

Agenda Item 8
Report PC20/21-25

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| Report to | Planning Committee |
| Date | 10 December 2020 |
| By | Director of Planning |
| Local Authority | Winchester City Council |
| Application Number | SDNP/19/06035/FUL |
| Applicant | Mr & Mrs M Morton |
| Application | Proposed Agricultural Grain Store, Agricultural Building and Associated Infrastructure (Inclusive of Hardstanding, Attenuation Pond and Landscaping) |
| Address | Land South West of Woodcote Manor Cottages, Petersfield Road, Bramdean |

Recommendation:

That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report and that it be delegated to the Director of Planning to consider and add additional conditions that may be required once further details are submitted with regard to noise mitigation.

Executive Summary

The applicant seeks permission to erect two new barns to support the farming operation. It is proposed, through the erection of an agricultural grain store, agricultural building and associated infrastructure, that the farming operation can be carried out more effectively. Furthermore, the development will facilitate the concentration of grain storage for surrounding farms.

The main issues relevant to the determination of this application are considered to be:

- Principle of Development and Agricultural Justification
- Landscape and Visual Impact
- Impact on Listed Buildings and Heritage Assets
- Drainage and Water Environment
- Biodiversity, Ecology and Ecosystem Services
- Sustainable Construction
- Impact on Surrounding Residential Amenities
- Highways, Access and Traffic
- Public Rights of Way
- Dark Night Skies
- Archaeology

The report concludes that the scheme will provide for the efficient operating of Bramdean Farm and surrounding farms. To this regard it is considered that the submitted application has demonstrated that the proposals will not cause an unacceptable detrimental impact and that the identified benefits to the farming operation are supported by the requirements of policy SD39 and other relevant policies of the South Downs Local Plan and the South Downs Partnership Management Plan.

The application is placed before Members due to the scale of the proposal and significant third party representations.

I. Site Description

- 1.1 The application site is located approximately 500m south-east of Bramdean village. The site is situated on the on the south side of the A272 and consists of some 2.36 hectares of arable farming land. Access to the site is via a wide field track with existing bellmouth. This field track is identified as the Bramdean and Hinton Ampner Footpath 17. The current access and track leads to an existing agricultural building to the north of the site and the surrounding agricultural fields. The land rises from the north to the south within the site, from the A272 that sits towards the base of the valley.
- 1.2 The site of the proposed two agricultural buildings and associated landscaping is currently open agricultural fields and there are no buildings currently located on the site. Residential properties known as Woodcote Manor Cottages are located 160m to the east, north of the A272. An existing hedgerow with protected Copper Beech trees separates the site from the A272.
- 1.3 The farming enterprise covers a total of 1,222 ha. of which 210 hectares is owned by the Applicant and the rest is rented or contracted. All of the land falls within the South Downs National Park.
- 1.4 The existing Bramdean Farm comprises the following buildings and structures:
- Traditional barn used as a machinery store/workshop/fertiliser store, and
 - 2,000t grain storage in silos and on floor with a continuous flow drying and cleaning facility.

2. Relevant Planning History

- 2.1 The following planning history is relevant to the application site:
- SDNP/18/03404/FUL Proposed Agricultural Grain Store, Agricultural Building and Associated Infrastructure. Permission refused. 20th December 2018. The reasons for refusal can be summarised as follows:
 1. *The proposal constitutes major development in a National Park, for which planning permission should only be granted in exceptional circumstances. The need for the development within the National Park has not been adequately demonstrated in accordance with paragraph 172 of the National Planning Policy Framework.*
 2. *The proposed development, by virtue of its siting, scale and design would not be of an exemplary standard of design which would make a positive contribution to the character and appearance of the area in regard to the visual amenities of the National Park.*
 3. *The proposed development would negatively affect the public right of way network due to the increase in vehicles using the public right of way. The additional traffic would pose a safety concern and would increase levels of dust, air and noise pollution.*
 4. *Insufficient information has been provided to demonstrate that the proposals incorporate a satisfactory means of managing ground and surface water pollution associated with the proposed development.*
 5. *It has not been demonstrated that the development would not pose a risk to highway safety.*
 - SDNP/19/01382/APNB - General purpose agricultural building, steel framed portal span construction with single central apex and twin pitched roof. It was determined that prior approval was required. It was considered that from the information supplied it had not been demonstrated that the proposed barn would be acceptable in terms of its size, siting and visual impact to the area. As such, the applicant is seeking to address these concerns with the application subject to this report, seeking full planning consent for an amended scheme with supporting justification to address the reason of the previously refused scheme in 2018.

3. Proposal

- 3.1 The development proposed consists of an agricultural grain store, agricultural building and associated infrastructure (inclusive of hardstanding, attenuation pond and landscaping).
- 3.2 The proposed development includes a total of circa 4,190sqm GIA of new floorspace, comprising the following:
- Building 1: Proposed grain store (use class: agriculture): To measure 73.50m (length) x 35.00m (depth), equating to circa 2,573 sqm GIA of floorspace.
 - Building 2: Proposed general storage building (use class: agriculture): To measure 73.50m (length) x 22.00m (depth), equating to circa 1,617 sqm GIA of floorspace.
- 3.3 It is proposed that the general storage building would be subdivided to provide covered and safe storage space for farm machinery, equipment/spare parts and fertiliser; a store for grain on a temporary basis (with cooling facility), and for small crops (with drying floor); and a rest area, including welfare facilities for staff.
- 3.4 To support the application in terms of providing Ecosystem Services gains and drainage capacity, an attenuation pond is proposed with supporting habitat to be provided through suitable planting enhancements.
- 3.5 The applicant has sought to justify within the submitted documents, in particular the Planning Statement and Agricultural Holdings Analysis that the application is required in order for the farm to remain sustainable and viable in the longer term. It seeks to demonstrate that the Applicant's ability to remain so is significantly constrained by the existing buildings at Bramdean Farm which it is claimed are not fit for purpose and cannot be adapted to be fit for purpose. The application documents state that the buildings are too small, are in poor and declining condition, and that there is insufficient turning and circulation space in the yard for larger farm vehicles and machinery, as well as significant safety concerns. Furthermore, that there is no additional land available to expand at the existing farmstead and therefore this application has been submitted seeking approval for an alternative site for purpose-built storage buildings.
- 3.6 The proposed site has been identified by the applicant as being the most suitable solution having regard to land ownership and operational efficiencies. The application is supported by a Landscape Visual Impact Assessment.

4. Consultations

4.1 Bramdean & Hinton Ampner Parish Council: Comments:

- The Parish Council's original concerns related to water management and highway safety. The issue of water management appears to have been addressed on 30th March 2020 by the requirement to condition any approval subject to detailed proposals and the highway safety issues have been covered by the applicant in the revised transport plan dated June 2020. If its holding objection is to be set aside, the Parish Council must request clarification of Highways' response to the above updated plan and confirmation as to whether the points raised in their letter dated 12th March 2020 have been resolved. The issue is less about numbers of vehicle movements (which will possibly be the same as from the present site) but more about the safety of access to and from the site.
- Case Officer Comment - following the submission of updated highway information, the Highway Consultee has now removed their highway objection with regard to the use of the access and HCC PROW team have removed their objection, both subject to planning conditions.

4.2 Archaeology: No Objection.

- No objection subject to conditions.

4.3 **Conservation Officer: Comments**

- Conservation Officer commented from a desk top analysis, that the scheme was some distance from the adjacent listed building and the farm development as proposed was usual in its setting, subject to appropriate materials being used.

4.4 **Ecology: No Objection**

- No objection subject to conditions with regard to compliance with submitted ecology details and lighting. The River Itchen SAC and SSSI is located 3km west of this development. There are not considered to be any likely significant effects of this proposal on the integrity of the River Itchen SAC, SSSI or any other designated nature conservation sites.

4.5 **Environmental Health: Holding Objection**

- The noise assessment was made to determine whether there will be an increase in noise from road traffic reflecting off the proposed structures. The proposed barn will be used for grain drying operations. Such operations regularly occur during the night and the plant and machinery involved can be noisy. As there are residential dwellings in close proximity to the proposed buildings, I would expect a full acoustic assessment of the operation of the grain dryers at night to demonstrate that there will be no adverse noise impact at the nearest noise sensitive receptors. Until the applicant can demonstrate that there will be no adverse noise impact, I recommend that this application be refused
- Case Officer Comment- Having spoken to the EHO for clarification, the Consultee has confirmed that unacceptable levels of noise from the grain dryer should be capable of being mitigated against but, until the noise levels are known, a condition for noise level control cannot be finalised. The Applicant is aware of this matter and is undertaking these works.

4.6 **Environment Agency: No Objection**

4.7 **Highways: No Objection**

- The updated access proposals have been reviewed by HCC's engineering team. The existing access is onto the A272, which at this point is national speed limit. The submitted plans show that the required visibility of 2.4 x 215m can be achieved and this has been checked on site.

4.8 **Design and Sustainable Construction: No Objection**

- A grain store is not something that could be assessed by BREEAM, assuming such a building will not be heated, so an energy calculation for the building's use is not relevant. In such a case the applicant should be looking for opportunities for e.g. efficient lighting (LEDs) and if applicable green roof/PV. The use of local timber ('Grown in Britain' certified, or failing that FSC construction or cladding), all subject to what is appropriate in design terms. Suggest sustainable design report be conditioned.

4.9 **Landscape: No Objection**

- No objection following further information and clarification by the applicant, subject to following conditions:
 - Tree Protection Plan and Arboricultural Method Statement due to proximity to beech trees that are iconic along the 272.
 - Landscape and Ecological Management Plan.
 - Standard soft and hard landscaping details.
 - Material for building and roof. Would expect something along the lines of concrete base, timber cladding and a cement fibreboard roof.

4.10 **Tree Officer: No Objection**

- No objection subject to compliance with the submitted Arboricultural Method Statement.

4.11 **Planning Policy: No Objection**

- Generally, the submission is very clear and takes care to address each of the policy criteria in turn. No objection following the submission further information and clarification by the applicant with regard to the Ecosystem Services Statement.

4.12 **Rights of Way: No Objection**

- No objection following accordance with the submitted amended plan showing post and rail mitigation, in so long as users would still have rights to use the whole 12ft width path as described in the definitive statement.

4.13 **Drainage Engineer: No Objection.**

- Satisfied for drainage details to be finalised through the proposed condition.

5. **Representations**

- 5.1 There have been 12 representations made to this application, (two of the parties have commented twice and so a total of 12 received from 10 parties). 5 representatives have made comments in objection to the proposal and 4 have made comments of support. There has been one representation that makes general comments. The comments made can be summarise as follows;

Objection

- Proposals constitute major development for the purposes of paragraph 172 of the NPPF for which there is insufficient justification from the applicant and exceptional test not met. Countryside location should prohibit further development, not in accordance with policy SD25 of SDLP.
- Impact of increase in farm traffic as the proposal will result in lorries and tractors access the site from a wide area.
- Noise, the grain dryer will be working day and night.
- Increase in air pollution from increase in traffic and dust from drain processing.
- The buildings will detrimentally impact the view from surrounding residential properties.
- Will increase the risk of flooding within the area.
- The current farmyard is within a 30 mph zone, whereas the proposed site is within a 60mph one on a section well known for aggressive overtaking.
- HCC's Highways approval is conditional on the reduction of the existing hedgerows and non TPO trees to a 1 metre height for a 215 metre section by the proposed site along the A272. Resulting in loss of vegetation that will enhance visibility of industrial buildings, incongruous within landscape.
- Proposals will harm the heritage significance of Grade II* listed Woodcote Manor and cause less than substantial harm to the Grade II listed gardens and cottage at Woodcote Manor.
- Detrimental impact to users of the PROW in terms of safety and amenity.
- Colour of the proposed buildings would appear incongruous within the landscape.
- Impact on the avenue of Copper Beeches, scheme has potential to impact how these trees are perceived.
- Out of character with local area and will be observed when travelling along A272.
- Will not conserve the landscape of the National Park by virtue of it being out of character and scale within its landscape setting.
- The need for new agricultural building has not been demonstrated as required by policy SD39 of SDLP.

South Downs Society - Objection

- Proposals constitute a very large and major development for the purposes of paragraph 172 of the NPPF for which there is insufficient justification from the applicant.
- Highway Impact with regard to the safe use of the access.
- Negative impact on the amenities of the users of the PROW due to safety, dust, noise and air pollution.
- Adverse impact on landscape and visual amenities of the SDNP due to siting, scale and design.
- Insufficient information to demonstrate effective ground and surface water management and pollution.
- Does not conserve trees, woodland and hedgerows including adjacent copper beach trees.

The South Downs Society submitted a further objection following the withdrawal of the Highway objection to state that they didn't consider that the changes to the scheme had overcome their objection and the required visibility splays would result in the buildings being more visible to the detriment of the landscape and not in accordance with policies SD4, SD5 and SD6 of the South Downs Local Plan.

South Downs Network – Objection

- Small Farm and no justification for such large buildings.
- Not in the public Interest - As per NPPF paragraph 172, there are no exceptional circumstances and nor is it in the public interest which would justify permission being granted.
- Would not conserve and enhance the landscape character and key views.
- Ignores the existence of wonderful copper beech trees along the northern boundary of the site.
- The application does not comply with development management policy SD39: Agriculture and Forestry. No audit has been carried out prove that this is the only site available within the 3000-acre farm. Further, this application does not comply with items (a) to (f) of policy SD39.

Support

- The agricultural industry has to move with the times, regardless of the small impact that this proposal will have on the SDNP.
- The country needs to look to national production, rather than relying on imports.
- This would keep more of the 40 tonne HGV's off the small country lanes trying to service smaller farms that could benefit from this proposal.
- Proposal will provide grain drying and storage facilities that will benefit several farming businesses in the Bramdean area.
- Will assist forward thinking professional food producers, with a proven track record, develop their businesses for the long term greater good.

The National Farmers Union - Support

- The existing facilities used by the farm are no longer fit for purpose.
- The operational efficiency of this farm is an absolutely fundamental issue during the current political climate.
- The application is made for entirely genuine operational reasons by a well-established business seeking to secure the ongoing viability of their enterprise in the years ahead.

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 South Downs Local Plan (2014-33). 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 revised National Planning Policy Framework (NPPF) issued in July 2018 and further amended in February 2019. 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 national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should 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 against the NPPF and are considered to be compliant with it.

Statutory Requirements

- 6.5 The Planning (Listed Buildings and Conservation Areas) Act 1990 places a series of duties on planning authorities when determining planning applications for planning permission that may affect listed buildings or their setting.
- 6.6 Section 66 (1) states that ‘in considering whether to grant planning permission for development which affects a listed building or its setting the local planning authority ‘shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses’

The South Downs National Park Partnership Management Plan

- 6.7 The South Downs National Park Partnership Management Plan 2020-25 is a material consideration in the determination of the application. 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;
 - 4: Create more, bigger, better-managed and connected areas of habitat in and around the National Park, which deliver multiple benefits for people and wildlife;
 - 5: Conserve and enhance populations of priority species;
 - 9: The significance of the historic environment is protected from harm, new discoveries are sought and opportunities to reveal its significance are exploited;
 - 13: Support the financial viability of farm businesses through appropriate infrastructure and diversification developments, in particular, encouraging those that will support sustainable farming;
 - 55: Promote opportunities for diversified economic activity in the National Park, in particular, where it enhances the special qualities.

Bramdean and Hinton Ampner Village Design Statement

6.8 The Bramdean and Hinton Ampner Village Design Statement, whilst not part of the development plan for the National Park, is a material consideration when assessing planning applications within this location. The relevant considerations that must be considered when assessing the acceptability of the proposals are;

- The character of Bramdean should be preserved by the positive management of hedgerows and woodlands, including pollarding and planting.
- The open views of the countryside as seen from the A272 should be maintained by restricting development which would cut off the existing long views to the ridges on either side of the valley.
- Footpaths and sign posting should be maintained and reinstated, where necessary.
- Agricultural buildings, silos, telecommunication masts etc. should be carefully designed and located, to avoid intruding on the beauty of the landscape.
- The rural character of all roads should be maintained i.e. no kerbs
- or street lighting, and no additional roadside pull-ins.

7. Planning Policy

The South Downs National Park Local Plan (2014-33)

7.1 The following policies of the South Downs Local Plan are relevant:

- SD1: Sustainable Development
- SD2: Ecosystems Services
- SD3 Major Development
- SD4: Landscape Character
- SD5: Design
- SD6: Safeguarding Views
- SD7: Relative Tranquillity
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD11: Trees, Woodland and Hedgerows
- SD12: Historic Environment
- SD13: Listed Buildings
- SD15: Conservation Areas
- 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
- SD25: Development Strategy
- SD34: Sustaining the Local Economy
- SD39 Agriculture and Forestry
- SD48: Climate Change and Sustainable Use of Resources
- SD49: Flood Risk Management
- SD50: Sustainable Drainage Systems
- SD51: Renewable Energy
- SD54: Pollution and Air Quality
- SD55: Contaminated Land

8. Planning Assessment

Major Development

- 8.1 Determining whether proposals are major development in terms of paragraph 172 of the National Planning Policy Framework (NPPF) is a matter of planning judgement to be decided by the decision maker, based on all the circumstances relevant to the proposals and the context of the application site.
- 8.2 When previously considering an application in 2018 for a similar scheme, the Officer took a view that, due to the scale and nature of the proposed development, that it would constitute major development within the National Park.
- 8.3 Paragraph 172 of the NPPF (2018) and South Downs Local Plan (SDLP) policy SD3: Major Development state that planning permission will be refused for major developments in National Parks except in exceptional circumstances, and where it can be demonstrated they are in the public interest. Determining whether proposals are major development in terms of paragraph 172 of the NPPF is a matter of planning judgement to be decided by the decision maker, based on all the circumstances relevant to the proposals and the context of the application site. Counsel's advice to the SDNPA by James Maurici QC in 2014 recommended a framework of principles and criteria derived from case law, guidance and appeal decisions for officers to use in their judgement of this question as follows (in no order of importance):
- a) The definition in the Town and Country Planning (Development Management Procedure) Order (DMPO) 2015
 - b) Whether the development falls within Schedule 2 of the EIA Assessment regulations and whether it would be EIA development.
 - c) Any development which has the potential to have a serious adverse impact on the natural beauty, recreational opportunities, wildlife and cultural heritage of the National Park by reason of its scale, character or nature.
 - d) Consider the application in its local context.
 - e) Whether the application requires the submission of an assessment of the likely traffic, health, retail implications of the proposals.
 - f) Whether the development can be described as 'major' taking into consideration the ordinary meaning of the word.
- 8.4 As such, it is necessary to consider the current scheme and the evidence submitted along with it to the SDNPA with regard to the above criteria. On points a) - f) above, it is only the first test which describes the development as major. The more qualitative and contextual tests combine to form a different conclusion. The proposed development within this scheme is within a landscape where there are other farm buildings of similar design. They are clearly related to the physical and functional form and evolution of the farm. The application required few specialist assessment documents or formal Environmental Impact Assessment. Impacts can be assessed through the usual examination of the submitted information, as follows in the next sections of this report.
- 8.5 It is therefore concluded that the development is not major development for the purposes of paragraph 172 of the NPPF. Accordingly, exceptional circumstances do not need to be demonstrated. However, a considered examination of the need for and effect of the proposals is required in accordance with applicable planning policies and practice, as follows.
- 8.6 Therefore, the main considerations are:
- Principle of Development and Agricultural Justification
 - Landscape and Visual Impact
 - Impact on Listed Buildings and Heritage Assets
 - Drainage and Water Environment
 - Biodiversity, Ecology and Ecosystem Services

- Sustainable Construction
- Impact on Surrounding Residential Amenities
- Highways, Access and Traffic
- Public Rights of Way
- Dark Night Skies
- Archaeology

Principle of Development and Agricultural Justification

- 8.7 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.
- 8.8 The farm's primary business is that of growing conventional arable crops and herbage seed. The objective of this proposal for two new barns is to re-site the current farm building facilities to a new location on the farm in order to provide appropriate facilities for modern farming techniques and machinery. The applicant within their submission states that the existing farm yard, being located further along the A272 towards the main village is inadequate for their current needs by being located on a restricted area with inadequate turning areas and lorry loading facilities, resulting in the site being unsustainable. Furthermore, that there are third party rights of access across the farmyard that create major health and safety issues and an increased accident risk. Finally, that the current inadequate facilities are restricting the business and are preventing it from tendering competitively to farm more land, leading to a loss of business opportunities and impacting the sustainable future of the business.
- 8.9 To this regard, the proposal is considered to be capable of compliance with policy SD39 (Agriculture and Forestry) of the South Downs Local Plan (SDLP). This policy supports sustainable development and proposals for new agricultural buildings where there is a need and when appropriate measures have been undertaken to ensure development does not have an adverse impact on the locality. Policy SD25, (Development Strategy), allows for development outside of the settlement boundary when there is an essential need for a countryside location. Supporting farming, recognising the value of farming in landscape management is part of the general thrust of the Local Plan.
- 8.10 In support of the economic sustainability of the proposal, an Agricultural Holding Analysis has been submitted with this application to demonstrate the principle of the development and the need. The submitted Statement considers the limitations of the buildings and concludes the business needs premises that are fit for purpose in the current modern agricultural world and that opportunities to expand have been curtailed by not being able to offer adequate and proper facilities. It concludes that the options for other locations have been considered, (this is supported by the submitted LVIA), and that the proposed site has been selected as being suitable to meet the agricultural requirements whilst having the minimal landscape impact.
- 8.11 It is considered that this proposal is acceptable and it is acknowledged that the landscape of the South Downs has been shaped by traditional farming over many generations, and that the farming continues to contribute to the landscape character, biodiversity and ecosystem services intrinsic to the National Park. Policy 13 of the South Downs Partnership Management Plan (2020-25) (SDPMP) states the SDNPA's support for the financial viability business through appropriate infrastructure.
- 8.12 In summary, it is concluded through assessment of the application documents submitted that there is justification for the proposal and that there is overarching policy support for the principle of the proposed buildings.

Landscape and Visual impact

- 8.13 The environmental aspect of sustainable agricultural development requires the consideration of its landscape impact. The proposed barns have two main visual impacts; those of distant views and those closer to.

- 8.14 Policy SD04, (Landscape Character) supports development that is informed by landscape character, that conserves and enhances the existing landscape features which contribute to the distinctive character, pattern and evolution of the landscape; and safeguards the experiential and amenity qualities of the landscape. Policy SD05, (Design), supports the development that demonstrates landscape-led design approach and respects local character. Proposals should both integrate with, respect and sympathetically complement character and utilise architectural design which is appropriate and sympathetic to its setting. Proposals should also incorporate hard and soft landscape treatment which takes opportunities to connect wider landscaper and enhance green infrastructure. Policy SD06 (Safeguarding Views) supports development that conserves and enhances views from publically accessible areas within, into and out from settlements which contribute to the viewers' enjoyment of the National Park, and views from public rights of way, open access land and other publically accessible areas.
- 8.15 In regard to the development proposed, the applicant entered into pre-application discussions to seek officer advice on reducing the impact of the previously refused scheme both close to and distant views. The changes in the layout of the scheme that have evolved from pre-application discussions demonstrate the understanding by the applicant of the need to approach any future proposal as a landscape led scheme.
- 8.16 Accordingly, a Landscape Visual Impact Assessment (LVIA) has been submitted to support the landscape led approach to the development now taken and to show that other sites have been considered in terms of selecting the most appropriate site for the development proposed. One of the key changes in layout from the scheme previously refused is that it now forms two smaller barns rather than one single large barn and the buildings now work with the natural topography of the land; thus a sense of perspective and balance within the landscape is achieved.
- 8.17 The applicant, on the advice of the Landscape Officer, is no longer attempting to hide the buildings behind incongruous earth bunding and vegetation that would themselves create greater harm within the Landscape. These buildings are now set within the landscape as part of the expected form and structures that sit within and support farming within the National Park.
- 8.18 It is considered that the current choice of material, in particular the chosen colour of Juniper Green for the elevations, is not in accordance with the surrounding vernacular that is expected within this locality and therefore, notwithstanding the submitted information, it should be conditioned the materials are submitted and approved prior to commencement. The LVIA has also been informed by the Bramdean and Hinton Ampner Village Design Statement, (VDS), (April 2001), adopted as Supplementary Planning Guidance. The VDS requires that the open views of the countryside, as seen from the A272, should be maintained by restricting development which would cut off the existing long views to the ridges on either side of the valley. Accordingly, the proposed buildings are located at the bottom of the valley adjacent to the A272 and the existing tree screen. It is considered that this siting will avoid cutting off long views and that the buildings will sit comfortably and with consideration of the VDS and policies SD4 and SD6 of the SDLP.
- 8.19 Officer concerns were also raised with regard to the impact of the widened access required for highway safety and visual amenity. To address this the applicant has ensured that the change to the access is very modest and toned down the original engineering specification. The initial specification included raised kerbs which have now been omitted in preference to level kerbs which will allow vegetation to grow over, which in turn would allow a soft edge between the access and the verge area beyond. The analysis as agreed by Highways Consultee has also allowed the access to remain as narrow as it can thus balance highway safety and landscape impact acceptably. These changes are in better accordance with the requirements of the VDS and the Roads in the South Downs (2015), in terms of the maintaining the rural character of the road and access point as much as possible. It is not considered that the low level of vegetation that will be required to be removed will impact views of the proposed buildings to the detriment of visual amenities and furthermore, the required sightlines will not impact any of the protected adjacent Copper Beech trees.

- 8.20 To ensure an acceptable development is achieved onsite, all planting and hard surfacing proposed must be considered in detail through the submission of information to address landscape conditions and should be managed in the future through the submission of an acceptable Landscape and Ecological Management Plan, (LEMP). In summary, it is concluded that the development is acceptable in terms of design and landscape impact and accords with the relevant policies and considerations of the SDLP and the VDS.

Impact on listed buildings and heritage assets

- 8.21 To the north of the site lies the Grade II* listed Woodcote Manor, a designated Heritage Asset of the highest level. Woodcote Manor sits within listed grounds along with the Grade II listed Gardener's Cottage.
- 8.22 There is a special duty of care when considering applications within the setting of listed buildings and this has been undertaken within the consideration of this application. The submitted LVIA has considered the impact on the Heritage Assets and conclude that there will not be harm.
- 8.23 The Case Officer consulted the SDNPA Conservation Officer and he commented that the scheme was some distance from the adjacent listed building and that the farm development as proposed was usual in its setting, subject to appropriate materials being used.
- 8.24 Furthermore, this application has been submitted to overcome the reasons for refusal on the 2018 scheme and it is worthy of note that the impact on the Heritage Asset did not form a previous reason for refusal.
- 8.25 Special regard has been taken of the weighted balance of the impact on the listed building and it has been concluded that the siting of the development in terms of the landscape within which it sits and its intended use would not cause harm to the setting of the listed buildings in terms of the views from and to the buildings and the listed grounds. Accordingly, it is considered that the proposed scheme accords with policy SD12 (historic environment) and part 16 of the NPPF.

Drainage and Water Environment

- 8.26 The site is in Flood Zone 1 and is at very low risk of flooding. The land drainage engineer considers that detailed proposals for the disposal of surface water could be controlled through conditions. The consultee was satisfied with the additional details submitted with regard to the proposed infiltration pond. The infiltration pond and drainage strategy has been designed in response to the previous reason for refusal of the 2018 application that insufficient information had been submitted to understand that there would be a satisfactory means of managing ground and surface water pollution associated with the proposed development.
- 8.27 Policies SD49, (Flood Risk Management), SD17, (Protection of the Water Environment) and SD55 (Contaminated Land) are engaged for the proposed development at this site. The superficial geology beneath this site is clay, silt, sand and gravel and the bedrock is the Newhaven and Seaford Chalk Formations. The Environment Agency have raised no objection to this application.

Biodiversity, Ecology and Ecosystem Services

- 8.28 Paragraph 175 of the NPPF requires that if significant harm is brought to biodiversity resulting from development that cannot be avoided, mitigated or compensated for, planning permission will be refused. Policy SD09 (Biodiversity and Geodiversity) of the SDLP goes further and requires that biodiversity is enhanced. The application as submitted was supported by a Preliminary Ecological Appraisal that identified further bat surveys were required. It is considered that so long as the recommendations of the survey works undertaken and are adhered to, then the scheme is acceptable in regard to the impact to ecology. The further enhancements required to biodiversity are considered within the submitted Ecosystem Services Statement.
- 8.29 Part 118 of the NPPF draws attention to the duty to protect the natural environment and to the opportunities for its enhancement. The relevant policy of the SDLP is SD02 (Ecosystem

Services). SD02 states that development proposals will be permitted where they have an overall positive impact on the ability of the natural environment to contribute to goods and services. It is considered that the scheme demonstrates direct public goods from land management and provides for the creation of further habitats. Other biodiversity benefits include, bird and bat boxes, flowering plant species.

- 8.30 In summary, with suitably worded conditions, it is considered that this proposal in line with paragraph 170 of the NPPF and policies SD49, SD17 and SD55 of the SDLP with regard to impact of the scheme on the water environment. Biodiversity, Ecology and Ecosystem Services

Sustainable Construction

- 8.31 The proposed scheme must meet the requirement of policy SD48, Climate Change and Sustainable Use of Resources. The applicant has been made aware of the need for this matter to be addressed through a pre-commencement planning condition. The condition must require that a sustainable design statement is submitted prior to commencement to ensure compliance with policy SD48 of the SDLP.

Impact on Surrounding Residential Amenities

- 8.32 The social aspect of sustainable development requires that decision makers must take account of the impact of proposed development, amongst wider issues, on the amenities of the occupiers of surrounding dwellings. To this regard it is considered the grain stores will be further from the village of Bramdean and thus a reduced impact on a great number of residents.
- 8.33 In terms of the residential dwellings in the vicinity of the proposed site the proposals include the replacement and relocation of a diesel-powered grain dryer with a modern electric equivalent partly powered via renewal means (solar). This reduces by noise and particulate pollution. The applicant also advises that there will be a more general reduction in pollution through increased efficiency of process and the removal of the need to handle crops multiple times within a highly constrained site, both of which create noise and vehicle derived pollution. The Environment Health consultee (EHO) is nonetheless concerned that the submitted noise report does not include the operation of the proposed machinery, including the grain dryer. Whilst the EHO considers that suitable mitigation can be conditioned to make the development acceptable, the base line levels and operation noise levels must be considered in terms of any mitigation that maybe required and appropriate wording for the condition. This information is being gathered by the applicant but as there are methods to mitigate any unacceptable noise levels it is considered that the principle of the application can still be considered by the Planning Committee at this stage with the final noise measures and associated conditions to be delegated to the Director of planning.
- 8.34 It is not considered that proposed operations within the site will detriment the amenities of the occupiers of the adjacent dwellings to such an extent to warrant a refusal of the application. It is concluded that, pending an acceptable noise updated noise report that incorporates any mitigation measures that may be necessary, that the proposed scheme will accord with the requirements of policy SD05 in terms of the impact on the surrounding residential amenities and that the scheme is acceptable in planning terms to this regard.

Highways, Access and Traffic

- 8.35 The Highway Authority raised initial concerns concerning the information submitted with the application. They considered that it was insufficient information to conclude that the scheme would not have an adverse impact
- 8.36 Following the submission of the additional information, the Highway Authority have confirmed that they have no objection to the proposed access, on-site turning and parking arrangements.
- 8.37 Accordingly, it is considered, subject to appropriate planning conditions, that the proposed access arrangements and site layout are acceptable in highway, access and traffic terms and that the scheme is in accordance with the requirements of SDLP policies SD19, (Transport and Accessibility) and SD05 (Design). Whilst the new access may not be in full accordance

with Roads in the South Downs (2015) or the VDS it does remain in general accordance and it is considered that the benefits to the wider farming operation must be held in balance. To this regard the proposal is considered to be acceptable. Also, the applicant has ensured that the change to the access are modest and incorporate level kerbs which will allow vegetation to grow over these which in turn would allow a soft edge between the access and the verge area beyond.

Public Rights of Way (PRoW)

- 8.38 Policy SD20, (Walking, Cycling and Equestrian Routes), requires that new developments maintain existing rights of way; and conserve and enhance the amenity value and tranquillity of, and views from, non-motorised travel routes and access land. The VDS also requires that footpaths are maintained. To this regard, there is a public right of way, (footpath 17), that runs to the western hedgerow of the site and along the access track. The Countryside Access Development Officer consultee required that a post and rail fence be installed for the initial section of the PRoW adjacent to the development so that users have a safe place of retreat when farm vehicles use the access.
- 8.39 The applicant has submitted an amended plan to include a short section of post and rail fencing. It is considered with this amendment and when taking into consideration the limited impact on the users of the footpath by the contained development proposed directly adjacent to the busy A272, that the scheme would not result in a detriment to the users of this footpath. Furthermore, that the surrounding habitat enhancements could have the potential to have a marginal increase the enjoyment of users of the section of the footpath in terms of a potential to support new biodiversity.

Dark night skies

- 8.40 The proposed site does not sit within the Dark Sky Core or the 2km buffer zone. Policy SD08 of the SDLP requires that development does not harm the quality of dark night skies of the National Park, for the benefit of people and wildlife. In consideration of this the applicant has sought to minimise light spill from the site by minimising additional external lighting, PIR sensors fitted to all new external lighting and minimise all internal lights to buildings. Given the higher relative contrast of lighting in rural areas, it will be important that any bright lights (above 5000 lumens) are mitigated sufficiently. To this regard and in the interest of protecting general ecology it is considered necessary to impose a planning condition to require details of the external and internal lighting to be submitted to and approved by the SDNPA.

Archaeology

- 8.41 The County Archaeologist raised no objection to the scheme but did highlight the potential for there to be features of potential archaeological interest.
- 8.42 As such, it is recommended that appropriate conditions are applied to a planning consent to secure appropriate archaeological investigation work. It is therefore considered that the application would accord with the requirements of policy SD16 of the SDLP.

9. Conclusion

- 9.1 Given the above, it is considered that the proposal is in accordance with the Development Plan and there are no overriding material considerations to otherwise indicate that permission should not be granted. The scheme supports the future of the farming operation and enables conservation and biodiversity enhancements to be delivered. It is therefore recommended that planning permission is granted.

10. Reason for Recommendation

- 10.1 That planning permission be granted subject to the conditions set out below and that it be delegated to the Director of Planning to consider and add additional conditions that may be required once further details are submitted with regard to noise mitigation.

Timescale

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) and to comply with Section 51 of the Planning and Compulsory Purchase Act 2004

Approved Plans

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.

Removal of Redundant Buildings

3. Within 6 months of the bringing into use of the buildings hereby permitted, the grain silos located within the existing site, as shown on submitted plan, 1063-200-20, shall have been demolished and the removed from the site.

Reason: In the interests of landscape and visual amenity of the area.

Sustainable Construction

4. Prior to the commencement of the development hereby permitted, a design stage sustainability report shall be submitted to and approved in writing by the Local Planning Authority. The report must consider options such as efficient lighting, opportunities for green roof/further PV and the use of local timber and shall include details of the control box and solar panel as shown on the plans hereby approved. The development shall only be carried out and maintained strictly in accordance with the approved details.

Reason: To ensure an environmentally sustainable development and in the interests of landscape and visual amenity of the area.

Materials

5. Prior to construction above slab level a schedule and samples of external materials and finishes to be used in the construction of the buildings hereby approved, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out strictly in accordance with the approved details.

Reason: In the interests of landscape and visual amenity of the area.

Levels and Datum Point

6. The development hereby approved shall be carried in accordance with the proposed levels plan and section drawings hereby approved. There shall be no further increase in levels above those shown unless the Local Planning Authority gives prior written approval for such changes.

Reason: In the interests of landscape and visual amenity of the area

Highways and Access

7. Prior to the commencement of development, the access shall be constructed with the visibility splays of a minimum of 2.4 by 215 metres and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1 metre above the level of the existing carriageway at any time.

Vegetation, other than TPO trees, shall be cut back to the highway boundary to maximise the available sight distance at the access.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

8. Prior to the commencement of development, the access track within the site shall be widened to 4.5m in accordance with the drawing named "Proposed Access Junction" (Appendix D of the Highway Technical Note). The development shall only be carried out strictly in accordance with the approved details and maintained at all times.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

9. Prior to the commencement of development, a scheme shall be submitted to and approved in writing to control the movements of vehicles along the access track when accessing and leaving the site.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

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

- a) the anticipated number, frequency and types of vehicles used during construction,
- b) the method of access and egress and routeing of vehicles during construction,
- c) the parking of vehicles by site operatives and visitors,
- d) the loading and unloading of plant, materials and waste,
- e) the storage of plant and materials used in construction of the development,
- f) the erection and maintenance of security hoarding,
- g) the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway
- h) details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

11. Prior to the commencement of the development hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority of a plan indicating the position, height, design and material for the post and rail fence as shown on plan 2058-03 received 27 October 2020. The approved fence shall be installed prior to the commencement of the development and maintained thereafter.

Reason: To ensure a satisfactory development and in the interests of amenity of users of the footpath and landscape character.

Drainage and Surface Water

12. Detailed proposals for the disposal of surface water, to include sections, (each way), through the infiltration basin and further details of how the basin will operate, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before development commences.

Reason: To ensure satisfactory provision of surface water drainage.

Landscaping, Ecology and Trees

13. 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. Proposed planting plans and strategy, including written specifications, cultivation and other operations associated with plant, grass, shrub and tree establishment;

schedules of plants and trees noting species, sizes; and proposed numbers/densities where appropriate,

- II. Tree guards, staking and tree-pit construction,
- III. Details of the grassland seed mix that shall be appropriate to the ground conditions, based on PH and nutrient data of the soils,
- IV. A timetable for implementation of the soft landscaping works,
- V. A schedule of landscape maintenance for a minimum period of 5 years to include details of the arrangements for its implementation.

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

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape.

14. All soft landscaping shall be carried out in the first planting and seeding season following the bringing into use of the proposed farm buildings, 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: To achieve an appropriate landscaping scheme to integrate the development into the landscape.

15. Prior to the commencement of the development hereby permitted, measures of the protection of the trees to be retained as outlined in the submitted Arboricultural Method Statement shall be implemented and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the Root Protection zones.

Reason: In the interests of the amenity and the landscape character of the area

Ecology and Biodiversity

16. Works shall be carried out in full accordance with the ecological mitigation and enhancement measures as set out within the Preliminary Ecological Appraisal (RPS Group, January 2020) shall be adhered to throughout all phases of the development.

Reason: To safeguard protected species and maintain biodiversity

17. Prior to development above slab level, a Landscape and Ecological Management Plan (LEMP), shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- a) A description, plan and evaluation of landscape and ecological features to be managed including the water features and ditches, grassland and hedgerows to specifically include details of scrub and aquatic planting to enhance the infiltration pond,
- b) Measures setting out how the development will,
 - i) Conserve water resources and improve water quality,
 - ii) Protect and provide more, better and joined up natural habitats, including the type and location of bat boxes and bird boxes,
 - iii) Improve the National Park's resilience to, and mitigation of, climate change,
 - iv) Increase the ability to store carbon,
 - v) Conserve and enhance soils,

- c) Ecological trends and constraints on site that might influence management,
- d) Details of future management of both areas for habitats and species, including details of management responsibility,
- e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period),
- f) A scheme of ongoing monitoring, and remedial measures where appropriate.

The approved LEMP will be implemented in full accordance with the approved details, unless otherwise agreed by the Local Planning Authority. Where deemed necessary by the Local Planning Authority shall include contingencies and/or remedial action to be further agreed and implemented where the results from monitoring show that conservation aims and objectives of the LEMP are not being met.

Reason: To achieve an appropriate landscaping scheme which will contribute to the setting of the development and the surrounding character and appearance of the area, and secure ecological mitigation measures and biodiversity net gain.

Archaeology

18. No development or site preparation shall take place until the applicant has secured the implementation of a programme of archaeological mitigation work in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the Local Planning Authority. The Written Scheme of Investigation shall include:

- a) The programme and methodology of site investigation and recording
- b) Provision for post investigation assessment, reporting and dissemination
- c) Provision to be made for deposition of the analysis and records of the site investigation (archive)
- d) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations.

19. Following completion of archaeological fieldwork, a report will be produced in an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the local planning authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available.

Lighting and Dark Night Skies

20. Prior to development above slab level, a scheme of external lighting to be installed at the site shall be submitted to, and approved in writing by the Local Planning Authority.

The lighting shall:

- a) Comply with the guidance set out in the SDNPA's Dark Night Skies Technical Advice Note and,
- b) Be designed to minimise impacts on wildlife in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust and Institute of Lighting Professionals
- c) Internal lighting as submitted within the plans hereby approved shall be installed as high as possible so that there is an even spread and that the lights aren't directly visible from the surroundings and greater detail provided of the internal lighting switching

This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in full accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of protected species and to protect the South Downs International Dark Skies Reserve.

Informatives

Locally Sourced Materials

1. The SDNPA encourages the use of locally sourced materials to support local character and distinctiveness, and to reduce the costs both financially and environmentally of transporting materials long distances. The applicant is recommended to undertake a resource mapping exercise for materials, starting within a 5km radius of their site, and then 10km, 25km.

Highways

2. The applicant will be required to enter into a license/agreement with Hampshire County Council, as Highway Authority, for any off-site highway works. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place. More details can be found on the following link:
<https://www.hants.gov.uk/transport/developers/section-184>

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 Documents <https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

[National Planning Policy Framework \(2019\)](#)

[South Downs Local Plan \(2014-33\)](#)

[South Downs National Park Partnership Management Plan 2014](#)

[South Downs Integrated Landscape Character Assessment 2005 and 2011](#)

Site Location Map



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