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**SOUTH DOWNS NATIONAL PARK AUTHORITY
PLANNING COMMITTEE**

A meeting of the Planning Committee will be held at **10.00 am** on **Thursday, 21st January, 2021** at the **Online via Zoom Cloud Meetings**

Trevor Beattie, Chief Executive (National Park Officer)

**AGENDA
PART I**

- 1. Apologies for absence**
- 2. Declaration of interests**
To enable Members to declare to the meeting any disclosable interest they may have in any matter on the agenda for the meeting.
- 3. Minutes of previous meeting held on 10 December 2020** (Pages 3 - 8)
To approve as a correct record the minutes of the Planning Committee meeting held on 10 December 2020.
- 4. Matters arising from the previous meeting minutes**
To enable any matters arising from the 10 December 2020 Planning Committee minutes that are not covered elsewhere on this agenda to be raised.
- 5. Updates on previous Committee decisions**
To receive any updates on previous Committee decisions.
- 6. Urgent matters**
To consider any matters on the agenda which the Chair agrees should be considered as a matter of urgency due to special circumstances.

DEVELOPMENT MANAGEMENT

- 7. Application No.: SDNP/20/03965/FUL Newton Valence Farm, Newton Valence**
(Pages 9 - 24)
Local Authority: East Hampshire District Council
Proposal: Grain store and drier after demolition of existing agricultural buildings.
Address: Newton Valence Farm Selborne Road Newton Valence Alton GU34 3RN.
To consider a report by the Director of Planning (Report PC20/21-27).
- 8. Application No.: SDNP/19/03709/FUL - Oaklands Farm** (Pages 25 - 48)
Local Authority: East Hampshire District Council
Proposal: Change of use of Oakland Farm and associated land holdings from Agriculture and B8 (Open Storage) to mixed use Agriculture, B8 (Open Storage) and Seasonal Event Space associated with the holding of a Religious Festival associated with the Ahmadiyya Muslim Association; alongside the provision of external storage space, new landscape and revised ventilation and extraction equipment in association with the onsite kitchen.
Address: Oaklands Farm Green Street East Worldham Bordon GU34 3AU.
To consider a report by the Director of Planning (Report PC20/21-28).

Members of the Planning Committee

Alun Alesbury, Heather Baker, Janet Duncton, Thérèse Evans, Barbara Holyome,
Diana van der Klugt, Gary Marsh, Robert Mocatta, Vanessa Rowlands, Andrew Shaxson and
Richard Waring

Ex officio Members (may participate on Policy items but not vote): Ian Phillips

Members' Interests

SDNPA Members have a primary responsibility for ensuring that the Authority furthers the National Park Purposes and Duty. Members regard themselves first and foremost as Members of the Authority, and will act in the best interests of the National Park as a whole, rather than as representatives of their appointing body or any interest groups.

Members are required to declare any disclosable pecuniary interest that is not already entered in the Authority's register of interests, and any personal interest and/or public service interest (as defined in Paragraph 18 of the Authority's Code of Conduct) they may consider relevant to an item of business being considered at the meeting (such disclosure to be made at the commencement of the meeting, or when the interest becomes apparent).

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Public Participation

Anyone wishing to speak at the meeting should register their request no later than 12 noon, 3 working days before the meeting by e-mailing public.speaking@southdowns.gov.uk. The public participation protocol is available on our website www.southdowns.gov.uk/

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SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 10 December 2020

Held: online via Zoom videoconferencing, at 10am.

Present: Alun Alesbury (Chair), Heather Baker, Janet Duncton, Thérèse Evans, Barbara Holyome, Diana van der Klugt, Gary Marsh, William Meyer, Robert Mocatta, Vanessa Rowlands, Andrew Shaxson and Ian Philips (ex. officio).

Officers: Tim Slaney (Director of Planning), Rob Ainslie (Development Manager), Lucy Howard (Planning Policy Manager), Becky Moutrey (Solicitor), Richard Sandiford (Senior Governance Officer) and Sara Osman (Governance Officer).

Also attended by: Heather Lealan (Development Management and Enforcement Lead) and Amy Tyler-Jones (Senior Planning Policy Officer).

OPENING REMARKS

194. The Chair welcomed Members to the meeting and informed those present that:

- Due to the current Coronavirus pandemic full meetings were not able to be held at the Memorial Hall until further notice, hence the meeting of the South Downs National Park Authority was held using the Zoom Cloud Meetings software.
- The meeting was being webcast by the Authority and would be available for subsequent on-line viewing. Anyone entering the meeting was considered to have given consent to be filmed or recorded, and for the possible use of images and sound recordings for webcasting and/or training purposes.

195. The Senior Governance Officer confirmed the Members of the Planning Committee who were present, that the meeting was quorate and reminded Members of the protocol that would be followed during the online meeting.

196. The Chair reminded those present that:

- SDNPA Members had a primary responsibility for ensuring that the Authority furthers the National Park Purposes and Duty. Members regarded themselves first and foremost as Members of the Authority, and would act in the best interests of the National Park as a whole, rather than as representatives of their appointing body or any interest groups.

ITEM 1: APOLOGIES FOR ABSENCE

197. There were none.

ITEM 2: DECLARATION OF INTERESTS

198. The Chair declared a non-prejudicial, public service interest on behalf of all Members as David Coldwell, who was a speaker on item 8, was previously a Member of the SDNPA, and had been a member of the Planning Committee, and was therefore known to the majority of Members of the Committee. Diana van der Klugt was also a Councillor on Horsham District Council where David Coldwell had previously been a Member.

199. Barbara Holyome declared a personal and a non-prejudicial interest in item 9 as the applicants, and some of the speakers, were known to her. She was also a member of the Bramdean Parish Council but had not sat on any meetings which had discussed this item.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 12 NOVEMBER 2020

200. The minutes of the previous meeting held on 12 November 2020 were agreed as a correct record and signed by the Chair.

ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES

201. There were none.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

202. The decision has been issued for SDNP/18/06292/OUT - Land North of Buckmore Farm, Petersfield.

ITEM 6: URGENT ITEMS

203. There were none.

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ITEM 7: SDNP/20/02616/FUL - Dangstein

204. The Case Officer presented the application and referred to the update sheet.
205. The following public speakers addressed the Committee:
- David Campion spoke against the application representing clients who objected to the proposal;
 - Cllr Steve Williamson spoke against the application representing Rogate Parish Council;
 - Nick Jacobs spoke against the application representing himself;
 - Paddy Cox spoke in support of the application as the agent and the applicant;
 - Dylan Walker spoke in support of the application representing himself;
 - Archie Yellop spoke in support of the application representing himself.
206. The Committee considered the report by the Director of Planning (Report PC20/21-24), the update sheet and the public speaker comments, and requested clarification as follows:
- Could the Committee approve a temporary permission until 18 November 2022, in order that the renewal of planning permission would be considered at the same time as the other application for this site (SDNP/17/03623/FUL)?
 - How would enforcement of the conditions be monitored? Could condition 3 be amended to require a vehicle log to be kept, in order that Officers could monitor that conditions were being met, rather than relying on local residents to notify the Enforcement team if a breach had occurred?
 - Clarification on the number of vehicle movements permitted in and out of the site.
 - When would forestry work be considered light industrial as opposed to ancillary work, and therefore outside of the constraints of this application?
 - How was woodland management being achieved to ensure any trees that were removed were being replaced?
207. In response to questions, Officers clarified:
- Members could decide to limit the length of a permission to coincide with the appeal decision.
 - Members could agree to amend condition 3 so that it required the applicants to keep a vehicle log for the site. It was considered normal practice that enforcement teams for Local Planning Authorities relied on local residents to inform them of any concerns regarding breach of conditions. However, it would not be expected that neighbours should police events as that was down to the enforcement team to investigate and consider appropriate action.
 - The conditions allowed for 6 commercial vehicle movements into the site and 12 commercial vehicle movements out of the site annually.
 - Officers regarded the work on this site to be low-key, supplementary use rather than light industrial. Conditions were in place to restrict what work could be done. If the work on the site increased to a level which meant it breached the conditions, then a further application would need to be submitted to the Planning Authority.
 - This application sought to manage the wider woodland through the sustainable use of timber. Officers thought that this was sufficient for this site given its limited size. To include a condition requiring a woodland management plan was considered excessive and difficult to justify for an application of this size.
208. The Committee discussed and debated the application, making the following comments:
- Due to the history of this site, the Committee recommended that any conditions for this planning application should provide clarity on what was permitted and what was not permitted on this site.

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- The Committee agreed to amend condition 3 so that it required the applicants to keep a vehicle log for the site. It was accepted that local residents can be useful in informing enforcement officers should conditions not be met.
 - Members discussed the merits of approving a temporary planning permission in order that it be considered for renewal alongside the permission given by the Planning Inspector for SDNP/17/03623/FUL. However, it was recognised that the two applications were separate, and that this application related more closely to the lawful use of the land for commercial forestry.
 - This was considered a small, low key operation with very few movements in and out of the site. The SDNP was a working landscape, and this operation helped to keep traditional skills and heritage alive, which supported the purposes of SDNPA. Should it grow beyond its current scope then a further application would have to be submitted for decision by the Planning Authority.
 - Members welcomed that the operation provided local employment, provided training opportunities for young people and enabled them to live and work in their communities.
209. It was proposed and seconded that temporary planning permission should be granted until 18 November 2022. The proposal was not carried.
210. It was proposed that full permission, in accordance with the recommendation as set out in the Officers report, should be granted subject to the amendment of condition 3, which should require a vehicle log to be maintained, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.
211. **RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report, and subject to the amendment of condition 3 to require a vehicle log to be maintained, the final form of words to be delegated to the Director of Planning
212. The meeting adjourned for a 5-minute comfort break. On resumption of the meeting the Senior Governance Officer confirmed the Members of the Planning Committee who were present and that the meeting was quorate.
213. William Meyer left the meeting.

ITEM 8: SDNP/19/06035/FUL – Land South West of Woodcote Manor Cottages

214. The Case Officer presented the report and referred to the update sheet.
215. The following public speakers addressed the Committee:
- David Coldwell spoke against the application representing the South Downs Society;
 - Michael Curtis spoke against the application representing Mr. Terry Collyer of Woodcote Manor Cottages;
 - Richard Peers spoke against the application representing himself;
 - Richard Goodall spoke in support of the application representing the applicant.
216. The Committee considered the report by the Director of Planning (Report PC20/21-25) and requested clarification as follows:
- Why was the previous application described as major development whereas this application was not?
 - Was the proposed site the most suitable site, and had an analysis of other sites been presented to Officers?
 - What were the relative size and volume of the proposed building compared to the buildings on the existing farm site?
 - Would any redundant buildings on the existing farm site be removed?
 - What consideration had there been for materials of the new building to limit its visual impact, and had there been any discussions on installation of solar panels on the grain store to provide energy for the drying facility or for a community energy project?

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- Had a tree protection plan and an Arboricultural Method Statement been submitted, as requested by Landscape Officer?
- Was the noise report undertaken during the covid-19 lockdown when levels of traffic would have been reduced in comparison to normal traffic levels?

217. In response to questions, Officers clarified:

- Determining whether proposals were major development in terms of paragraph 172 of the NPPF was 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. This application had been amended from the previous application, and the Case Officer had concluded that the development proposed in this application was not major development for the purposes of paragraph 172 of the NPPF.
- A Landscape and Visual Impact Assessment (LVIA) had been submitted, which identified this as the most suitable site.
- The proposed barn would be capable of storing approximately 7,844m³ of grain, depending on the type of grain stored.
- The unsightly grain silos on the existing farm site would be removed.
- Condition 4 required that a sustainability report be produced to ensure more consideration was taken regarding the use of sustainable materials and design, including opportunities for solar panels and the use of local timber. Condition 5 required a schedule and samples of external materials and finishes to be approved prior to commencement.
- A tree protection plan and an Arboricultural Method Statement had been submitted and approved by the Tree Officer at Chichester District Council.
- Data that informed the noise report had been collected during a period of lockdown, and this was made clear when the report was submitted to the Environmental Health Officer (EHO) who reviewed the report. Taking into account these conditions, the EHO had been satisfied with the noise report and was confident that no further conditions were necessary. However, the Case Officer had recommended inclusion of a further condition, as set out on the Update Sheet, which required the site to operate at all times in accordance with the recommendations in the Noise Impact report. It was also noted the background ambient noise may have been lower during this time too.

218. The Committee discussed the report, making the following comments:

- Members recognised that a need for larger agricultural buildings for farm machinery and to dry and store grain was an inevitable outcome of the intensification of agriculture.
- It was unfortunate that a more suitable site had not been found but Members appreciated that an appropriate assessment had been undertaken and found this site to be the most suitable.
- Whilst there was concern that the proposed building would be seen in the landscape with open views across fields, it was accepted that both the existing trees and the use of planting on the site would make it less conspicuous.
- The barn being situated higher up than the existing site would reduce any risk of flooding and aid drying of the grain.
- The location of this site, leading straight onto the A272 and providing access to the primary road network, would reduce the amount of farm traffic on smaller lanes and facilitate the distribution of grains. This was a key main A road in the National Park suitable for the type of traffic generated.
- There was some concern that slow farm traffic would be joining the A272 at a point where the national speed limit applied, whereas a 30mph speed limit was in place where the existing farm entrance joined the A272. However, it was noted that the Highways Authority had not objected to this application.

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- It was hoped that the sustainability report could make recommendations for provision of solar PV which could provide a benefit to the community.
219. It was noted that Therese Evans had lost connection for a minute during the public speakers and was precluded from voting on this application.
220. It was proposed and seconded to vote on the officer's recommendations
221. **RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 and the additional condition included within the update sheet to Members.
- ITEM 9: The South Downs National Park Authority's response to Submission (Reg 16) consultation on the Rogate & Rake Neighbourhood Development Plan (RRNP)**
222. The Senior Planning Policy Officer presented the report.
223. The following public speaker addressed the Committee:
- Cllr Steve Williamson spoke in support of the item, representing Rogate Parish Council.
224. The Committee considered the report by the Director of Planning (Report PC20/21-26) making the following comments:
- The Committee congratulated the Parish Council and steering group for their hard work in developing the RRNP over such a long period of time.
 - Page 114 of the full committee papers, the SDNPA response to page 13, section 2.5.4 should include the word 'approximately', to read: "For clarity, Policy SD26 of the South Downs Local Plan (SDLP) identifies a housing provision of approximately 11 new homes in Rogate during the plan period 2014-2033."
 - It was noted that the site allocation for land on the north side of B2070 London Road (West of Flying Bull PH, Rake) was outside the settlement boundary, however met the criteria for Policy SD26 of the South Downs Local Plan (SDLP). As part of the boundary extended into Liss parish any planning application would require consultation with Liss Parish Council. They had been consulted on the RRNP and had not raised any objection.
 - It was further noted that the total housing provision in the RRNP went beyond the allocation in the SDLP as it took into account local housing need from the housing survey for the area.
 - It was agreed to add the above points to the comments on 'Policy H6: Allocation of Sites Suitable for Development' in the SDNPA Response to the RRNP submission document (pages 117-119 of the full meeting papers for the December 2020 Planning Committee).
225. **RESOLVED:** The Committee agreed the table of comments as set out in Appendix 2 of the report, which will form SDNPA's representation to the Independent Examiner of the RRNP, subject to the minor comments made in the discussion at this planning Committee, the final form of words to be delegated to the Director of Planning.
226. The Chair closed the meeting at 1:40pm.

CHAIR

Signed: _____

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Agenda Item 7
Report PC20/21-27

Report to	Planning Committee
Date	21 January 2021
By	Director of Planning
Local Authority	East Hampshire District Council
Application Number	SDNP/20/03965/FUL
Applicant	Mr H Janson
Application	Grain store and drier after demolition of existing agricultural buildings.
Address	Newton Valence Farm, Selborne Road, Newton Valence, GU34 3RN, Alton, Hampshire.

Recommendation:

That planning permission be granted subject to the conditions set out in paragraph 10.1 of this report.

Executive Summary

The application site is Upper Yard, an active farmyard within Newton Valence Farm. The proposal consists of the replacement and relocation of the existing out of date and inefficient grain store and drier at the A32 site to Upper Yard together with other farm buildings. The replacement grain store and drier would be a modern facility powered with photovoltaic panels and would sit within a previously developed agricultural yard.

The principle of a new grain store and drier is justified on the need for a modern and larger facility with capacity for 3,000 tonnes of grain, increasing the farm's capacity from its current drier's capacity of 1,500 tonnes. The need for a new grain store and drier is covered in the endorsed WEP.

Whilst there are concerns in the local community regarding the impact that the development would cause to the local road network, it has been concluded, with the Highways Authority, that the increase in HGVs would not be significant as to result in an adverse highways safety impact or to lead to harm to the character of rural roads. This is partly due to Upper Yard not being currently used up to its full business capacity.

Another major concern raised by the community was the potential impact of the drier on nearby residents. A noise mitigation scheme has been agreed with the Environmental Health Officer, who raised no objection subject to conditions. Considering that the mitigation is found appropriate, no harm to neighbours' living conditions is found.

This application has been found in line with the relevant policies of the South Downs Local Plan 2014-2033 and in line with the endorsed WEP without any detriment to the landscape.

The application is placed before the Committee due to the significance of local interest.

I. Site Description

- I.1 Upper Yard is the main agricultural buildings cluster of Newton Valence Farm. The yard is approximately located in the centre of the 518-acre farm and it is accessed from Selborne Road.

- 1.2 The land falls to the west of Upper Yard, there is a tree backdrop to the east of the site and a series of agricultural buildings, structures and hardstanding areas within the yard. Some of the existing buildings at Upper Yard are underused or redundant as result of the changes of the farm business from dairy to mainly crop business. The site where the new building is proposed covers an area of hardstanding and underused large agricultural buildings, which would be demolished as part of the development. None of these are of any heritage value. They are in very poor state and, from a site inspection, do not appear structurally stable.
- 1.3 Upper Yard is accessed from three different vehicular access points from Selborne Road on the western boundary of the farmyard. Accesses and yards are surfaced with a mix of tarmac and concrete slabs.
- 1.4 There are several public rights of way in the locality, being public footpath no. 10a the closest to the site, 140 metres to the west of the site. Views of Upper Yard can be achieved from footpath 10a, especially from higher ground levels towards the north west. Notwithstanding this, the application site is set back from the road and sits behind a line of agricultural buildings that screen most immediate views from the open countryside to the west. No views of the site can be achieved from the conservation area, registered park and garden and church in Newton Valence.
- 1.5 The current grain store and drier to be replaced is well located to transport routes (A32) although detached from the other farm buildings and most of the arable land, as it is located on the western edge of the estate. The existing grain store and drier is an out of dated facility, which is claimed to be inefficient as it requires high levels of labour and energy for its operation that go beyond any modern facility of this type. It doesn't have capacity for the current grain production of the farm.
- 1.6 There are several residential properties nearby. Goldrige Cottages, owned and managed by Newton Valence Farm, sit approximately 120 metres to the west of the site. Woodside is located approximately 120 metres to the north of the site and Derwen and Reed Cottages sit over 140 metres to the south.
- 1.7 The application site is located on the edge of the Dark Sky Core E0. The area is also in an area of medium level of relative tranquillity as shown in the SDNP Tranquillity Study.

2. Relevant Planning History

- 2.1 The most recent planning history relating to Upper Yard consists of the following pre-application enquiry:
SDNP/20/01592/PRE Grain store and drier.
- 2.2 Advice stated that the proposed grain store and drier facility at Upper Yard would likely be supported in principle as it be in line with Policy SD39 of the SDLP concerning new agricultural buildings, subject to details and further information to be submitted. It would also follow from the farm strategy set out in the endorsed Whole Estate Plan.
- 2.3 Officers advised to address matters regarding sustainable construction, ecology, noise and views. It was also advised to provide information to understand the potential impact that the operation of the grain store at Upper Yard would cause to the local road network and to the character and appearance of the historic sunken lanes of Newton Valence.
- 2.4 Officers suggested to submit a planning application once the above issues had been addressed.

3. Proposal

- 3.1 The proposal consists of the demolition of the existing underused agricultural buildings at Upper Yard and their replacement with a new grain store and drier. The new store and drier would be located within the existing footprint of the farmyard, not encroaching into the countryside. This facility will replace the existing old grain store and drier located on the A32 site.
- 3.2 The new building would measure 55.1 metres in length, 26 metres in depth, and 10.4 metres in height. It would have a capacity of 3,000 tons of grain.

- 3.3 The replacement grain store and drier would be built of modern standards to support precision farming and for the overall current and future farming operations of Newton Valence Farm. The building is to be constructed of concrete panels, steel boards of an Olive green finish and fibre cement roof sheets finished in Anthracite grey paint. The proposal also includes the provision of photovoltaic panels on the roof, which would feed energy to the grain drier. Furthermore, the proposal includes new planting within the setting of the building to link the surrounding Green Infrastructure network, as well as some ecological enhancements.
- 3.4 Access, parking and turning space is already provided and the development proposal would not require any alteration to the existing arrangement.
- 3.5 This proposal has benefited from pre-application advice and extensive negotiations with SDNPA officers through the life of the application.

4. Consultations

4.1 Newton Valence Parish Council: Objection.

- Concern is raised with regards to the increase of HGV movements and its impact on the historic sunken lanes and road verges.
- The Village Plan makes clear the concern of residents about the state of the historic sunken lanes. The Village Plan also refers to development proposals from Newton Valence Farm to be consulted with residents, but the applicant has failed to do so.
- The application is not clear on the justification to consolidate all agricultural building in one single location and has not clarified what the future use of the A32 site once it becomes vacant. The WEP mentions the replacement of the grain store, not its relocation.
- The noise assessment initially submitted with the application does not comply with the Environmental Health Officer's requirements.
- The increase in HGV movements on Newton Lane will increase health and safety issues due to conflict with horse riders, cyclists, walkers and other vehicles. Potential impact of HGVs on the historic bridge over Newton Lane.
- Upper Yard is located within the Dark Skies Core, and no external lighting should be permitted.
- Regarding the risk of flooding at the existing A32 site, Hampshire County Council is due to provide mitigation for flooding along the road. Therefore, there will be no longer risk of flooding at the A32 site.

4.2 Landscape Officer: Comments:

- No concern about the introduction of a new agricultural building.
- The application does not yet achieve Policy SD2 (Ecosystem Services).
- Concerns regarding material choices: Juniper Green finish, plastic covered bargeboards. Support to more environmentally friendly materials.
- Surface water flooding: the site could affect neighbouring properties by virtue of the significant area of hardstanding. The site should aim to reduce flood risk and enhance water quality.
- Indirect effects upon the lane from large vehicles and noise affecting tranquillity.
- Changes are recommended to the landscaping scheme: slope to the east to be adequately planted, bird and bat boxes better positioned, trees within hedgerow, new hedgerow link to the woodland, etc.
- Support PV panels.
- External lighting should be kept to the absolute minimum needed and should be avoided on the south east elevation.

4.3 Highways: No objection.

- The proposed grain store and drier will not generate a substantial increase in the

number of trips on the local highway network over and above the existing situation.

- Proposals will not result in any material highway/transportation implications.
- No conditions recommended.

4.4 **Environmental Health:** No objection subject to conditions.

4.5 **Ecology:** No objection subject to condition.

4.6 **Natural England:** No objection.

4.7 **Tree Officer:** No objection.

4.8 **SDNPA Enterprise Development Lead:** Comments:

- This proposal delivers on outcome 10 of the SDNP Partnership Management Plan 2020-2025 in pursuit of our National Park Purposes and Duty. This proposal is also supported by evidence collected for the SDNPA Economic Profile (2018) Priority 5: Land based industry which highlights the dependence of our economy and natural capital on this sector and stresses the need to support our land based businesses.
- The Newton Valence WEP (2017) states the need for a new grain store and drier and “the need to consolidate all farm operations in one location” and therefore it can be stated that this proposal does not conflict with the WEP in any way but rather represents consistent implementation in line with the action plan.

5. Representations

5.1 53 third-party representations were received commenting on the proposal, of which 52 are objections and 1 is in support of the application. These representations are summarised below:

Principle of development

- There is no need for a new grain store and drier.
- The WEP made reference to the replacement of the grain store, but not to its relocation.
- The A32 site is suitable for its replacement and has excellent transport links.
- The proposal constitutes major development.

Landscape impact

- Concerns with the use of materials and design of the building.
- Impact on tranquillity due to facility and traffic movements.
- Light pollution and impact on dark skies.
- The proposal ignores purpose 1 of the National Park.

Highways

- There are only three routes that could provide access to Upper Yard: via Newton Lane, Hullam Lane and Selborne Road. These are not suitable for HGVs.
- Increased lorry movements to and from Upper Yard, through Newton Lane and safety impact on users: cyclists, walkers, horse riders. There is no pavement on Newton Lane.
- The Village Plan makes reference to the degradation of verges and problem with increase of large vehicles. This would lead to erosion of the sunken lanes.
- Should the application go ahead, speed limits, signage and surface improvements should be introduced.

Other

- The new facility and traffic will increase noise pollution in the area. Potential impact to nearby residents and wildlife. Date and time restrictions are suggested to avoid some harm.
- Potential impact on historic railway bridge over Newton Lane. Potential impact on overhanging trees.

- Newton Valence Farm did not carry out any consultation with the village community.
- Loss of biodiversity. Impact on pollinators that use lane verges.
- Dust and CO2 emissions caused by traffic.
- The grain store will attract vermin and any rat poison will impact other species.
- The proposal does not meet enough challenges of the climate emergency.
- The A32-Newton Lane junction suffers from flooding. Additional vehicular movements would not improve flood risk.

Support

- This will make the farm efficient and successful.
- Reducing the sites used by the farm from 3 to 1 will improve efficiency and security, reducing frequency of farm machinery on roads, as well as carbon footprint.
- All this year's grain harvest was stored at Upper Yard with no noticeable impact.

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 of the South Downs Local Plan 2014-2033. 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 well-being of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect 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 landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF) 2019

- 6.4 The National Planning Policy Framework has been considered as a whole. The following NPPF sections have been considered in the assessment of this application:
- Achieving sustainable development
 - Building a strong, competitive economy
 - Promoting healthy and safe communities
 - Promoting sustainable transport
 - Making effective use of land
 - Achieving well-designed places
 - Meeting the challenge of climate change, flooding and coastal change
 - Conserving and enhancing the natural environment

Relationship of the Development Plan to the NPPF and Circular 2010

- 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.

The South Downs National Park Partnership Management Plan 2020-2025

- 6.6 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans “contribute to setting the strategic context for development” and “are material considerations in making decisions on individual planning applications.” The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant outcomes include:

- Outcome 1: Landscape and Natural Beauty
- Outcome 2: Increasing Resilience
- Outcome 3: Habitats and Species
- Outcome 7: Health and Wellbeing
- Outcome 10: Great Places to Work

Whole Estate Plans

- 6.7 A Whole Estate Plan (WEP) aims to enable collaboration between individual estates/large farms and the National Park Authority to achieve the ambitions of the Farm/Estate and the purposes of the National Park, and deliver the Partnership Management Plan. A WEP is a non-statutory plan not focused on or to be limited to planning matters but rather the whole husbandry of the Estate – farming, woodland management, conservation, access provision etc. An endorsed Whole Estate Plan is a material consideration in determining planning applications within the farm/estate and provides a contextual background to any development proposals.

Other relevant evidence document

- Newton Valence Village Plan (2015)
- Roads in the South Downs (2015)
- South Downs Landscape Character Assessment (2020)
- National Design Guide (2019)
- Sustainable Construction SPD (2020)

7. Planning Policy

- 7.1 The following policies of the South Downs Local Plan 2014-2033 are most relevant:

- SD1 – Sustainable Development
- SD2 – Ecosystems Services
- SD4 – Landscape Character
- SD5 – Design
- SD6 – Safeguarding Views
- SD7 – Relative Tranquillity
- SD8 – Dark Night Skies
- SD9 – Biodiversity and Geodiversity
- SD10 – International Sites
- SD11 – Trees, Woodland and Hedgerows
- SD12 – Historic Environment
- SD17 – Protection of the Water Environment
- SD19 – Transport and Accessibility
- SD21 – Public Realm, Highway Design and Public Art
- SD22 – Parking Provision
- SD25 – Development Strategy

- SD34 – Sustaining the Local Economy
- SD39 – Agriculture and Forestry
- SD45 – Green Infrastructure
- SD48 – Climate Change and Sustainable Use of Resources
- SD49 – Flood Risk Management
- SD50 – Sustainable Drainage Systems

8. Planning Assessment

Background

- 8.1 Pre-application advice was given in May 2020 on the replacement of the grain store and drier and relocation to Upper Yard (see planning history – Section 3). Advice provided identified the principle of the relocated grain store and drier acceptable, subject to a series of issues being resolved. These include: noise, sustainability criteria, traffic generation, ecology and views.
- 8.2 Negotiations have taken place during the life of this planning application between officers and the agent of Newton Valence Farm to ensure that development proposals successfully address the above issues raised at pre-application stage and are policy compliant.
- 8.3 The new grain store and drier facility is part of a plan of modernisation and diversification of Newton Valence Farm, which started with the Whole Estate Plan (WEP). The Newton Valence Farm WEP was endorsed by the South Downs National Park Authority (SDNPA) in 2017. The Newton Valence Village Plan was also endorsed by the SDNPA in 2018.

Principle of development

- 8.4 The proposal does not constitute major development for the purposes of the NPPF and policy SD3 of the Local Plan.
- 8.5 Policy SD34 of the South Downs Local Plan 2014-2033 (SDLP) is relevant in the assessment of this application as it relates to sustaining the local economy and supports proposals that foster the economic and social well-being of local communities. In particular, it supports proposals that promote and protect business linked to farming, a key sector in the National Park.
- 8.6 Policy SD25 of the Local Plan sets out the development strategy of the National Park, resisting development outside the defined Settlement Policy Boundaries. Exceptionally, Policy SD25 permits development outside settlement boundaries where it complies with relevant policies of the SDLP, responds to the context of the relevant area and there is an essential need for a countryside location. The proposed grain store and drier are essential facilities associated to a large farm enterprise in the National Park, which necessitates a countryside location given its rural location and nature of the business.
- 8.7 Policy SD39 of the Local Plan is most relevant in the assessment of this application as it concerns to new agricultural buildings. These will be permitted where:
- a) There is an agricultural or forestry need for the development within the National Park and its scale is commensurate with that need;
 - b) The development occupies the site best suited to conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park. Wherever possible, development should re-use or be on the footprint of an existing agricultural building, otherwise it should be related physically and functionally to existing buildings associated with the enterprise, unless there are exceptional circumstances relating to agricultural or forestry necessity for a more isolated location;
 - c) The buildings are in keeping with local character and of a design that reflects the proposed agricultural or forestry use;
 - d) The proposals include structure planting to integrate the development into the existing local landscape framework;

- e) A building has not been disposed of or converted to an alternative use at the holding in the past three years, which could have met the need of the development proposed; and
 - f) Existing redundant buildings within the application site which have a negative impact on landscape character are removed where appropriate.
- 8.8 It is considered that there is a justified need for the new grain store and drier. This is identified in the endorsed WEP and it is explained specifically by the farm manager in the application documents. Newton Valence Farm works more than 370 hectares of arable land and produces an average of 2,600t of grain per season, with the target to increase it up to 10% in 3-5 years. This would require a new, larger and modern facility to remain competitive in the business. The existing facility is detached from the farm yard, requires high levels of labour and energy for running and has a limited capacity of 1,500 tons, significantly below the NVF's seasonal production. A modern facility is justified.
- 8.9 Concern has been raised by the local community with the principle of relocating the facility from the existing A32 site to the Upper Yard site. Policy SD39 requires new agricultural buildings to occupy the site best suited to conserve and enhance the natural beauty, wildlife and heritage of the National Park. It also requires to re-use existing buildings, or previously developed sites. The relocation to Upper Yard will meet the above-mentioned policy requirement as it would be located within the footprint of an existing underused and unstable building and an area of existing hardstanding. This would make an efficient use of previously developed land with no encroachment into the countryside.
- 8.10 The relocation of the grain store and drier to Upper Yard will also consolidate all farm buildings in a single site, which is another aspiration for Newton Valence Farm (NVF). The proposal would also be well-related to other enterprise buildings and will help in the efficient running of the farm.
- 8.11 Policy SD39 also requires proposals to remove, where appropriate, existing redundant buildings within the application site which have a negative impact on landscape character. This proposal would entail the demolition of two existing cow barns within Upper Yard that show signs of poor structural integrity. This is positive and in line with policy.
- 8.12 No other building within Newton Valence Farm could have met the needs of a modern 3,000 tones grain store. The existing buildings to be demolished can store up to 500t of grain, their structure is failing and do not have a drier. Their modernisation to a larger store and drier facility is unfeasible. There are no other buildings within the farm that are suitable to use or adapt to a modern grain store and drier facility.
- 8.13 With regards to the existing grain store at the A32 site, it is an out of date, diesel fired facility, with capacity for 1,500t of grain, less than the total average production of NVF (2,600t). This facility was built in the 1950s when NVF was a mixed arable and dairy farm, however, the dairy business ceased in 2012. The existing A32 site does not seem capable of conversion and extension into a larger store and drier with capacity for 3,000 tons given the size of the site. Any alternative modern and larger facility within the existing A32 site would likely lead to encroachment of development into the countryside, which is resisted in Policy SD39.
- 8.14 Third party representations have raised concerns with the principle of relocating the building and wondered what would be the future for the to be vacant site at the A32. Notwithstanding this, the future of the A32 site is not directly relevant to this application and other than use for agricultural purposes within the existing building, further changes would require a planning application or prior approval.
- 8.15 In this instance, the acceptability of the principle of development outside settlement boundaries has been assessed using core and strategic policies SD1, SD25, SD34 and SD39 of the SDLP and the endorsed WEP, and it is considered that the proposal is compliant with the development strategy of the National Park.
- 8.16 Other policy requirements related to landscape and design are discussed below.

Landscape and visual impact

- 8.17 Policy SD4 relates to landscape character and states that development proposals will only be permitted when they conserve and enhance landscape character. Policy SD39 particularly refers to new agricultural buildings, which are required to be sited where they better conserve and enhance natural beauty, wildlife and cultural heritage. It also requires them to be in keeping with the local character and of a design that reflects agricultural use. Policy SD6 is also relevant as it refers to conserving and enhancing key views.
- 8.18 The building is of a scale that is similar to the existing building to be replaced and its size is appropriate given its siting and the capacity requirements to store and dry 3,000 tonnes of grain. The proposed building would be constructed of concrete panels and steel cladding (Olive Green finished), with a fibre cement sheet roof of a dark grey colour. This colour palette is considered appropriate and it is consistent with other modern agricultural buildings in Upper Yard. They will blend in well in the landscape given their landscape-based colours.
- 8.19 Planting proposed is sympathetic to the character of the area and consists of native species that contribute to better joined up habitats within the surrounding area of the building.
- 8.20 The land falls to the west of Upper Yard, there is a tree backdrop to the east of the site and a series of agricultural buildings, structures and hardstanding areas within the yard. Agricultural buildings within Upper Yard would partially block views of the new grain store when viewed from public vantage points to the west. This new structure, although partially visible, would complement the existing group of buildings. The building would not be an obtrusive addition to the site and would be read as a structure part of the working landscape.
- 8.21 A Landscape and visual Impact Assessment (LVIA) was submitted with the application. The LVIA identified potential glimpses of the proposed building from footpaths to the south and west, which effects are mitigated with a green cladding finish. Visual impacts are not significant. Given its proposed appearance and its location and tree backdrop, the building would not block any locally significant view or vista, preserving the visual integrity, agricultural identity and overall scenic quality of the National Park. Officers agree with the LVIA's conclusion and consider the proposal to be in line with Policy SD6 of the Local Plan.

Traffic, highways safety and rural roads

- 8.22 Policy SD21 of the Local Plan states that development proposals will be permitted where they protect and enhance highway safety. It also requires to give consideration to historic rural roads and the impact of development proposals on biodiversity, landscape and the amenity vale and character of these roads.
- 8.23 The new grain store and drier will be located within Upper Yard, which is the main work-activity hub in Newton Valence Farm and where the majority of buildings are redundant or underused. Therefore, the site is not being used up to its full potential capacity and subsequently, traffic generated by business in Upper Yard is, at the moment, significantly lower than what it would be if the site was in full use. It is also worth to note that the site's Heavy Goods Vehicles (HGVs) movements reduced significantly once the dairy operations ceased in 2012. Notwithstanding this, in the last years, NVF has used some buildings within Upper Yard to store grain as there was not enough capacity and wasn't convenient to use the A32 site. A number of HGVs and tractors already move in and out of Upper Yard transporting grain.
- 8.24 The proposed development would represent, as indicated in the submitted Traffic Considerations Statement, an increase of up to 35 two-way HGV trips per annum from Upper Yard, from the current average of 69 trips to a total of 104 trips. Concentrating all business in a single site, will also lead to a reduction of tractor traffic on the A32 and its junction with Newton Lane, and a significant reduction of trips on Newton Lane.
- 8.25 The Highways Authority has been consulted and concluded that a centralised operation at Upper Yard Farm would not greatly increase the number of vehicular movements associated with the existing operation. It also considers that that the development will not result in a severe intensification of trips on the local network.

- 8.26 Newton Lane and Selborne Road are the main route to and from Upper Yard. These are roads that are also used by cyclists, horse riders and walkers in the area. Concern was raised by the Parish Council on potential conflicts with these users as HGV traffic increases. Notwithstanding this, the Highways Authority do not identify any adverse highways safety impact resulting from the proposal. These lanes are commonly shared by all road users and large vehicles as this is a working landscape, where shared lanes are expected. Furthermore, a decrease in the number of tractors using Newton Lane would be beneficial to other users.
- 8.27 Following from comments made by the local community, the Highways Authority has also confirmed that whilst there is a 7.5 tonne weight Traffic Regulation Order for the area, this restriction does not apply to HGVs used in connection with the transportation of goods to and from premises within the area and for those being use for agriculture. Therefore, Newton Valence Farm lawfully uses and can use the Newton Lane and Selborne Road for HGVs in association to the farm business.
- 8.28 An increase in traffic is considered by the local community to cause harm to the character of sunken lanes in the area due to any erosion of banks and verges. The Newton Valence Village Plan also acknowledges the village's concerns at the erosion, the damage being done at Hullam Lane and the number of HGVs finding a way in and out of the village and damaging the verges. It is considered that the proposed development should not affect Hullam Lane and the centre of the village as the route used by HGVs is via Selborne Road and Newton Lane to the A32. No other routes are affected and vehicles do not need to access the centre of the village and go through Hullam Lane to reach Upper Yard.
- 8.29 Notwithstanding the above, the amount of traffic generated by this development would not be substantial and HGVs already lawfully use Newton Lanes and Selborne Road to access Upper Yard. Given that the current site is not being used in an intensity as to reach its full capacity and associated traffic, and that the number of tractors using these lanes would reduce, it is considered that any increase of HGVs resulting from this development would not lead to a material change of the traffic patterns as to adversely impact the character of sunken lanes.
- 8.30 On the above premise, it is concluded that the proposed development would not lead to a significant increase in traffic in the area as to lead to harm to highways safety, neither to reduce the landscape vale of rural lanes in the area. The proposal is consistent with Policy SD21 of the SDLP and paragraph 109 of the NPPF.

Impact on amenity of local residents

- 8.31 The site is located within a working farm yard, where agricultural-related activities take place every day of the week. Notwithstanding this, there are some residential properties in proximity to Upper Yard that are considered as the grain drier would lead to some degree of noise generation. Goldrige Cottages, sit approximately 120 metres to the west of the site. Woodside is located approximately 120 metres to the north of the site and Derwen and Reed Cottages sit over 140 metres to the south. The impact of noise pollution on the abovementioned residents is assessed below.
- 8.32 Following advice given at pre-application stage, a noise report prepared by a professional in the field has been submitted with the application. This has been assessed by the District's Environmental Health Officer who have raised no objection to the proposed development as no harm has been identified to nearby residents in terms of noise.
- 8.33 The District's Environmental Health Officer has also recommended two conditions with regards to noise mitigation measures. These require noise mitigation measures to be installed as per specifications within the Noise Report as well as a further assessment to be carried out once the grain dryer has been installed to demonstrate that the predicted noise levels have been achieved and ensure residential amenity is sufficiently protected. These conditions are considered to be necessary and therefore are included in the set of conditions of this report.
- 8.34 It is not considered that proposed grain store and drier within the site will detriment the amenities of the occupiers of the nearby dwellings to such an extent as to cause harm to their living conditions and to warrant a refusal. It is concluded that, subject to conditions,

that the proposed scheme will accord with the requirements of policy SD5 in terms of the impact on the surrounding residential amenities and that the scheme is acceptable in planning terms to this regard.

Relative tranquillity and dark night skies

- 8.35 The application site is located on the edge of the Dark Sky Core. The area is also in an area of medium level of relative tranquillity as shown in the SDNP Tranquillity Study.
- 8.36 Policy SD8 relates to the conservation and enhancement of the intrinsic quality of the dark night skies, and the integrity of the Dark Sky Core. The Design & Access Statement submitted with the application identifies the need of some external lighting when loading grain outside the building especially during the darker months. Some degree of carefully designed external lighting is considered to be acceptable in this instance, given the nature of the business. Any external lighting is expected to be located on the main elevation (north-west), which does not face open countryside neither any Green Infrastructure assists, avoiding direct visual and wildlife impacts.
- 8.37 The applicant has accepted a condition to control the lighting details, which should be in line with the SDNPA Dark Night Skies Technical Advice Note. A condition has been incorporated to the report.
- 8.38 Policy SD7 of the SDLP states that development proposals will only be permitted where they conserve and enhance the relative tranquillity of the National Park. Whilst the site is within a medium tranquil area of the National Park, the replacement building would not be visually more intrusive in the landscape. The new drier at Upper Yard would lead to a higher degree of noise when the fans are in use, however, as stated by the Environmental Health Officer, they would not lead to noise that would harm people's wellbeing. Given that the site currently functions as an active working farmyard, the addition of further farm activity as proposed would not necessarily detract from the tranquillity of the area.
- 8.39 Given the above, the proposal would retain existing levels of tranquillity and dark night skies will be conserved on site, in compliance with Policies SD7 and SD8.

Ecosystem Services and Green Infrastructure

- 8.40 Policy SD2 of the SDLP relates to ecosystem services and states that development proposals will be permitted where they have an overall positive impact on the ability of the natural environment to contribute goods and services. This is to be achieved through high quality design and delivering all opportunities to manage natural resources sustainably. Policy SD45 of the SDLP requires for development proposals to demonstrate that they maintain or enhance existing green infrastructure assets and provide new joined up habitats.
- 8.41 The proposal has demonstrated to have an overall positive impact on ecosystem services as it makes an efficient use of previously developed land, does not require changes on ground levels or disruption to soils, it would retain existing embankments and use planting to prevent further erosion from surface water. Furthermore, the grain store and drier would contribute to the efficient management of grain, which is essential in the sustainable production of food. The building, although constructed from non-renewable materials due to food security, would be fed by electricity from a photovoltaic panel on the roof, increasing its sustainability performance.
- 8.42 The site does not significantly contribute to the green infrastructure network, at the moment, only some of the planting beyond the embankments have some value from a Green Infrastructure's perspective. The proposal includes to strengthen the planting within the banks on a north to south direction with new hedgerows and trees to link these with the woodland to the east.
- 8.43 The landscaping plan was considered by the Landscape Officer to miss some key opportunities to link existing habitats and provide ecosystem services. Following negotiations, the landscaping plan has been revised and it currently includes native tree, scrub and hedge planting connecting existing habitats, suitable ecological enhancements and areas of wildflower seeding. This is considered appropriate, proportionate to this

development and a significant enhancement of existing Green Infrastructure. The landscaping proposals are in line with Policies SD2 and SD45 of the Local Plan.

- 8.44 Appropriate maintenance of the planting is controlled by condition.

Ecology

- 8.45 Policy SD9 of the Local Plan requires development proposals to conserve and enhance biodiversity as well as to incorporate opportunities for biodiversity net gain.

- 8.46 The application was accompanied with a Biodiversity Mitigation and Enhancement Strategy (July 2020) which include bat, bird and reptile mitigation and enhancement measures within the site and its setting. The County's Ecologist was consulted on this application and raised no objection, subject to the ecological mitigation and enhancement measures being conditioned.

- 8.47 A condition has been incorporated to the report requesting that the ecological mitigation and enhancement strategy should be implemented in full. Furthermore, lighting details are also conditioned to ensure that lighting does not negatively affect wildlife corridors. Given the above, it is considered that the proposal meets the requirements of Policy SD9, subject to conditions.

Surface water drainage and flooding

- 8.48 The application site is located within the Environment Agency's Flood Risk Zone I (low risk), where no surface water flooding has been recorded. The site currently comprises a large building and hardstanding with no surface water infrastructure or Sustainable Drainage Systems (SuDS).

- 8.49 Whilst the Landscape Officer advised that the site could benefit from SuDS, Policy SD50 of the Local Plan requires development proposals to ensure that there is no net increase in surface water run-off. Given that the amount of hardstanding areas within the site would not materially change, it is not expected that this development will lead to an increase in surface water run-off. Moreover, the planting proposed along the banks and surrounding areas will help to reduce water run-off in the area. This is considered to be a proportionate approach in line with the purposes of Policy SD50.

- 8.50 Concern was raised by the Parish Council on the justification provided by NVF for the relocation of the existing grain store and drier from the A32 site, which, amongst others, include the flooding of the existing facility and its impact on the operation of the business. The existing A32 site is located within an area with records of high level surface water flooding. Irrespective of this, it is considered that the development proposal is compliant with Policy SD39 on new agricultural buildings, and the justification provided for its relocation, as per the section above, is sufficient.

Sustainable construction

- 8.51 The SDNPA encourage all new development to incorporate sustainable design features, as appropriate to the scale and type of development. No specific requirements are outlined in the Sustainable Construction SPD for agricultural developments, however, these should meet minimum sustainability credentials as per policies SD2 (Ecosystem Services) and SD48 (Climate Change and Sustainable Use of Resources).

- 8.52 The proposed building will feature a great amount of photovoltaic panels on the roof which will feed electricity to the drain drier within. This is a significant design feature in accordance with the objectives of policies SD2 and SD48 of the Local Plan. The Landscape Officer has also supported the use of photovoltaic panels on the roof from a visual impact's perspective.

- 8.53 Overall, the proposal has proportionately contributed with a zero-carbon technology, in line with Policy SD48 requirements.

9. Conclusion

- 9.1 The proposed grain store and drier is a needed facility that would support the modernisation of Newton Valence Farm and its consolidation in a single site, as explained in the endorsed WEP. The new building would make an efficient use of a previously developed

agricultural site within Upper Yard, the main cluster of farm. It would entail the demolition of an existing underused and structurally unstable buildings. No other building within the farm is fit to store and dry 3,000 tonnes grain.

- 9.2 In terms of design and landscape impact, the building would be read as an agricultural building, fit for purpose and which would integrate in its local context. No visual harm is identified. Furthermore, the proposed photovoltaic panels, ecological and Green Infrastructure improvements would make a material contribution towards ecosystem services and sustainable development.
- 9.3 Potential noise pollution to neighbours will be adequately mitigated as it is controlled by conditions. Moreover, although there would be an increase in HGVs travelling across the local road network, a reduction in tractor movements is also identified. Overall, the changes in traffic intensity in the area will not be significant as to result in an adverse highways safety impact.
- 9.4 For the reasons above, the proposed development is considered to be compliant with the Local Plan and the NPPF. Consequently, this application is recommended for approval subject to conditions.

10. Reason for Recommendation and Conditions

- 10.1 It is recommended to grant outline planning permission subject to the conditions below:

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)/ 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.

External lighting details

3. No development above slab level shall commence unless and until details of any external lighting of the site, are submitted to and approved in writing by the SDNPA. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (2011) for the Dark Skies Core zone, the approved Biodiversity Mitigation and Enhancement Strategy (Enims, July 2020) and the SDNPA "Dark Skies Technical Advice Note (2018)". The approved installation shall be operated and retained in accordance with the approved details.

Reason: To protect the amenity of future residents, create an appropriate amenity space, protect wildlife, and conserve the landscape and dark night skies of the South Downs National Park, in accordance with National Park Purposes and the NPPF.

Construction works time

4. No construction activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no construction or demolition on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents.

Materials

5. The development shall be carried out in complete accordance with the materials and finishes as per the approved application documents and the sample materials approved by the SDNPA. Once implemented they should be retained.

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

Landscaping

6. The development shall be carried out in complete accordance with the approved landscaping and planting scheme as per the approved Landscape General Arrangement Plan (drawing number 2197-TF-00-00-DR-L-1001 – revision P04 – 10.12.2020). Once implemented they should be retained. All such work shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

Ecology

7. Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Biodiversity Mitigation and Enhancement Strategy (Enims, July 2020) unless otherwise agreed in writing by the SDNPA. Ecological mitigation, compensation and enhancement features shall be implemented and installed as per the ecologists' instructions and mitigation and enhancement features retained in perpetuity in a condition and location suited to their intended function.

Reason: to protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and with Strategic Policy SD9 of the South Downs Local Plan.

Noise mitigation

8. The development shall be carried out and operate in complete accordance with the noise mitigation measures detailed within the Ian Sharland Ltd Noise Impact Assessment v4 ref M4873 dated 18 December 2020 and maintained in accordance with the approved details.

Reason: To protect the amenities of local residents living in vicinity of the grain dryer and relative tranquillity.

9. Prior to the first use of the grain dryer the applicant shall carry out a noise assessment to demonstrate the noise levels meet the noise criteria given the Ian Sharland Ltd Noise Impact Assessment v4 ref M4873 dated 18 December 2020. The scope of the assessment shall be agreed in advance with the Planning Authority and the results of the assessment submitted for written approval. The grain dryer shall not be used until it has been demonstrated to the satisfaction of the Planning Authority that the noise criteria have been achieved.

Reason: To protect the amenities of local residents living in vicinity of the grain dryer and relative tranquillity.

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 extensive advice from the SDNPA Landscape and Development Management Officers and the opportunity to provide additional information to overcome critical issues and the opportunity to amend the proposal to add additional value as identified by SDNPA Officers and consultees.

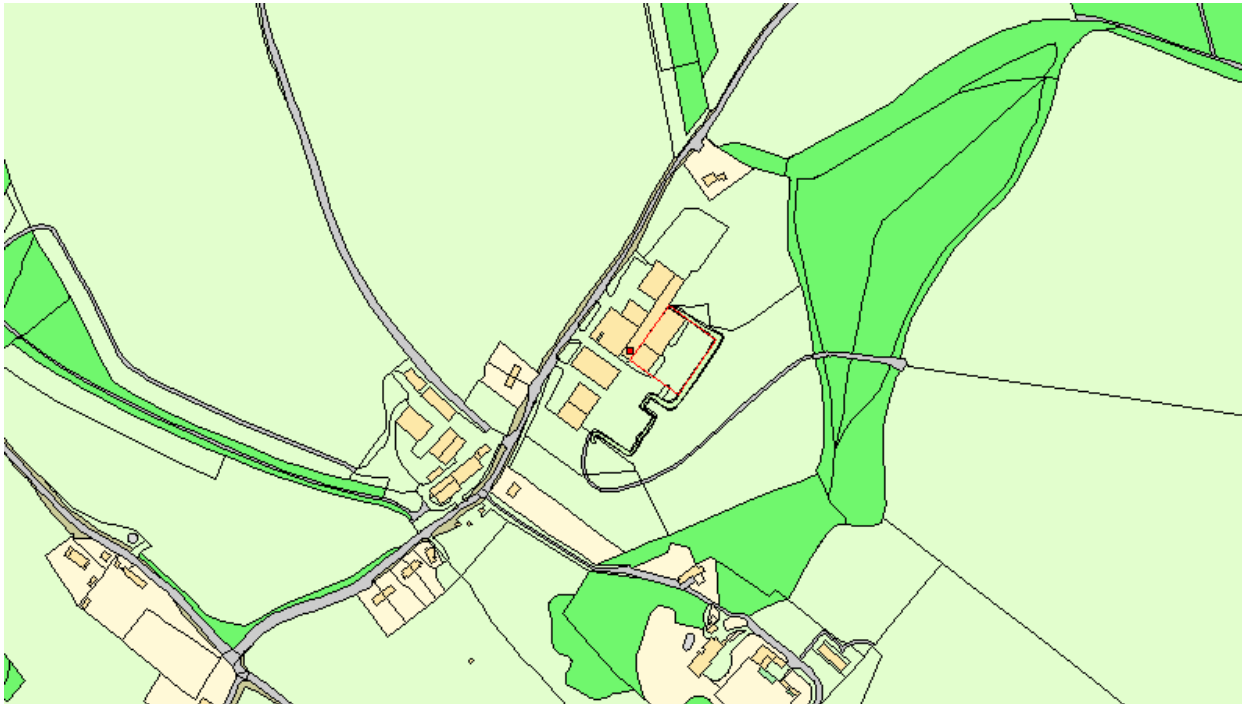
TIM SLANEY

Director of Planning

South Downs National Park Authority

Contact Officer:	Rafa Grosso Macpherson
Tel:	01730819336
email:	Rafael.Grosso-Macpherson@southdowns.gov.uk
Appendices	I. Site Location Map
SDNPA Consultees	Legal Services
Background Documents	Planning application (documents, representations and consultation responses) https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage South Downs Local Plan 2014-2033 https://www.southdowns.gov.uk/planning/south-downs-local-plan_2019/ National Planning Policy Framework (2019) https://www.gov.uk/government/publications/national-planning-policy-framework--2 The South Downs National Park Partnership Management Plan (2020-2025) https://www.southdowns.gov.uk/partnership-management-plan/ English National Parks and the Broads: UK Government Vision and Circular (2010): https://www.gov.uk/government/publications/english-national-parks-and-the-broads-uk-government-vision-and-circular-2010 South Downs Integrated Landscape Character Assessment (2020) https://www.southdowns.gov.uk/landscape-design-conservation/south-downs-landscape-character-assessment/south-downs-landscape-character-assessment-2020/ Newton Valence Village Plan 2015 https://www.southdowns.gov.uk/wp-content/uploads/2018/06/Newton-Valence-Village-Plan.pdf Newton Valence Farm WEP https://www.southdowns.gov.uk/planning-policy/whole-estate-plans/endorsed-whole-estate-plans/ Roads in the South Downs 2015 https://www.southdowns.gov.uk/wp-content/uploads/2015/09/Roads-in-the-South-Downs.pdf

**Agenda Item 7 Report PC20/21-27 Appendix I
Site Location Map**



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Agenda Item 8
Report PC20/21-28

Report to	Planning Committee
Date	21 January 2021
By	Director of Planning
Local Authority	East Hampshire District Council
Application Number	SDNP/19/03709/FUL
Applicant	The Ahmadiyya Muslim Association UK
Applications	Change of use of Oakland Farm and associated land holdings from Agriculture and B8 (Open Storage) to mixed use Agriculture, B8 (Open Storage) and Seasonal Event Space associated with the holding of a Religious Festival associated with the Ahmadiyya Muslim Association; alongside the provision of external storage space, new landscape and revised ventilation and extraction equipment in association with the onsite kitchen.
Address	Oaklands Farm, Green Street, East Worldham, Bordon, GU34 3AU

Recommendation:

That permission be refused for the reasons set out in section 10 of the report.

Executive Summary

The application has been submitted on the basis that the Jalsa Salana religious event, organised by the Ahmadiyya Muslim Association (AMA) (which has had up to 37,000 people attending) has been held for a number of years and has recently exceeded the number of days (28) within which such activities could be carried out under permitted development rights.

The application is seeking permission for the one religious event each year. The applicant has also confirmed that the required period for set up and take down after the event is 7 weeks.

This application includes proposals for alterations to the ventilation and extraction equipment in the kitchen/bakery building which was approved under an earlier planning permission. Unauthorised extraction equipment has been installed over time and this application seeks to address this matter with alternative ventilation/extraction arrangements. The application also includes proposals for use of a particular area of the site for open storage in relation to infrastructure required for the annual event.

The application is considered to be Major for the purposes of Paragraph 172 of the National Planning Policy Framework (NPPF), taking into account the proposal and that it could, on the face of it, have a significant adverse impact on the purposes for which the area has been designated or defined. The proposal must therefore have exceptional circumstances and be demonstrably in the public interest having regard to all other factors, as set out in the Framework. Whilst it is considered that the proposals might be able meet the considerations set out, having regard to all the circumstances and particularly the limited and temporary nature of the events, on the basis of the submitted limited information it is considered that this has not been proven. This is particularly so in relation to the effect on the environment, landscape and recreational opportunities and the extent

to which they could be moderated. Notwithstanding the issues mentioned, it is considered that the development is in the public interest again having regard to its limited and temporary nature.

The application also requires consideration as to whether it serves the purposes of the National Park, with issues upon Purpose 1 being balanced with the temporary nature of the events, the enjoyment and understanding of the National Park, the cultural and economic benefits to the area and the environmental benefits which can be secured, were the application to be approved.

It is acknowledged that there will be short term impacts on the surrounding locality and purposes of the National Park in relation to the landscape beauty of the area. These are, however, considered to potentially be outweighed by the long term benefits that can be accrued in terms of stewardship of the land and the promotion of the enjoyment and understanding of the Park. On balance, and with appropriate robust conditions and Event Management Plans, approval solely for one religious festival/event **could** conserve and enhance the long term natural landscape beauty of the surrounding area and would create opportunities for enjoyment and understanding of the National Park.

Notwithstanding that the principle could be acceptable, the application, as with the original application, continues to be deficient in the following respects: -

- It has not been demonstrated that the proposal would not impact adversely on the Designated Sites in the immediate locality.
- It has not been demonstrated that the proposal would not impact on ecological interests in the immediate locality.
- It has not been demonstrated that the proposal would not have an adverse impact on Dark Night Skies in the locality.
- It has not been demonstrated that the proposal would not have an adverse impact on Landscape character in the locality.
- It has not been demonstrated that the proposal would not have an adverse impact on surface water drainage
- In the absence of a Legal Agreement it has not been demonstrated the proposal would not have an adverse impact on the local road network.

There has been correspondence and discussion with the applicant during the course of this application with much opportunity being given to address the deficiencies, but the above concerns still remain and **refusal is therefore recommended.**

The application is placed before the Committee because it is a major application and due to the level of local interest.

I. Site Description

- I.1 Oaklands Farm is a large site (74h in total) and is best described as comprising two distinct areas. The first is the main farm comprising of agricultural, storage, kitchen/bakery and residential buildings in the central northern part of the site adjacent to Green Street. This part is approximately 3.10ha in size). This area is mainly taken up by buildings with surrounding access roads, but has a large area of hardstanding to the immediate south, which currently comprises open storage in connection with the festival.
- I.2 The second part of the site consists of a number of agricultural fields to the east, west and south of the main part of the farm. Woodland belts and treed hedgerows form the internal fields across the site. It is within these fields that the event which is the subject of the application has historically taken place in previous years, though being generally concentrated towards the centre of the site. The area is predominantly flat, although land rises towards the boundary of the site to the south west.
- I.3 The site is located within Character Area J (Greensand Terrace) and K2 (Kingsley/Blackmoor Mixed Farmland and Woodland).
- I.4 Green Street lies beyond the northern boundary of the site and links Alton to the west with Bordon to the east/south east. Closer to the site there are a number of small villages/settlements with East Worldham closest to the north west of the site, Kingsley to

the north east and Shortheath and Oakhanger to the south east. In terms of residential properties near the site, the closest group of dwellings are located to the north west corner of the site in Green Street. In addition, a group of properties are located to the east (and to the immediate north of Binswood SSSI).

- 1.5 The northern boundary of the site is bordered by mature trees which go some way to screening the site, although naturally provide glimpsed views along the road of what continues to be viewed predominantly as an agricultural landscape.
- 1.6 2no footpaths cross the site, with FP27 going in a north west to south east direction from Green Street across to the Binswood SSSI which is ancient woodland (just outside the site). FPI8 lies further to the south of the site, but falls outside land which has historically been used for the event.
- 1.7 Whilst there are no statutory designated sites within the site boundary, important designated sites lie in close proximity. Part of the East Hampshire Hangers Special Area of Conservation (SAC) borders the site to the west, covering 560ha, much of which is comprised of woodland habitats. The site receives its designation primarily due to the presence of *Asperulo-Fagetum* beech forests, supporting a rich diversity of ground flora species.
- 1.8 The Wick Wood and Worldham Hangers SSSI borders the site to the west with Binswood SSSI (a common comprised of ancient semi-natural woodland) bordering the site to the south east.
- 1.9 Further afield are the Upper Greensand Hangers: Wyck to Wheatley SSSI which is located to the north west, and Shortheath Common SAC/SSSI/LNR to the east/south east.
- 1.10 The most notable historical feature within close proximity to the site is King John Hill which is a scheduled Ancient monument. This is located beyond the border of the site to the south west.
- 1.11 A network of streams and ditches cross the site with the main stream flowing through the centre of the site. The Ecological survey also identified a pond in the north of the site, just north of the main stream (and to the south east of the main group of farm buildings.)

2. Relevant Planning History

- 27337/006 – Retention of upgraded track and two new tracks, retention of four concrete stream crossings and associated culvert works – Approved 2006
- 27337/007 – Underground foul drainage pipe system and storage tank – Approved 2006
- 27337/009 – Retention of underground electricity and water supply services and manholes together with alterations to western access to B3004 – Approved 2007
- 27337/011 – Retention and construction of access tracks and two secure compounds to contain borehole sites – Refused October 2007
- 27337/016 - Retention and construction of access tracks and two secure compounds to contain borehole sites – Approved June 2008
- 27337/020 – Change of use of redundant agricultural building to Class B8 Storage – Approved 19 June 2009
- SDNP/12/00760/FUL – Change of use of redundant agricultural building to B1 & B8 – Approved 7 September 2012
- SDNP/16/02879/FUL – Retention of vehicular access and new front entrance gates - Approved 7 November 2016
- SDNP/17/00582/FUL – Retention of bund – Approved 4 June 2017
- SDNP/18/002170/FUL - Change of use of Oakland Farm and associated land holdings from Agriculture and B8 (Open Storage) to mixed use Agriculture, B8 (Open Storage) and Seasonal Event Space associated with the holding of Religious Festivals and other activities associated with the Ahmadiyya Muslim Association; including the provision of external storage space, new landscape and revised ventilation and extraction equipment in association with the onsite kitchen. – Withdrawn – 13 March 2019.

3. Proposal

- 3.1 The Ahmadiyya Muslim Community promote the peaceful revival of Islam and was founded in 1889. It has been established in the UK since 1913. London's first mosque was built in 1926 and it now has 100 branches across the UK and the Community have opened a number of mosques. Whilst the Community is part of Islam, its teachings differ from those of other branches of the faith. Because of statements from other branches of Islam, members of the Community cannot attend services in other non-Ahmadiyya mosques.
- 3.2 Jalsa Salana is the formal annual gathering of the Community and usually spans over three days beginning on a Friday. The event is streamed live on the broadcasting network Muslim Television Ahmadiyya International. The first event took place in 1964. From 1985 to 2004 the event took place in Tilford. Since then, because of rising numbers, the Community bought the site at Oaklands Farm.
- 3.3 The event is usually held on the last week of July. The number of participants average around 30,000 annually. In 2017, about 37,000 people from more than 100 countries attended the event. Given the current Covid19 Pandemic, the festival did not take place in 2020. The applicant, in their submitted documentation confirm that they would accept a restriction on numbers not exceeding 38,000 (excluding members of staff/crew working at the event) with a request that a S106 Agreement be secured which allowed for the potential for the capacity to increase to up to 50,000 in the future. The matter of capacity is considered in the planning assessment.
- 3.4 The use of the site for the event, including setting up and taking down has invariably exceeded the 28-day rule over the last few years, meaning that planning permission would be needed for the change of use. Organisers therefore submitted the current application in an effort to regularise the use of the site for the festival. This application follows a previous application which was submitted in 2018 and withdrawn in March 2019, following outstanding issues remaining with regard to the application.
- 3.5 The proposal seeks the use for the event for a maximum of four days and an allowance of 7 weeks in total for the set up and take down in relation to the event. In addition, the following elements are also proposed: -
- Use of the hardstanding to the south of the main farm buildings for B8 open storage in connection with the festival together with further landscaping around this open area.
 - Provision of landscaping on the boundary with Green Street and in the southern portion of the site.
 - Revised ventilation/extraction equipment for the kitchen/bakery building.
- 3.6 According to the submitted documentation it is envisaged that the vehicle attendance level for the event as a whole would not exceed 3,900 per day. Measures have been taken by the organisers to seek to maximise the use of coaches and public transport. A range of parking facilities include coach parking, shuttle bus system, limited designated parking for visitors, VIP's and disabled visitors. A Park and Ride would be located at Sleaford Market with parking capacity for 5,000 vehicles (which has been used before for this purpose during the event).
- 3.7 During the event there have historically been a number of temporary structures, marquees, etc. together with lighting around the site and noise amplification equipment.
- 3.8 The use of the land for the remainder of the year would revert to an agricultural use. Whilst the agricultural enterprise is somewhat small in scale, it is understood that there are aspirations to expand the agricultural enterprise. The applicant submitted a "High Level Farming Plan" which sets out that, at present, they produce hay which is sold to local farmers and they wish to increase the production to be sold to areas within Surrey. In addition, the applicant currently supplies fresh milk to 2 AMA sites in London with plans to increase to a further site in Surrey. It is also understood that the Community intend to formulate a plan to grow crops. It is reasonable to state that the agricultural enterprise continues to be in an embryonic state, and that a significant part of the site remains fallow when the festival is not taking place.

4. Consultations

4.1 Arboricultural Officer – No objection

- Structures on the site, services and boundary fencing should maintain a minimum 15 metre buffer from the canopy of trees in Ancient Semi Natural Woodlands.

4.2 Archaeologist – No objection

4.3 Dark Skies Officer – Comments (following submission of most recent information)

- These lights will cause significant impacts.
- Each light is 14 times more powerful than street-lighting, operating with highly penetrative white light. The overall impact would be extremely significant and shows the design does not regard our dark skies in any meaningful way.
- The type of lighting provided is designed to cover a multitude of activities, including sports which require a substantially higher level of surface illumination from that of pedestrian pathways and movements. The applicants design does not seem to reflect any guidance on appropriate light as the choice of luminaire are far too general. The lighting is significantly over-bright and inappropriate to dark skies in this setting.
- The height of the poles can be higher than that of street lighting. As the lighting has to cover playing pitches the spread of light has to come from a higher and more intense source. These lamps will be much more visible in the landscape. A light spill analysis is essential to protect neighbours and wildlife.
- The choice of light is understandable given the event, but it is crude, general and will significantly over light the ground and the air. The choice of lighting shows little regard for dark skies.

4.4 Drainage – Comments

- Can't sustain an objection on the foul drainage, but the applicant has never addressed surface water issues and the various bridge crossings of the stream.

4.5 Ecologist – Comments based on most recent submission of information - Further information required

- Further clarifications are required.
- Request that proposed usage of some lighting units 'from dusk to dawn' during set-up and take down is justified and potential impact on nocturnal species is assessed. Permanent lit areas need to be assessed, irrespective of whether they avoid the identified boundary features. The dark buffers are sacrosanct in all circumstances but there are concerns about illumination of other areas for entire nights unless this is critical to operations.
- It is essential that submitted plans show an accurate representation of lighting, not indicative.
- There is a requirement to have a minimum 15m buffer (from the maximum extent of trees) at the boundaries of the SAC and the SSSI.
- The suggested outline schedule of ongoing bat surveys should be secured by condition.
- The submitted information does not comprise a securable management strategy.

4.6 Environmental Health – Recommends Temporary permission subject to conditions.

- Comments based on observation from events and consideration about how the site could be used if permission were obtained and run by different operators. (No further comments received in relation to further information submitted by the applicant).

4.7 Hampshire County Council (Local Lead Flood Authority) – Comments

- The applicant has not provided any additional information on the existing/proposed surface water management proposal and therefore, it is unclear which drainage strategy the applicant is seeking for approval.

- Requested that the applicant provides a Drainage Strategy which include a secure outfall for surface water disposals.

4.8 Highways Authority –No objection subject to conditions

4.9 Highways England – No objection

4.10 Landscape – Comments

- The use of this land for an annual festival, is accepted in-principle. However, changes to the land to facilitate this use, for example; widening and hard-surfacing of tracks and storage, alongside a lack of/reduction in, land management, is beginning to erode the site's rural agricultural character. The acceptability of the proposals therefore relies upon the positive agricultural management of the land for the remainder of the year. Positive stewardship of the land would be ideal mitigation for the proposed temporary (i.e. a few weeks of the year) use.
- This stewardship should include two things: 1) Direct interventions to generate improvements for the significant protected sites which border the application site itself: 2) Use of the land for agriculture – it is a heavy clay soil so pasture (grazing livestock) would be well-suited and characteristic
- Without securing this mitigation, would be minded to object to the proposals.

4.11 Natural England – Objection

SSSI'S/Ancient Woodlands

- Ancient Woodland: Further information required: Concerns regarding the proximity of the boundary to the woodland and impact from lighting.
- Supporting information states all woodland to be fenced off, but does not state this would adhere to the 15 metre buffer.
- For lighting it outlines a minimum 10m buffer will be provided. Natural England advice states buffers of a minimum of 15m should be applied, in proximity of ancient woodland.
- Further detail of lighting design should be submitted to and approved by the Ecologist.
- Provide the above measures are secured Natural England has no objection to this aspect of the application.
- Construction Environmental Management Plan (CEMP) recommended to be secured by condition

Environmental Enhancement

- An appropriate level of enhancement measures should be secured.

Comments on receipt of further information from the applicant.

- Habitats Regulations Assessment – further information required: HRA required
- Binswood SSSI/East Hampshire Hangers SAC– objection further information required: Potential to impact during construction/operational phases and concerns regarding proximity to woodland and adverse impacts from lighting and visual disturbance. Further assessment required to consider specific impacts on the SAC & SSSI, and whether these can be avoided or mitigated.
- The Lighting plan shows 15m buffer adjacent to the SAC but a 10m buffer adjacent to the SSSI. Buffers of a minimum of 15m from the canopy edge should be applied. Permission should be refused if development will result in the loss or deterioration of ancient woodland, ancient trees and veteran trees unless there are exceptional reasons.
- Advise security fencing is included here to prevent access to SSSI during the festival, and secured by condition.
- Plans do not show the correct boundary of the SSSI.
- Environmental Enhancement - Application should be supported by a Biodiversity Mitigation and Enhancement Plan (BMEP).

Comments on SDNPA HRA and further information from Applicant

- Concur with the conclusions of the SDNPA HRA that insufficient information, avoidance or mitigation measures have been provided to rule out likely significant effects on the East Hampshire Hanger SAC through potential increased recreational disturbance, pollution and lighting impacts. Please refer to
- These impacts also apply to the SSSI. Lighting plans still showing a buffer zone of 10m where possible and also the buffer zone and exclusion zones are drawn from the centre of the tree not from the canopy edge. All buffer zones should be a minimum of 15m from the canopy edge. Due to the scale of the event consideration should be given to incorporating larger buffer zones.
- Recommend that security fencing is used to prevent access to the SAC and to the SSSI.
- Welcome the removal of intended management works to SSSI boundary but the habitat plan should be updated to show the correct boundary of the SSSI.

4.12 **Rights of Way (Countryside Service) - Comments**

- An application to Hampshire County Council has been made for a S119 Highways diversion of Worldham Footpath 27. Countryside Services are satisfied that if the diversion is confirmed that the obstruction of the Right of Way will be avoided and are able to withdraw the objection to the proposals. The grant of planning permission is separate from any consents that may be required in relation to access and Rights of Way and that nothing should be done to stop up or divert the public Right of Way without following the due legal process.

4.13 **Woodlands Trust –Objection**

- Potential damage and deterioration of two areas of ancient woodland.
- The NPPF (Para 175) states “when determining applications local planning authorities should apply the following principles:
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.”
- No wholly exceptional reason for the development in this location.
- Regard should be had for Policy SD9, SD4 and SD11 of the Local Plan.
- When land use is intensified, plant and animal populations are exposed to environmental impacts from the outside of a woodland.
- Concerns focus on where the wood edge overhangs public areas, branches and even whole trees can be indiscriminately lopped/felled causing reduction of the woodland canopy.
- The considerable volume of sewage during events, if a pollution event were to occur, would lead to significant damage to the SSSI's.
- Temporary works resulting from the proposals may cause long term damage to the ancient woodlands.
- Trust requests an HRA is undertaken.
- Mitigation measures could include buffer zones.
- This application should allow for a buffer zone of at least 30m to allow for the effect of noise and light pollution.
- No comments received in relation to additional information

4.14 **Binsted Parish Council - Objects**

- Traffic volume concerns during the Festival affecting local residents. Large vehicles getting stuck or damaging property/ vegetation using local roads.
- Experience of tranquillity and scenic beauty is impaired by the increased flow of traffic.
- Tents and floodlights at Country Market close enough to the periphery of the Park to be seen and impact on dark night skies.
- Unfair for residents and visitors to put up with disruption over an increased period.

4.15 Kingsley Parish Council – Objection

- Errors, omissions and inaccuracies with documentation. Has not addressed reasons why recommended for refusal last time.
- Impact on ecology, dark night skies and relative tranquillity have not been addressed by detailed assessments on light, noise and air quality.
- Traffic issues are always a major concern for residents of Kingsley and the surrounding villages, both during the set-up and the event. Local roads not capable of handling the current volume let alone increased traffic which would occur.
- Narrow country lanes are being used to access the site.
- Increased pollution levels, litter, obstructions to driveways and potential problems with emergency vehicles accessing the village.
- The AMA have failed to ‘conserve and enhance the natural beauty, wildlife and cultural heritage of the area’
- The event attracts a large number of people but arrival causes other people such as regular walkers to stay away during the festival period.
- Visitors to the event, come not to enjoy the SDNP but to attend the festival, and it is believed they would want to attend wherever it was being held.
- The UK is not without Event Centres so alternative options are available.
- None of the references to benefits to the area are substantiated.
- If permission is granted the Parish request conditions be applied

Comments on additional information submitted by applicants

- No public interest in this application, particularly as the festival is a private event for the members of the AMA.
- Jalsa Salana adds nothing, or very little, to the Park and could easily be sited at other locations.
- Lighting (and the noise from the generators) has a negative impact on residents and wildlife.
- HCC LLFA has continued to raise concerns over the drainage.
- Sewage continues to be of concern for many local residents. Concerns about number of tankers taking away waste.
- Traffic - increased use of Satnavs taking visitors along small lanes to shorten their journeys. Concerns that use of Country Market can be secured in perpetuity.
- Does not comply with Policy SD40 : Farm Diversification.
- Ongoing lack of supporting documentation, and that there is, contains inaccuracies, unsubstantiated claims and errors.
- Community does not financially benefit from the event.

4.16 Selborne Parish Council – Objection

- Does not accord with Policy. Event has outgrown the site. Principles of the earlier application have not been amended to address the objections previously made.
- Traffic volumes causes jams during peak times during the event. No proposals to mitigate impact on local roads. Concern about emergency vehicle access during events.
- Applicants have not referred to the landscape designation or Dark skies.
- Other events mentioned by applicant are not comparable.
- Activity over 49 days prevents other people enjoying the area.
- Change of use to B8 storage is against policy outside a settlement.
- Concern about impact on bats.
- No link between agriculture and the running of religious events. No plausible agricultural enterprise on site.

- Applicants have done nothing to demonstrate exceptional circumstances that would justify permission for major development
- Fact that the event attracts large numbers and dignitaries from other countries does not qualify as exceptional circumstances.
- No evidence of economic benefit to the local economy.
- Noise pollution: call to prayer in the middle of the night, large lorries reversing etc
- Floodlights operating throughout the night during set up and take down, meaning harmful impact over 7 weeks. Will have an impact on wildlife and conditions would be unenforceable.
- Visual impact of structures is significant and exacerbated by night illumination.
- Proposals for the kitchen inappropriate and unsightly. Lack of a green barrier between the site and the road network. Amount of on-site storage alien in a protected landscape.
- Support findings from Drainage consultee.
- Reality of incorporating SuDS is almost unachievable.
- Wording is designed to allow flexibility to increase to 50,000. The site cannot take current number of 38,000. Capacity limit should be for the total number of people on site.
- Conflicts with SD1, SD3, SD4, SD6, SD&7, SD8, SD9, SD19, Paras 8, 172, 174 and 175 of NPPF.

Comments on further information submitted by the applicant

- The additional information does not overcome the previous objections which still stand.
- The Landscape photographs illustrate its unsuitability for events.
- The extinguishment of part of FP27 is not beneficial to visitors.
- Lighting Plan demonstrates the extent of damage to the Dark Skies. It also proposes the a massive quantity of lighting very close to the SSSI.
- EMP does not overcome the reasons why the application should be refused.
- Concerns remain surrounding transport, traffic, parking and emergency vehicles.
- Concerns remain about drainage and the spill of raw sewage that occurred in 2018.
- No additional information submitted to overcome the capacity constraints on the site.
- Still contrary to SD1, SD3, SD4, SD6, SD7, SD8, SD9 and SD19, and NPPF paragraphs 8,172,174 and 175.
- No additional evidence of exceptional circumstances has been submitted. No additional evidence that the proposal is in the public interest.

4.17 **Worldham Parish Council – Objection**

- Fails test of major development: no case for need in this location. No evidence that event benefits local economy. No justification for siting in this current location.
- Does not address points in previous application, in relation to effect on landscape.
- Concerns about officer's conclusions in relation to public interest on previous application.
- In conflict with both the purposes of the Park and duty.
- Existence of protected species on site and adjacent land. Limits to what mitigation measures can achieve. Mitigation is not the same as conserving and enhancing.
- Lighting, noise and general disturbance impacting on ecology contrary to Policy SD9.
- Conflict with Policy SD8 (Dark Night Skies)
- Conflict with Policy SD7 (Tranquillity)
- Lack of noise, lighting and air quality assessments.
- Inaccuracies in application form and Planning Statement

- Concern that SDNPA do not consider EIA is required.
- Precedents mentioned irrelevant to this application. Motocross is not a valid comparison.
- National Parks are excluded from the presumption in favour of development.
- Support removal of the flues but the existing situation is in breach of planning anyway.
- The farm is not a serious agricultural enterprise.
- Traffic disruption and delays are significant. Site is not well served by road infrastructure.
- Emergency vehicles would be unable to access properties during congestion.
- Not clear how AMA propose to divert the footpath for 21 days.
- Infrastructure seen increasingly from an early stage in construction. This will extend to 7 weeks.
- Access to and enjoyment of the Park is inhibited during the event.
- Mitigation measures for the external storage locations will take many to screen the containers. Existence of these containers is in conflict with Policy.
- Policy – Para 172 of NPPF relevant. Policies of Local Plan SD3, SD4, SD6, SD7, SD8, SD9, SD11 and SD19 are relevant. Policies of EHDC LP (JCS) CP19, CP20, CP21 are relevant (officer comment: EHDC policies no longer hold weight in the National Park).
- If SDNPA minded to grant permission, request temporary permission of 3 years and other conditions

Comments following additional information from applicant

- Still maintain previous objections, with following additional comments
- Fails to meet criteria for major development in NPPF or Policy SD3
- No case made for need for development on this site. No evidence that it makes a contribution to the local area. Parish evidence is that it has a negative impact as locals stay away due to traffic congestion.
- Nothing to show consideration has been given to cost or scope of holding the festival outside of the National Park.
- Contrary to Policy SD40. Agricultural operations are minimal.
- Drainage and Flood water management concerns remain.
- Rerouting of Footpath 27 cannot be determined as part of this application, but the new route does not appear to run clear of the event site.
- Concerns about landscape, lighting, noise remain. Comments made that impacts are temporary, but Policy SD3 makes it clear policies apply equally to temporary events.
- Difficult to see how the application might be approved without watering down principles of National Park protection. Neither of the criteria of Policy SD1 are met.

4.18 South Downs Society – Objection

- SD3 – Major Development: No exceptional circumstances nor evidence of any included in the applicants' Planning Statement. There is no public interest in this case. There cannot be any public interest as the Planning Statement makes clear the festival is a private event attended only by members of the AMA.
- Clearly no shortage of alternatives for them including other locations outside of the Park or the continued use of GPDO rights by reducing the scale of the event to one which could be set up and taken down within 28 days.
- The strategic issues similar to those for Matterley Farm, near Winchester which resulted in an ill-judged temporary consent despite displaying the same unexceptional circumstances, lack of a significant public interest and failure to consider alternative sites. Consent would reinforce the public message that, large private interest gatherings are welcome even if they contravene the Local Plan.
- Application has been criticised by consultees on landscape, ecology, rights of way and Dark Skies. No evidence that the reasons given for recommending refusal in March 2019 are no longer valid.

- Concerns raised about the EIA Screening Opinion specifically about the conclusion and a belief that the conclusion contradicts the reason for calling in the application. EIA should be required
- The reference to three other events in Alresford is irrelevant.
- Support the many objections which have been made. No evidence of economic benefits for the local community, road traffic disruption, noise and light pollution, and harm to the landscape.
- Planning Inspectorate dismissed an appeal on a pheasant Shoot at Iford concluding that while the shoot might conserve relative tranquillity in the area, it would not result in a positive enhancement to tranquillity as required by Policy SD7 of the South Downs Local Plan. This festival does not result in a positive enhancement to tranquillity.
- The “High Level Farming Plan”, does not constitute a Farm Diversification Plan as required by Policy SD40: Diversification activities must be subsidiary to agricultural operations.
- Off-site parking for 5,000 vehicles is provided at the Country Market. No evidence that this arrangement is secured by a legal agreement. Such a legal agreement would have to be in perpetuity.
- Confusion about number of attendees and concern about applicants adhering to a condition limiting number of attendees.

5. Representations

5.1 III Letters of objection on original documentation

- Highways: Disruption with local roads due to volume of traffic. Difficulty for HGVs, buses, emergency vehicles to access the area. Impact on horseriders, cyclists and pedestrians. Potential damage to bridges. Impact on surrounding villages/settlements. Timing of event clashes with harvest. Contrary to Policy SD19. Impact on FP27 during event, being blocked on occasions.
- Landscape impact: Temporary tented town does not keep with site and setting. Scenic quality of the Park affected for 9 weeks. HGVs cause damage to roads and verges. Existing site unsightly with temporary and semi-permanent structures and an outdoor storage area for non-agricultural equipment.
- Noise: Loudspeakers, generators for floodlights and heating for marquees. Sleep deprivation for local residents. Contrary to Policy SD7.
- Light Pollution: Contrary to Policy SD8. Overnight lighting impact on amenity of neighbours. Development of the kitchens likely to make light pollution worse.
- Air Pollution: Increased air pollution due to standing traffic and exhaust fumes. Pollution by way of dust blowing across properties from buses/cars.
- Bakery: Was agreed on the basis that there were no visible flues or vents. This was not adhered to. Supposed to be opened to local community but only used during the festival.
- Amenity: Shortage of water as it has all been used by Oaklands Farm. Crane for TV purposes is not appropriate. Litter on roadsides vastly increased. Flood lights directly through bedroom windows. Noise, including children, guard dogs, 38,000 people, generators etc.
- Ecology: Fencing around site means it is now devoid of wildlife (Policy CP21). Increasing to 9 weeks will affect Binswood SSSI wildlife (SD9, SD7, SD34 and Local Plan Policy CP21). Ecology report states presence of bats within 1KM of site and large number of Birds of Conservation Concern Bats are averse to artificial illumination and noise has the potential to disrupt bat behaviour. Increased pollution to Shortheath Common (SSSI) Detrimental impact on natural habitats.
- Comments/Observations on forms and documents: Inaccuracies, errors and omissions in relation to application forms and documents. Events mentioned are not comparable. Statement mentions Jalsa will impact potentially on Dark Skies. Landscape Appraisal states there are no informal green spaces near the site, but there are playgrounds in villages. Nearest neighbours are missed. Absence of some assessments.

- General: Village too small for this type of event. Details about additional events is vague. No real objection to formalise Jalsa arrangements but concern about carte blanche for other activities. Inaccurate to say the proposal is restoring the area. Disused plant and cabins were put in place by current occupants., Areas strewn with litter months after the Event. No evidence of economic benefits. Raw sewage was pumped into the stream this year. Sanitary arrangements should be improved. Contrary to Policies SD1, SD2, SD3, SD4, SD6, SD7, SD8, SD9, SD11, SD19 and NPPF Paras, 8, 172, 174, 175. Lack of public consultation. Does not foster economic or social well-being of communities. Closed event inhibits access to footpaths. Impact on provisions in stores during the festival. Proposals to increase storage space detrimental to neighbouring farms. Formalisation welcomed but any further, duration or increase in attendees or number of events is unacceptable. The Water Safety Plan noted that there may be insufficient water available at the site.

5.2 **58 Letters of objection following submission of additional documentation**

- Mainly earlier objections re-iterated, but focus in amended objections on following issues.
- Errors in documentation: factual errors, still a lack of required assessments. Still refers to 'other religious festivals'. Figures for attendees is misleading.
- Highways: Impact based on use of Country Market, which is outside of red line. Reduction to 7 weeks will not alleviate severe impact on this rural location. Concern that sewage waste removal trips have not been taken into account in highways impact.
- Sewage: The Management Plan is inadequate. It does not provide any risk assessment or contingency plan.
- Ecology: No final ecological report has been submitted. Concerns about wildlife and bats have not been addressed.
- Economy: Local businesses have to close during the festival.
- General: Section 5.1.7 of planning statement seems to infer that if the application does not succeed, they will continue to operate without permission.

5.3 **24 additional letters of objection following submission of latest documentation from applicant.**

- No exceptional circumstances to justify it, being restricted to AMA members as a private event with no public benefit.
- No traffic management plan outlined.
- Danger to wildlife, domestic pets and people from cars on small lanes.
- Any expansion will only compound the traffic issues in Oakhanger.
- Expert advice and views are needed with regards to A and B roads.
- No planning on this type of request should be reviewed until the COvid19 virus has been eradicated.
- Concerns about odours from kitchen, rotting waste and lack of mains sewage on site.
- Loss of value of properties (Officer Note: This is not a material consideration)
- Blocking of the public foot path.
- The intention of the 28-day change of use rule was, and is, not to hold a religious festival involving 30k persons.
- If permission granted, then a condition should be that money must be found from the organizers to improve transport links.
- The applicants keep a small herd of goats to retain agricultural status of the land. They do this to exploit 28-day permitted change of use rule
- To grant permission would allow rise in carbon emissions.
- Photographs submitted indicate that the event will indeed have a harmful impact.
- Does not explain how proposal to extinguish part of FP27 makes the planning application acceptable or how it would benefit visitors who come to the area to walk.

- Additional information illustrates the harmful effects that Set Up lighting would have.
- Absence of critical information.
- No evidence to address the potential pollution risk from an overflow of sewage in the event of delay to the eighty plus lorry movements a day required.
- Proposed new footpath route will still go right through the event area.
- Ecological Mitigation Strategy document is weak.

5.4 **Objection Letter from County Councillor Kemp-Gee**

- Would like to support objections in full from SDS, 3 Parish Councils most local to the site and affected by its activities and those from the County Council Departments (ecological and countryside matters), and, above all, the fact that the application fails the critical tests for major development in the Park. It is also contrary to the Local Plan Policies as outlined in the Selborne Parish Council objection/submission.

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 of the South Downs Local Plan 2014-2033. 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.

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

National Planning Policy Framework and Circular 2010

6.4 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.

6.5 Paragraph 172 of the NPPF confirms that Planning permission should be refused for major development in designated areas (such as National Parks), except in exceptional circumstances and where it can be demonstrated that they are in the public interest. Consideration of such applications should include an assessment of the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy, the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. This is considered in more detail in the main assessment.

6.6 The National Planning Policy Framework has been considered as a whole. The following NPPF sections have been considered in the assessment of this application:

- Achieving sustainable development
- Building a strong, competitive economy
- Promoting healthy and safe communities
- Promoting sustainable transport
- Meeting the challenge of climate change, flooding and coastal change

- Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
- 6.7 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.
- 6.8 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans “contribute to setting the strategic context for development” and “are material considerations in making decisions on individual planning applications.” The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant outcomes include:
- Outcome 1: Landscape and Natural Beauty
 - Outcome 2: Increasing Resilience
 - Outcome 3: Habitats and Species
 - Outcome 5: Outstanding Experiences
 - Outcome 6: Lifelong Learning
 - Outcome 7: Health and Wellbeing
 - Outcome 8: Creating Custodians

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
 - 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
 - SD23: Sustainable Tourism??
 - SD25: Development Strategy
 - SD34: Sustaining the Local Economy
 - SD39 Agriculture and Forestry
 - SD40: Farm and Forestry Diversification
 - SD48: Climate Change and Sustainable Use of Resources
 - SD49: Flood Risk Management
 - SD50: Sustainable Drainage Systems
 - SD51: Renewable Energy

- SD54: Pollution and Air Quality

7.2 Worldham Village Design Statement

- Character of Landscape Setting – Planning Guidelines 1, 2, 3 & 4
- Settlement Patterns – 1 & 2
- Buildings and Spaces – 7 & 8
- Streets & Lanes - 4

8. Planning Assessment

Major Development and consideration with specific reference to Paragraph 172 of the National Planning Policy Framework and Policy SD3 of the Local Plan

- 8.1 This assessment is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.
- 8.2 As a starting point it is considered that the nature and scale of the event, albeit limited in terms of being temporary in nature, is such that it has the potential, on the face of it, for a significant adverse impact. This assessment is made with less regard being had to mitigation or lack of it in relation to noise, tranquillity, light pollution, ecology and landscape. The application is therefore considered to be major development for the purposes of Paragraph 172 of the National Planning Policy Framework and for the purposes of this determination.
- 8.3 Having determined it is major, Paragraph 172 advises that permission for major development should be refused other than in exceptional circumstances and where it can be demonstrated the proposal is in the public interest. Consideration of such applications should include an assessment of three criteria, which are given scrutiny below, however firstly the issue of public interest is considered.
- 8.4 It is considered, that there are a number of public interests pertinent to this particular proposal. Firstly, the conservation and enhancement of the National Park which is the SDNPA's primary obligation to protect that public interest in accordance with its two statutory purposes. This is a matter for consideration as some balance is required. It is acknowledged that there may be some impact on the conservation and enhancement of the National Park this has however to be balanced by the fact that it is essentially a temporary use and the applicant has expressed a willingness to carry out works secured through conditions or a Section 106 that would have a more permanent positive impact on the conservation and enhancement of the National Park in this and the surrounding locality. In particular, these could include, but not be exclusively limited to enhancements in relation to the neighbouring SSSI and SAC. Likewise, a permission could allow the applicant the opportunity to carry out conservation and enhancement through their stewardship of the land for the remainder of the year with some benefits and Land Management Strategy being secured by way of a legal agreement.
- 8.5 The second public interest issue under consideration here is meeting a socio-economic need of communities within this part of the National Park. Whilst it is appreciated that the event itself is not attended predominantly by residents of the National Park or even by residents of the surrounding villages, it is arguable that the event meets the needs of the Ahmadiyyah Muslim Community by allowing them the opportunity to come together and meet on an annual basis in a quality landscape setting. This provides an opportunity for a particular group to access the Park and be given the opportunity to promote the understanding and enjoyment of the Park, thus meeting the second purpose, whilst managing the temporary impacts upon the landscape and seeking long term benefits.
- 8.6 It is acknowledged that the issue of public interest needs to be weighed in relation to the impact of the festival upon the local communities for the duration of the set-up, festival and take down periods. There is clearly an impact on the surrounding villages from traffic, with noise and light pollution affecting closer properties, predominantly during the festival. Whilst this is noted and appreciated, it is considered that such impacts are temporary and are outweighed by the positive public interests outlined above.

8.7 Paragraph 172 then provides a list of matters that should be considered and these are addressed below.

The Need for the Development, including in terms of national considerations and the impact of refusing or approving it on the local economy.

8.8 The applicants have been holding this event for some years now. The applicants have sought to address issues arising by way of being part of a Safety Advisory Group who meet regularly to work through any logistical or legislative issues. In addition, for the early years of the event, it appears that the applicant was able to work within the confines of the 28 days permitted development rights. This has however been exceeded in more recent years. Notwithstanding, the organisation of the event evolves as and when issues arise and the management plans prepared for the Advisory Group are scrutinised by the necessary bodies.

8.9 It is acknowledged that the event provides opportunities bringing people into the National Park that otherwise may not have visited with the potential for return trips and an increase in understanding and enjoyment of the National Park.

8.10 The event appears to be relatively self-sufficient in terms of the infrastructure, catering etc. that is required for each event. That said it is not clear the extent to which the event can be said to impact significantly on the local economy and the concentration of this number of people to the area over three days will inevitably have some impact in terms of the local economy.

8.11 The Community clearly is of a size and culture where it is considered necessary for their part to have an annual gathering. This event is acknowledged to be important for the Community and, being unable to hold the event in this location, would require them to undertake a logistical exercise with no certainty that the event could be accommodated elsewhere, at least in the short term.

The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way;

8.12 This event has taken place for some time now (although it is appreciated that this has resulted in the exceeding of the 28 day rule). Whilst there may be other options for the applicant in terms of holding the event elsewhere within the UK, the cost and scope for this, or meeting the need in some other way, would require land which it is understood the applicants do not have and therefore, at present, the scope is somewhat limited. Whilst it is appreciated that the site does not have particularly close links to the strategic network, the location is not considered unacceptable by the Highways Authority. It is also important to note that the proposal is for continued use for the holding of a temporary event alongside agricultural operations. Whilst the amount of agricultural activity is at present somewhat limited, by the event remaining at this location it provides opportunity for the Community to continue to develop their agricultural enterprise.

8.13 Whilst the need could perhaps be met in another way, by the applicant operating within permitted development rights, it is clear that in recent years the applicant has failed to be able to undertake the festival and the required setting up and taking down within 28 days. Indeed, it must be acknowledged that a significant part of the site around the main buildings remains in use as storage areas for the infrastructure for the festival for the remainder of the year. Even if the applicant were to keep within the 28 days' use of the land for the festival preparation, event and subsequent take-down, They would need to apply for permission for use of part of the land for storage of equipment in association with the festival.

Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

8.14 The report sets out below, the effects on the environment, the landscape and recreational opportunities and is inherently part of the consideration undertaken here in regards to major development. In summary it is considered that there are some short term temporary effects on the environment, landscape and recreational opportunities. This must however be balanced with the mitigation measures and long term enhancements which could be secured as part of this application, together with the understanding and enjoyment

opportunities that the events themselves offer. It is also legitimate to consider the fall-back position of the applicant returning potentially to a more intense amount of activity over a shorter period in order to comply with the 28 days permitted development rights. At present, given the issues outlined in more detail below, it is considered that it has not been demonstrated that the detrimental effects could be moderated and, at this point in time it is considered therefore that the proposal **does not** meet this element of the major development assessment set out in Paragraph 172 of the National Planning Policy Framework

Principle of development

- 8.15 It is important at the outset to note that there is no specific policy in relation to the holding of large scale events. Policy SD3 (Major Development) is considered relevant (and reference is made to temporary events in the explanatory text to the policy (Para 4.21)). The consideration of Policy SD3 has already been assessed above.
- 8.16 Policy SD40 relates to Farm diversification where there is a general support for such schemes subject to a few criteria. In this respect, there clearly needs to be an appreciation that SD40 a) ii) requires that the diversification activity remains subsidiary to the agricultural operation in terms of physical scale and environmental impact. In this particular case, as already noted, the agricultural activity continues to be relatively small scale and appears to be subsidiary to the main use of the site, for the festival and the storage of infrastructure for the festival for the remainder of the year.
- 8.17 Policy SD43 relates to new community facilities, but this firstly requires that the proposals demonstrate a local need. The supporting documentation with the application is clear in confirming that the annual festival meets the needs of the Ahmadiyya Community, however the Community is made up of people who mostly live outside of the Local community and indeed the National Park. It is also worth noting that the definition of community facilities does not include places of worship.
- 8.18 The Defra publication 'English National Parks and the Broads – UK Government Vision and Circular 2010' at paragraph 27 confirms that: -
"Events with the potential to harm the special qualities of a park, such as caravan and vehicle rallies and large music festivals, will need to be controlled".
. It is not to be inferred from this that large festivals must be resisted, but that there is a debate to be had as to whether the nature of the festival and resultant impact are such that the qualities of the National Park are adversely effected and would therefore need to be resisted or in some way controlled by way of appropriate conditions. This forms part of the consideration of this application.
- 8.19 It also pays to revisit the purposes of the Park. The First purpose is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area. The impact on landscape, wildlife and cultural heritage are considered in more detail below but, even if there is considered to be an inappropriate impact for the period of set-up, event and take down, it may be that, with appropriate conditions and agreements in place, benefits can accrue to the site and immediate locality for the remainder of the year, thus arguably conserving and enhancing overall.
- 8.20 The second purpose of the park is to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public. Attendance to the event by over 37,000 people provides great opportunities for those who might never have visited the Park to understand and enjoy the qualities of the Park. The applicant has already expressed a willingness to progress opportunities in advance of the event and during the event to promote National Park Purposes.
- 8.21 In conclusion, in relation to the general principle of development, the closest Policies to the particular use tend to be related to farm diversification than community facilities. This particular event is an annual event and does not particularly meet local need. Notwithstanding this, there might clearly be benefits in terms of the purposes of the Park which could be argued to shift the balance in its favour, having regard to the temporary

adverse impact in terms of tranquillity, natural beauty and wildlife and opportunities for improving and enhancing the site. However, as can be seen from the following sections, there are clearly concerns on the basis of the current submission that currently mean the overarching principle of support for the proposal has not been demonstrated.

8.22 The remaining material considerations are considered to be as follows: -

- The impact on the landscape character of the area
- The impact in terms of noise pollution and light pollution.
- The impact on the highway network
- The impact on Ecology
- The impact on Rights of Way
- The impact on cultural heritage
- Drainage
- Kitchen/Bakery
- Amenity

Landscape

8.23 The applicants have made concerted efforts to address the concerns raised in relation to landscape impact following the earlier applications. At the outset it is important to acknowledge that the proposals would result in an adverse impact on the landscape for the duration of the set-up, event, and take down after the event. The festival introduces temporary structures, lighting and activity to an extent that would inevitably impact on the predominant rural agricultural character of the area and would affect the existing tranquillity that prevails. The balance of consideration is whether the benefits that would accrue by virtue of the second purpose in terms of increasing peoples understanding and enjoyment of the Park, together with a suite of enhancements secured by way of a Landscape Environmental Management Plan to ensure landscape benefits for the remainder of the year outweigh those temporary adverse impacts.

8.24 The Landscape Officer points toward some potential enhancements that could form part of a Landscape Environmental Management Plan and, with some effort on the part of the applicant, there is potential for this to be achieved. However, the information submitted to date continues to be, at best embryonic and a firm plan of such enhancements is still not available. This is not helped by the small scale nature of current agricultural activity which means that a LEMP would need considerable work to ensure that benefits accrue.

8.25 Whilst the proposed landscape works around the main open yard and farm buildings is considered to be acceptable in terms of limiting the impact of open storage, in the absence of a fully worked up LEMP or at least a suite of proposed enhancements, it is considered that the applicant has not demonstrated that the proposal would not have an adverse impact on the landscape character of the Park and the proposal is considered to be contrary to Policy SD4 of the Local Plan.

Noise and Light Pollution

8.26 The holding of the event has an impact on the tranquillity of the surrounding rural area for the duration of the event (and to a lesser extent during the set up and take down of the event). It is notable from representations that the impact by way of noise is not purely limited to sound amplification systems but also in relation to generators and temporary road tracks.

8.27 It is understood that the Environmental Health Office at East Hampshire is familiar with the event and has responded to concerns over earlier events. The Environmental Health Officer does not have an objection to the proposal per se however this is subject to a significant number of conditions. If Members were minded to approve the application, officers consider that some conditions suggested would meet the tests set out in the NPPF and could be imposed.

- 8.28 The Dark Skies Officer has confirmed that the site sits within the Intrinsic Darkness Zone. There is concern that the potential during the event would be to reduce the sky quality in the area and be prominent in the landscape. The applicant has provided some information on the lighting strategy which has only served to add further to concerns raised by the Dark Skies Officer, predominantly in relation to the specification of lighting, duration of use. In the circumstances (and given the concerns mentioned in relation to Ecology) it is considered that the applicant has not demonstrated that the proposals would not have an adverse impact on the Dark Night Skies contrary to Policy SD8 of the Local Plan. In particular, it is not considered that it has been demonstrated that all opportunities to reduce light pollution have been taken.

Highways Impact

- 8.29 The County Highways Officer has scrutinised the application and come to the conclusion that the impact on the surrounding network is acceptable subject to appropriate conditions. This scrutiny has also included having regard to the additional lorry movements in relation to removal of waste/sewage during the event.
- 8.30 A concern has been raised by a local resident that the consideration of the transport impact has been made on the basis of the presence and use of the area at the Country Market for a Park and Ride. This area does not fall within the red outline of this application site. The resident is concerned that, should this not become available in the near future, the assessment on transport impact has been made on matters outside the applicant's control. Whilst the exact details of the agreement that is in place are not clear with regard to the use for the Park and Ride, it is clear that the provision of the land for this purpose has been in place for some while. Were Members minded to approve the application, it is clear that the continued provision of the Park and Ride facility would need to be secured by way of a legal agreement and officers would need to be assured by the applicant that this could be achieved. In the absence of such an agreement, as a full-back position, the application would need to be refused on highway grounds. Given the current concerns about other matters, a refusal is therefore proposed on highway grounds.

Ecology Impact

- 8.31 The applicant has continued to send further information in response to concerns from both Natural England and the County Ecologist, given the sites sensitivities between two designated sites. In addition, the Authority considered it necessary to undertake a Habitats Regulation Assessment.
- 8.32 The HRA concluded that, overall, the adverse impacts on the designated sites are expected to be temporary although they could be significant without suitable management. To address the matters raised an assessment would need to be made to determine an appropriate distance for security fencing from a minimum of 15m that ensures tree root protection of trees within the SAC. In addition, an up to date Environmental Management Plan would be required which identified the steps and procedures that would be implemented to avoid or mitigate impacts covering storage of materials/chemicals/equipment, dust suppression, chemical and/or fuel run-off for construction, waste disposal, lighting, noise and visual impacts, pollution events from sewage discharge and security fencing to prevent access to designated sites., and a revised lighting plan.
- 8.33 Given the above, further information would require significant alterations to the submitted documents and amendments to the event management plans. With no assurances that such amendments would be compatible with the applicant's ability to operate the festival this is unacceptable. In particular, the location of fencing and lighting may have logistical challenges for the event organisers that means they are unable to comply with such mitigation. On this basis, given the current documentation before the Authority, it cannot be demonstrated that the development could be undertaken without having an adverse impact on the designate sites.
- 8.34 Whilst the County Ecologist is happy with the information provided concerning bats and great crested Newts and believes this can be condition, he likewise remains concerned about the proposed lighting within the site and the impact that this may have on species

within the site. The concerns also relate to the lack of a detailed environmental plan. Therefore, it is considered, in its present form that the application fails to accord with Policies SD9 and SD11 in this regard

Rights of Way

- 8.35 The application site has 2no footpaths running through the site. In particular, FP27 runs from the North West corner of the site on Green Street in a south easterly direction across to Binswood SSSI. Historically, during the festival, the route has been obstructed by a variety of tents, marquees and infrastructure within the site. The applicants have applied for a diversion order for the footpath which would circumvent the main festival area. This has been considered by Countryside Services at Hampshire County Council. and an order has been made and is currently open to public representation. Should the Order be confirmed, Countryside Services has no objection to the application. In the event that the Order is subsequently not confirmed, the applicant would need to ensure that access across the footpath remained open at all times.
- 8.36 Given that there is no objection from Countryside Services, a refusal in relation to impacts upon the rights of way network could not be sustained. In the event that the diversion order is not confirmed, a planning permission if granted would not permit obstruction of the public right of way.

Cultural Heritage

- 8.37 The only notable heritage asset in the immediate locality is the ancient monument to the west of the Site (King Johns Hill). It is considered that the use of the site for the festival is at a sufficient distance from the monument as to not impact on the asset to its detriment.

Designated Sites

- 8.38 The impact on the designated sites is covered predominantly in the sections in relation to ecology and landscape impact. Notwithstanding this there are concerns that the location of the main part of the festival extends too close to Binnswood SSSI to the south east and currently, the plans before the Authority do not demonstrate that the event would not impact on the SSSI. In particular, the matter of an appropriate buffer between the festival and the SSSI has not been confirmed.

Drainage

- 8.39 Concerns had originally been raised by the Drainage Officer about the impact on the site. The applicant has since submitted a sewage management plan and the drainage officer has now removed their objection to the application in this respect.
- 8.40 The Local Lead Flood Authority have raised concern about lack of information specifically in regard to Surface Water Management. In this respect, in the absence of further information, the application is considered to be contrary to Policy SD17 of the South Downs Local Plan.

Kitchen/Bakery Ventilation/Extraction

- 8.41 The unauthorised flues result in an industrial appearance that is out of character with the general agricultural feel to the site. The proposed removal of these flues and replacement with vents on the side of the building is considered to be an acceptable solution. No objection is raised in relation to this aspect of the proposals. Given that the current flues are unauthorised, were Members minded to approve the application, a condition could be imposed setting a period by which the new ventilation should be installed (and the unauthorised elements removed).

Amenity of residential properties

- 8.42 It is clear that there is an impact on the amenity of residential properties in the immediate vicinity (predominantly to the south east of the site and to the north of Binnswood SSSI) during the festival and at times during the set-up and take down. Whilst there is an impact in relation to noise and potential light pollution, the impact of these can, to a certain extent be controlled by way of robust conditions which would be scrutinised by the appropriate bodies to ensure compliance. Given that the Environmental Health Officer considers that

the amenity issues could be addressed by conditions, it is not considered that a refusal could be sustained on this basis.

Other Matters

- 8.43 The applicant has referred to being satisfied with a limit of 37,000 attendees should the application be approved. This however does not include staff and crew working at the event. Officers consider that, if members should be minded to approve the application, a limit should be set of 37,000 attendees, including staff and crew. This would be in line with the numbers consultees have worked to in consideration of the application.
- 8.44 The applicant has also suggested that, should members be minded to approve, a S106 agreement could be so worded to allow subsequent festivals to involve increased number of attendees subject to a number of criteria and liaison with the Authority. Officers consider that any subsequent request for increased attendees would need to be made by way of a fresh application and do not consider that a S106 agreement would be the correct vehicle for such considerations.

Eco-System Services & Climate Change

- 8.45 The applicant submitted an Eco-System Services Statement where they worked through the requirements of the Policy addressing how they considered the proposals would deliver opportunities within the list set out.
- 8.46 An element of the statement refers to the applicant's intentions insofar as the High Level Farming Plan is concerned, details of which are considered to be, as already mentioned aspirational. A Landscape Environmental Management Plan might well include initiatives incorporate the ability for the applicants to pursue their aspirations whilst providing environmental and ecological enhancements across the site, but this in itself could not secure the farming activity per se.
- 8.47 The area where the applicant could really make in-roads in terms of compliance with Policy SD2 relates to the opportunities for improving people's health and wellbeing, and opportunities for access to the natural and cultural resources which contribute to the special qualities. In this regard the Statement makes a commitment (to be secured by a legal agreement). The applicant has expressed a willingness to introduce a number of initiatives, including provision of a presence by SDNP at the festival, promotion of the National Park by material issued for the festival and to members of the community through the website, engagement with rangers to identify areas for work within the site, together with the provision of new infrastructure in the local area advertising footpaths, cultural and historic places of interest.
- 8.48 The Eco-system services statement is particularly weak in relation to demonstrating how the proposals improve the Park's resilience to and mitigation of climate change. By its very nature it has to be acknowledged that the proposal requires significant travel by attendees to the site. In this respect the opportunity to improve resilience is limited. Any efforts in this particular area would need to form part of a travel plan to ensure that every effort is made to reduce the number of vehicular journeys to the site. If Members were minded to approve the application, a travel plan could be secured by way of a condition.

9. Conclusion

- 9.1 It is considered that there are temporary adverse impacts on the purposes of the National Park. These could be outweighed by potential permanent benefits, both in increasing enhancements and improvements in the management of the land owned by the applicants, contribution to improvements and enhancement of the adjoining designated sites and the opportunity for understanding and enjoyment of the qualities of the Park. In principle the proposal *could* be acceptable.
- 9.2 Notwithstanding, there remain a number of concerns with the scheme, particularly given the lack of information currently provided, that means that the balance tips towards refusal. The applicant has been made aware of these concerns and the current outstanding issues. Unfortunately, however, solutions have not been submitted to allow officers to progress to a recommendation for permission.

9.3 In the absence of the required information it has not been demonstrated that the proposal would not have an adverse impact on the landscape, ecology/biodiversity interests surface water drainage, and light pollution. Whilst the applicant has expressed a willingness to discuss opportunities for enhancements on the site and in the surrounding area, progress has not been as one would have hoped in receiving any specific details of such enhancements. Refusal of the application is therefore recommended.

10. Recommendation

10.1 The application is recommended refusal for the following reasons.

1. It has not been demonstrated, on the basis of the submitted information, that the detrimental effect of the proposal on the environment, landscape and recreational opportunities could be moderated to such an extent as to enable major development to occur, notwithstanding its temporary nature and would therefore be contrary to Policy SD3 of the South Downs Local Plan and Paragraph 172 of the National Planning Policy Framework.
2. It has not been demonstrated, particularly in the absence of a detailed landscape environmental management plan that the proposal would not have an adverse impact on the landscape character of the area which could be mitigated by enhancements to the application site for the remainder of the year. This would therefore be contrary to Policy SD4 of the South Downs Local Plan, the NPPF and the purposes of the Park.
3. It has not been demonstrated, in the absence of supporting information, that the proposals would not have an adverse impact on protected species, habitats and ancient woodland, which may be present in the site and surrounding area, and also designated sites surrounding the application site and would therefore be contrary to Policy SD9 and SD11 of the South Downs Local Plan, the NPPF and the purposes of the Park.
4. It has not been demonstrated, that the proposals would conserve or enhance the intrinsic quality of dark night skies and would therefore be contrary to Policy SD8 of the South Downs Local Plan, the NPPF and the purposes of the Park.
5. In the absence of a Section 106 Legal Agreement to secure the use of the Sleaford Market to provide a 'park and ride' facility, it has not been demonstrated that the proposals would not have an adverse impact on the surrounding road network by virtue of the number of vehicular journeys and would therefore be contrary to Policy SD19 of the South Downs Local Plan.
6. In the absence of a Surface Water Management Plan, it has not been demonstrated that the proposals would not have an adverse impact on surface water features within the site and the proposals would therefore be contrary to Policy SD17 of the South Downs Local Plan and the purposes of the Park.

11. Crime and Disorder Implications

11.1 It is considered that the crime and disorder issues or implications have been addressed elsewhere in the report.

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

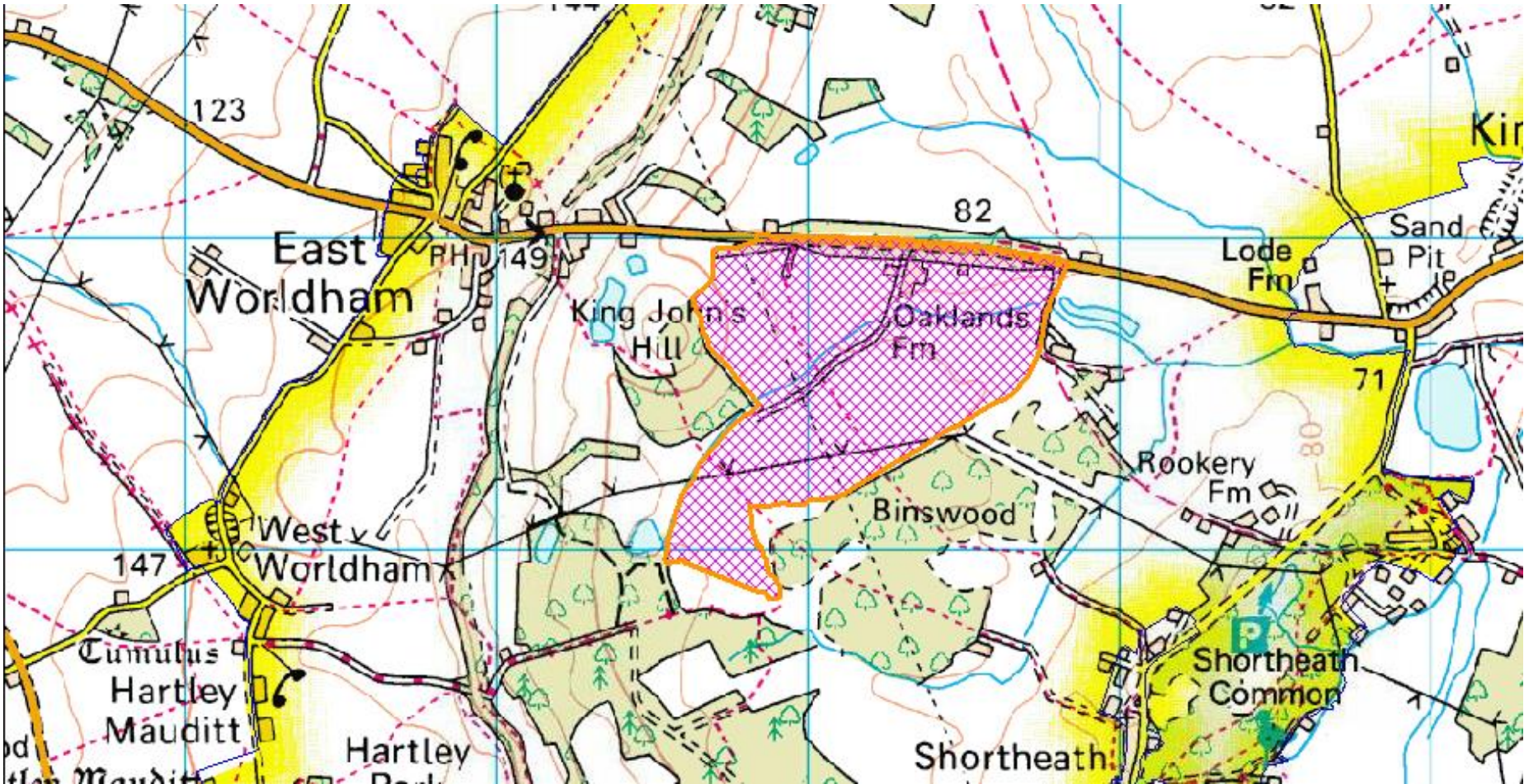
13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

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 advice, numerous meetings and the opportunity given to provide additional information in support of their application.

Tim Slaney
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South Downs National Park Authority

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Email: robert.ainslie@southdowns.gov.uk
Appendices: I. Site Location Map
SDNPA Consultees: Legal Services, Director of Planning.
Background Documents: Public Access, Application Summary and Associated Documents
<https://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?keyVal=P7NE2ZTUK0S00&activeTab=summary>
National Planning Policy Framework
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
National Planning Practice Guidance
<https://www.gov.uk/government/collections/planning-practice-guidance>
Defra: English National Parks and the Broads – Uk Government Vision and Circular 2010.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/221086/pbl3387-vision-circular2010.pdf
South Downs Local Plan
<https://www.southdowns.gov.uk/planning-policy/south-downs-local-plan/local-plan/>
Worldham Village Design Statement
<https://www.southdowns.gov.uk/wp-content/uploads/2015/01/Worldham-Village-Design-Statement.pdf>



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