI-NM-245.18 Rev C shall be used solely for public access (i.e. visitors to the site). The areas identified as 'Mixed Public Access and Agricultural Use' on approved plan no. SDNP-CHI-NM-245.17 Rev F and SDNP-CHI-NM-245.18 Rev C shall be used solely for Mixed Public Access and Agricultural Use'. All other land within the application site, as identified on approved plan no. SDNP-CHI-NM-245.17 Rev F and SDNP-CHI-NM-245.18 Rev C, shall be used solely for agriculture.

Reason: To provide clarity regarding the uses, hereby approved, on the site for the avoidance of doubt and in the interests of proper planning in accordance with the SDNPA Local Plan and the NPPF.

4. The Education building and farm business office, as identified on approved plan no SDNP-CHI-NM-245-21 Rev G, shall only be used ancillary to the operation of the site as an agricultural enterprise

Reason: To ensure that the application suite operates sustainably in accordance with policies SD25, SD34 and SD40 of the SDNPA Local plan and the NPPF.

5. Prior to their introduction details of the seating and other ancillary structures to be placed in the areas identified as 'picnic/rest area' on approved plan no. SDNP-CHI-NM-245-18 Rev C and SDNP-CHI-NM-245-17 Rev F shall be submitted to and approved, in writing, by the Local Planning Authority, The details shall be implemented as approved.

Reason: To safeguard the landscape character of the site in accordance with policies SD4 and SD5 of the submitted SDNPA Local Plan, the NPPF and the first statutory purpose of the National Park.

6. Prior to the first occupation of the buildings, hereby approved, details of new soft landscaping works (to include schedules of planting, maintenance details for at least five years and a timetable for implementation) shall have been submitted to and approved, in writing, by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

Reason: To safeguard the landscape character of the site in accordance with policies SD4 and SD5 of the submitted SDNPA Local Plan, the NPPF and the first statutory purpose of the National Park.

7. The car parking area and the surrounding hardstanding (as defined on approved plan no. SDNP-CHI-NM-245-21 Rev G) shall not be delineated.

Reason: To safeguard the landscape character of the site in accordance with policies SD4 and SD5 of the submitted SDNPA Local Plan, the NPPF and the first statutory purpose of the National Park.

8. Prior to the first use of the farm shop, café and education facilities (as defined on approved plan no. SDNP-CHI-NM-245-21 Rev G) details of how the initial 10m of access from Durford Lane into the application site will be made good (i.e. to avoid any debris being carried onto the highway) shall be submitted to, and approved in writing, by the Local Planning Authority. The details shall be implemented and maintained as approved.

Reason: To safeguard against an unacceptable impact upon the local highway network in accordance with policy TR6 of the Chichester Local Plan 1999, policies SD19 and SD22 of the SDNPA Local Plan and the NPPF.

9. Prior to the first use of the farm shop, café and education facilities (as defined on approved plan no. SDNP-CHI-NM-245-21 Rev G) space for the parking of cars and cycles should be provided in accordance with approved plan no. SDNP-CHI-NM-245-21 Rev G. The parking shall thereafter be maintained as shown on approved plan no. SDNP-CHI-NM-245-21 Rev G.

Reason: To safeguard against an unacceptable impact upon the local highway network in accordance with policy TR6 of the Chichester Local Plan 1999, policies SD19 and SD22 of the SDNPA Local Plan and the NPPF.

10. The existing visibility splays (110m to the north and 53m to south with respective 2.4m set back) at the access from the application site onto Durford Lane, as shown on approved plan no. SDNP-CHI-NM-245-21 Rev G, shall be maintained.

Reason: To safeguard against an unacceptable impact upon the local highway network in accordance with policy TR6 of the Chichester Local Plan 1999, policies SD19 and SD22 of the SDNPA Local Plan and the NPPF.

11. The temporary café and toilet buildings, as shown on approved plan no. SDNP\_CHI\_NM\_245-23, shall be on the application site for no more than 24 months (starting from the date on which they are first constructed on site). The temporary café and toilets shall only be open to members of the public between the hours of 09:00 and 21:00.

Reason: To safeguard the landscape character of the site, to safeguard the amenity of occupiers of the adjacent dwelling and to safeguard the tranquillity of the site in accordance with policies SD4, SD5, SD&, SD25, SD34 and SD40 of the SDNPA Local plan and the NPPF.

12. The education centre and cafe, as shown on approved plan SDNP-CHI-NM-245-21 Rev G, shall only be open to members of the public between the hours of 09:00 and 21:00.

Reason: To safeguard the amenity of occupiers of the adjacent dwelling and the tranquillity of the National Park in accordance with policies SD5 and SD7 of the SDNPA Local Plan and the NPPF.

13. The farm shop, as shown on approved plan SDNP-CHI-NM-245-21 Rev G, shall only be open to members of the public between the hours of 07:00 and 21:00.
- Reason: To safeguard the amenity of occupiers of the adjacent dwelling and the tranquillity of the National Park in accordance with policies SD5 and SD7 of the SDNPA Local Plan and the NPPF.
14. The farm shop, as shown on approved plan no. SDNP-CHI-NM-245-21 Rev G, shall sell no less than:
- 40% of goods that are grown, picked, reared or produced on the application site or within 30 miles; and
  - 40% of goods that are grown, picked, reared or produced within Hampshire, Surrey, West Sussex or East Sussex.
- Reason: To support farm diversification and the sustainable economy of the National Park in accordance with policy SD38 of the SDNPA Local Plan and the NPPF.
15. With the exception of vehicle movements in connection with the operation of the existing agricultural enterprise no deliveries to the development, hereby permitted, shall take place via either Durford Mill Lane or via the existing access to the site immediately adjacent to the neighbouring residential dwelling to the south.
- Reason: To safeguard the amenity of occupiers of the adjacent dwellings and land uses in accordance with policy SD5 of the SDNPA Local Plan and the NPPF.
16. Prior to the installation of any mechanical ventilation equipment details of the equipment shall be submitted to and approved, in writing, by the Local planning Authority. The equipment shall be installed and maintained as approved.
- Reason: To safeguard the amenity of occupiers of the adjacent dwelling and the tranquillity of the National Park in accordance with policy SD5 of the SDNPA Local Plan.
17. No development above slab level shall commence on any new buildings, hardstanding or boundary wall until details of the external materials for that respective building, hardstanding or boundary wall has been submitted to and approved, in writing, by the Local Planning Authority. The details shall be implemented and maintained as approved.
- Reason: To safeguard the landscape character of the site in accordance with policies SD4 and SD5 of the submitted SDNPA Local Plan, the NPPF and the first statutory purpose of the National Park.
18. All new windows and doors, hereby permitted, shall be of timber construction and of a profile to be approved, in writing, by the Local Planning Authority. The windows and doors shall be installed and maintained as approved.
- Reason: To safeguard the character of the site in accordance with policies SD4 and SD5 of the submitted SDNPA Local Plan, the NPPF and the first statutory purpose of the National Park.
19. All new windows, hereby permitted, shall utilise low transmittance glass.
- Reason: To safeguard the landscape character and dark night skies of the site and National Park in accordance with policies SD4 and SD8 of the submitted SDNPA Local Plan, the NPPF and the first statutory purpose of the National Park.
20. No new external lighting shall be installed until its details (to include lux rating, hours of operation, angle of lighting and colour temperature) have been submitted to and approved, in writing, by the South Downs National Park Authority. The details approved shall be implemented and maintained as approved.
- Reason: To safeguard the landscape character and dark night skies of the site and National Park in accordance with policies SD4 and SD8 of the submitted SDNPA Local Plan, the NPPF and the first statutory purpose of the National Park.
21. All new electricity and telephone lines shall be laid underground unless otherwise agreed, in writing, by the South Downs National Park Authority.

Reason: To safeguard the landscape character of the site in accordance with policy SD4 of the submitted SDNPA Local Plan, the NPPF and the first statutory purpose of the National Park.

22. There shall be no deliveries to the site associated with the construction of the development, hereby permitted, until:
- Details of vehicle wheel-cleaning facilities to be installed at the entrance to the application site from Durford Lane have been submitted to and approved, in writing, by the Local Planning Authority; and
  - Details of the routes that construction traffic will utilise to access the site have been submitted to and approved, in writing, by the Local Planning Authority.

The wheel washing facilities and routes shall be implemented and utilised as approved.

Reason: To safeguard against an unacceptable impact upon the local highway network in accordance with policy TR6 of the Chichester Local Plan 1999, policies SD19 and SD22 of the SDNPA Local Plan and the NPPF

23. No development above slab level shall commence on any new buildings until a schedule of measures to minimise energy consumption and maximise renewable energy generation for that building has been submitted to and approved, in writing, by the Local Planning Authority. The details shall be implemented and maintained as approved.

Reason: To ensure the development contributes to the management of the effects of climate change in accordance with policy SD51 of the submitted SDNPA Local Plan and the NPPF

24. The development, hereby permitted, shall be undertaken in accordance with the mitigation and enhancement recommendations set out in sections 6.1 to 6.3, 6.5 to 6.6, 6.8 to 6.11 and Appendix E of the Bat Survey Assessment and Ecological Enhancement Plan (Peach Ecology, July 2018) and in accordance with details set out in the email from Peach Ecology dated 19 September 2018.

Reason: To safeguard protected species on the site and provide ecological enhancements in accordance with Policy SD9 of the submitted SDNPA Local Plan, policy RE8 of the Chichester District Local Plan 1999 and the NPPF.

25. No development shall commence on the area shown on approved plan no. SDNP-CHI-NM-245-21 Rev G until the following components of a scheme to deal with the risks associated with contamination on the site have been submitted to and approved, in writing, by the Local Planning Authority:

- i. A preliminary risk assessment identifying:
  - a) All previous uses;
  - b) Potential contaminants associated with those uses;
  - c) A conceptual model of the site indicating sources, pathways and receptors;
  - d) Potentially unacceptable risks arising from contamination at the site;
- ii. A site investigation scheme, based on i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site; and
- iii. The site investigation results and the detailed risk assessment ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The remediation measures shall be implemented as agreed.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy SD55 of the emerging SDNPA Local Plan and the NPPF.

26. Prior to the first use of the buildings on the area shown on approved plan no. SDNP-CHI-NM-245-21 Rev G, hereby permitted, a verification plan providing details of the

data that will be collected in order to demonstrate that the works set out in condition 25 (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy SD55 of the emerging SDNPA Local Plan and the NPPF.

27. If during the development on the area shown on approved plan no. SDNP-CHI-NM-245-21 Rev G, hereby permitted, contamination not previously identified is found to be present at the site then works shall cease (unless otherwise agreed, in writing, by the Local Planning Authority) shall be carried out until a scheme for the mitigation of the contamination has been submitted to and approved, in writing, by the Local Planning Authority. The mitigation shall be undertaken in accordance with the approved details.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy SD55 of the submitted SDNPA Local Plan and the NPPF.

28. Prior to the first use of the farm shop, café and education facilities (as defined on approved plan no. SDNP-CHI-NM-245-21 Rev G) details of an Interpretation Panel to be sited in recognition of the Petersfield to Pulborough (via Midhurst) railway shall be submitted to and approved, in writing, by the Local Planning Authority. The interpretation panel shall be installed and maintained as approved.

Reason: To improve understanding of the disused railway line in accordance with policy SD20 of the SDNPA Local Plan and the NPPF.

## **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. This has included the provision of pre-application advice from a SDNPA Development Management Officer and meetings to discuss the proposals.

**Tim Slaney**

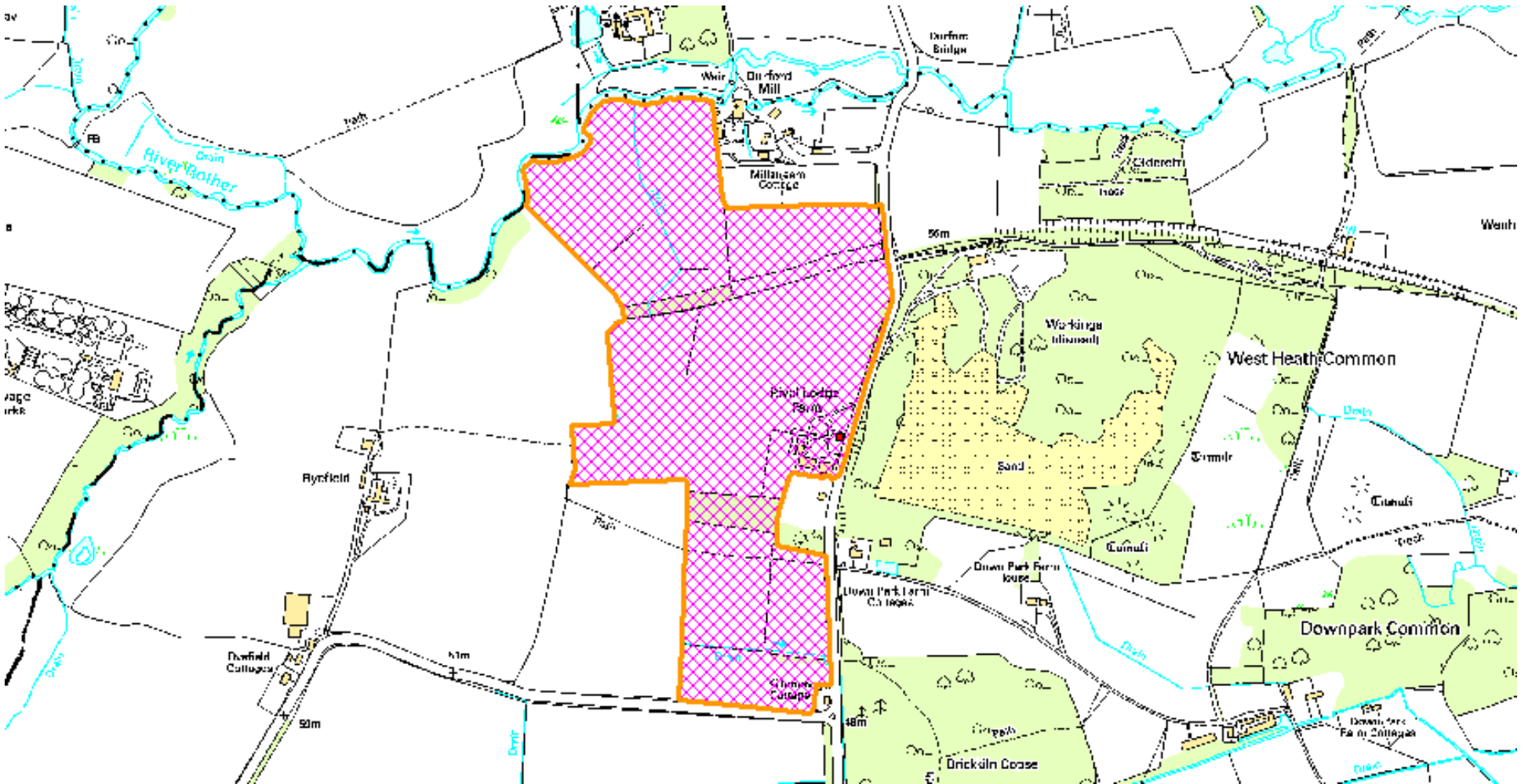
**Director of Planning**

**South Downs National Park Authority**

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Appendices I. Site Location Map  
SDNPA Legal Services, Development Manager.  
Consultees  
Background Documents

All planning application plans, supporting documents, consultation and third party responses  
<https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage> (SDNP/17/02862/FUL)  
National Planning Policy Framework (2018)  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>  
South Downs National Park Partnership Management Plan 2013  
<https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/>  
South Downs National Park Local Plan – Submission Version 2018  
<https://www.southdowns.gov.uk/planning/national-park-local-plan/>  
Chichester District Local Plan 1999  
<http://www.chichester.gov.uk/localplan1999>

Agenda Item 8 Report PC06/19 Appendix I  
Site Location Map



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