

Agenda Item 8
Report PC20/21-41

Report to	Planning Committee
Date	15 April 2021
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/20/05439/FUL
Applicant	Mr B Taylor
Application	Consolidation of farming activities at Iford Farm through the erection of 2 No. Cattle Sheds, Straw Barn and Machinery Shed incorporating Fertiliser Store and Welfare Facilities and hardstanding; new farm access from C7 Piddinghoe Road, conversion of redundant building to commercial B8 use and regularisation of established commercial uses in adjacent buildings; and landscaping including woodland planting, surface water attenuation pond and wildlife planting to create biodiversity net gain.
Address	Iford Farm, The Street, Iford, East Sussex

Recommendation:

- 1. That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report and the completion of a legal agreement to permit the development of the Egrets Way on Iford Estate land**
- 2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress made within 6 months of the Planning Committee meeting of 15 April 2021.**

Executive Summary

The applicant seeks permission to create an expanded farm complex at Iford Farm to support the Estate's farming operation. It is proposed, through the erection of five new buildings, additional hardstanding and the provision of a new access track, that the farming operation can be carried out more effectively; the development will facilitate the concentration of both arable and livestock (cattle).

The application has been submitted to seek to address the Planning Committee's concerns over the previously refused application for a greater scale of development at the site. The application subject of this report has reduced the number of buildings proposed from seven to five and involves less land raising. In addition, the revised application seeks to regularise existing commercial activity within units A1 to A8 and includes the proposed change of unit A2 to a B8 (storage) use. This application has been submitted independently but alongside two other applications for development within the Iford Estate; the Proposal section of this report provides further details of these applications.

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

- Principle of Development and Agricultural Justification
- Landscape and Visual impact
- Impact on Conservation Area
- Drainage and Water Environment
- Biodiversity, Ecology and Ecosystem Services
- Impact on Surrounding Residential Amenities
- Highways, Access and Traffic
- Public Rights of Way
- Dark Night Skies

The report concludes that the scheme will provide a more centralised base for the farming operations of the Estate at Iford Farm. That the proposals will not cause an unacceptable detrimental impact and that the design and layout has been amended to address the previous application reason for refusal. The identified benefits to the farming operation are supported by the requirements of policy SD39 and other relevant policies of the South Downs Local Plan. The proposal is supported by a Whole Estate Plan that sets in context the proposal and provides a framework for delivering related benefits to the locality and the landscape, in line with policy SD25. That said, it is important that this application be considered on its planning merits. To this regard, it is considered that the submitted application has demonstrated accordance with policy SD39 and other relevant policies of the South Downs Local Plan.

The application is placed before Members due to the nature of the application and policy considerations and the previous consideration of by Committee of a related application.

I. Site Description

- I.1 Iford Farm is located on the south eastern edge of the village of Iford, approximately 5.4 kilometres south of Lewes, on the Ouse Valley Sides immediately adjacent to the Ouse Valley floodplain. Iford village is a small downland village that forms one of several villages just above the floodplain of the River Ouse. The village is designated a Conservation Area although Iford Farm lies predominantly immediately beyond the Conservation Area boundary to the southeast.
- I.2 The site lies within the Ouse Valley Sides landscape type identified within the South Downs Integrated Landscape Character Assessment. Immediately to the east lies the Ouse Floodplain character area and to the southwest and east, rising above the valley sides, dramatic chalk escarpments. The landscape is defined by a flat, open and undeveloped character of the valley floors and the floodplains are highly visible from the adjacent settled valley sides and downs.
- I.3 To the north of the site, the boundaries are open in nature and form part of the agricultural yard, set within the existing complex of agricultural buildings. The remaining part of the application site is currently a paddock. Post and wire fencing and mature vegetation define the boundaries. The application site forms part of the wider Iford Farm complex, which consists of a number of properties and area of land around the village
- I.4 To the west of the existing farm complex lies groups of semi-detached dwellings, of which a number are listed buildings with further agricultural buildings beyond. To the north, south, and east lie agricultural fields. A public right of way runs through the village in a north-south direction and footpaths extend from the villages to the chalk downs to the west and a footpath runs east across fields to the south of the existing farmyard. Above the valley running along the top of the chalk escarpment to the southwest is the South Downs Way long distance footpath. There are also substantial areas of open access land on the steep escarpment slopes to the west and on the chalk slopes to the northeast. As a result, the development site is overlooked from areas of higher land including areas of open access land.

2. Relevant Planning History

2.1 The following planning history is relevant to the application site:

- LW/09/1177. Conversion and extension of farm building to provide facilities building for game shooting and associated parking and widening of access onto C7 road and formalising first section of track off C7 road. Approved 24.03.2010.
- SDNP/12/02343/FUL - Erection of 3 agricultural buildings and provision of new farm access (resubmission of SDNP/12/01321/FUL). Approved 16.04.2013. This
- SDNP/13/03181/DCOND - Discharge of conditions 5, 6 & 7 relating to planning approval SDNP/12/02343/FUL. Approved 21.04.2016
- SDNP/14/05468/CND. Variation of condition 1 attached to planning approval LW/09/1177 to vary the use of the building as a facility connected to game shooting and agriculture, the use shall only occur between Monday to Saturday 7am-5pm. Approved 28/01/2015.
- SDNP/14/06320/FUL. Section 73A retrospective application for change of use of land from agricultural to mixed use of agriculture and game rearing and change of use of redundant agricultural buildings to a mixed use of agriculture and ancillary storage for the shoot business. Refused and Allowed on appeal 28.10.2015.
- SDNP/19/03584/PA3R - Notification for Prior Approval for a change of use of agricultural building to a flexible B1/B8 – Deemed Consent
- SDNP/19/03768/FUL - Consolidation of Iford Estate Farming Operations to include the construction of agricultural buildings (for housing of livestock, grain handling and storage), a silage clamp and new access road from Piddinghoe Road – Refused for the following reason;
The proposed buildings, by virtue of their form, number, scale, and siting and associated land raising, would result in an intrusive and industrial form of development causing significant harm to the landscape character of the South Downs National Park, and in the absence of any suitable mitigation, including removal of redundant buildings within the Estate, would be in conflict with policies SD4, SD5, SD6 and SD39 of the South Downs Local Plan 2019, and the National Planning Guidance contained in the National Planning Policy Framework 2018.
- SDNP/20/05442/FUL - Demolition of redundant modern straw barn at Sheeppark Barns, Conversion of redundant Sprayer Shed to B1 (a) office use and demolition of redundant above ground slurry tank – Currently under consideration (Item 9 of this committee).
- SDNP/20/05441/FUL - 1. Demolition of redundant straw barn, 2. Conversion of redundant cattle shed to stabling in connection with existing livery business. 3. Extension to existing private stable building – Currently under consideration (Item 10 of this committee).

3. Proposal

3.1 The proposed development is intended to create an expanded farm complex consisting of livestock (cattle) housing, grain handling and storage, agricultural storage (i.e. machinery, fertilizer etc.) and forage storage. The submitted Planning Statement advises that it is the applicant's intention that the development proposed will facilitate the concentration of both arable and livestock farming at Iford farm to improve efficiency. The application the subject of this report has been submitted to seek to overcome the previous reason for refusal of a larger scheme, SDNP/19/03768/FUL ("the Refused 2019 Scheme").

3.2 The Refused 2019 Scheme proposed at Iford Farm consisted of:

- Three Cattle Yard Buildings (in addition to the two already existing on site) (30.3m x 15m)
- Isolation Cattle Yard Building (15m x 30.3m)
- Straw Barn (30m x 21.3m)

- Silage Clamp (36 x 23m)
 - Sprayer and Solid Fertiliser Store (36m x 23m)
 - Machine Shed (16m x 48m)
 - Machine Shed and Welfare Building (16m by 30m)
 - The construction of a new access onto Piddinghoe Road, (C7), and access track to farm.
 - The raising of land levels with imported fill to form a level farmyard area that the cattle can cross. The remaining paddock was proposed to be levelled out with a downward slope to the eastern boundary of the site.
- 3.3 The revised scheme, the subject of this application, consists of:
- Two Cattle Yard Buildings (in addition to the two already existing on site) (30m x 15m)
 - Straw Barn (35.8m x 15.6m)
 - Solid Fertiliser Store and Sprayer Shed (47m x 15m)
 - Machine Shed and Welfare Building (42m by 15.2m)
 - Hard Surface for Silage Storage
- 3.4 The construction of a new access onto Piddinghoe Road, (C7), led to new farm track.
- 3.5 The Refused 2019 Scheme proposed that 60,000 (approx.) tonnes of inert soil be imported to the site to raise land levels. The revised scheme reduces the area of land to be raised so that it is outside of the flood zone and reduces the visual impact and so therefore, a lesser amount of fill is required, approximately 10,000 to 13,000 tonnes.
- 3.6 The applicant is also seeking through the submission of this application, the regularisation of existing commercial uses on the site, identified as units A1 to A8 on the submitted site plan. There are nine commercial units located in a total five buildings, of which three are conjoined. A number of the units could benefit from deemed permission; should the applicant choose to submit a lawful development certificate to regularise the uses that have been continuing for many years. Others are operating without planning permission. The Operating Statement received on the 8 March details the type of uses occurring in each of the units and for how long each use has been in operation.
- 3.7 Alongside the application subject of this report, the applicant has submitted two further applications to seek to provide a better understanding of the future direction of the Estate and to account for the future use/ demolition of redundant buildings. However, each application would constitute a stand-alone planning permission if approved. Both the planning applications that include demolition of redundant buildings and can be conditioned to require that the building proposed to be demolished is done so prior to any new occupation of buildings within which a change of use is proposed.

4. Consultations

4.1 Iford Parish Meeting: Comments

- The meeting expressed broad/general support for the application.
- Highway safety – the removal of large agricultural vehicles and lorries from Iford village is beneficial.
- The proposed farm access road on the outer bend of the C7 was raised as a matter of concern by Rodmell Parish Council.
- The visual impact of the new buildings upon the landscape – details of materials and screening to be conditioned.
- Egrets Way land transfer should be dedicated in perpetuity and should be a bridle way.
- Concerns about impact on residential amenity of commercial uses within the site.

4.2 Archaeology: Support

4.3 Conservation Officer: Support

- The proposed works continue the historic farming use on the site and will not cause any harm to the existing listed buildings and conservation area or their settings. Subject to a condition requiring details of proposed wall adjacent to unit A1.

4.4 Environmental Health: No comments

4.5 Design: Support

- Pleased to see that a key sector of our local economy can expand its operations whilst reducing the need and number of built structures.
- The design incorporates units that are multi-functional and adaptable, and equally, it is rationalising or re-purposing existing buildings.
- This approach is supported in design terms and is aligned with SDLP Policies SD5(f) and SD34(f). Subject to condition to protect design quality by managing the use of materials.

4.6 Ecology: Support

- Subject to the imposition of conditions.

4.7 Environment Agency: Support

- Subject to conditions with regard to drainage and land contamination.

4.8 Highways: Support

- Following the submission of additional highway information document subject to conditions.

4.9 Landscape: Support

- Subject to condition with regard to materials.
- The new access and track must not be over engineered and the minimum about of hedge cut back to provide sight lines.

4.10 Natural England: Comments

- Natural England is not able to assess this case as there is insufficient information provided in relation to air quality impacts.
- Officer Comment – The applicant has responded to NE by email on the 27/01/2021 to advise that the operations at the application site do not seek to increase the size of the cattle herd on the farm, but rather to upgrade the accommodation within new more purpose-designed buildings. The case officer chased a response from NE and no further comments have been received.

4.11 Planning Policy and Thrive Team: Support.

- Proposal is in general accordance with the relevant policies of the South Downs Local Plan.

4.12 SDNPA Access and Recreation Strategy Lead: Support.

- Support the commitment outlined in this application to facilitate the construction of a significant length of the Egrets Way shared use path through the express dedication of the land required for the works that have already secured planning permission.

4.13 Local Lead Flood Authority: Support

- Subject to conditions

4.14 Southern Water: Comments

- There are no public foul sewers in the area to serve this development. The applicant is advised to examine alternative means of foul disposal.
- Where a SuDS scheme is to be implemented, the drainage details should be conditioned to be submitted to the Local Planning Authority.

4.15 **Whole Estate Plan Team: Support**

- This proposal is supported by the SDNPA Local Plan (2019) Policies as well as delivering on outcome 10 in the SDNPA Partnership Management Plan (2020) in pursuit of our National Park Purposes and Duty. The development is also supported by the NPPF (2018) Para 83. Evidence collected for the SDNPA Economic Profile (2018) and Economic Profile up-date (2020) Priority 5 also support this proposal: 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 Iford WEP (2018) states the need to actively pursue the re-purposing, removal and replacement of redundant farm buildings to ensure it successfully re-shapes and re-builds the necessary infrastructure to support the Estate's long-term financial future.

5. **Representations**

5.1 **Letter of objection from Friends of the South Downs Society,**

- No audit as part of this application to demonstrate where the WEP policies diverge from the policies of the South Downs Local Plan.
- Landscape Impact - none of the newer buildings make a positive impact in the Conservation Area appraisal.
- Access and Traffic generation - wider public concerns with the general level of traffic on the C7.
- Concern about highway safety due to location of new access at a bend in the road.
- Visual amenity impacted by provision of hardstanding for new access and the stripping back of vegetation.
- The grain drying activities will still use the village streets.
- Landraising - The current proposal would again appear to require the importation of large amounts of soil /waste
- The silage bundles will be visible from The Downs.
- Clarification is required if there is to be a temporary manure storage heap on site or on the flood plain adjacent.
- Concerns raised about the potential industrialisation of the Ouse Valley.
- Policy SD39- the farm activities are being rationalized and the scale has now been reduced, which is welcomed.
- The use of darker cladding welcomed but the pale roofs and any rooflights make these buildings highly visible.
- Structural planting is required
- Any increase in buildings should be accompanied by the commensurate removal of buildings deemed "redundant"
- The proposal is not consistent with the main principles of the National Park. It will encourage more traffic, including heavy traffic, and reduce the peace tranquillity and visual amenity of the SDNP in this location.

5.2 There have been a total of 66 representations, (60 individual representees when including people who submitted more than one response) of the total number of representations 32 were in support of the scheme (2 representatives submitted 2 responses), 19 were neutral, (1 representative submitted 2 responses), and 15 were objections, (3 representatives submitted 2 responses). These response are summarised as follows;

Support

- The proposal is required to ensure that Iford Estate is able to farm efficiently and effectively over the coming decades.
- New access road will enhance safety and quality of life for the Iford community.

- Existing roads through the Iford Estate were never designed for modern farm vehicles and trucks.
- New road must be constructed prior to the proposed new buildings.
- Indigenous tree and hedge planting along the full length of the farm road.
- Current noise generated by the farm is negligible.
- The farm shows diligence in support of local wildlife and biodiversity.
- The visual impacts will be negligible given the proposed tree planting.
- Sited in a beautiful location only made possible by the land being farmed
- Proposals will not affect traffic safety on the C7.
- The provision of land to extend the Egrets Way is a welcome outcome.
- Egrets Way land transfer – 25 years is inadequate and it needs to be in perpetuity.
- The applicant has taken into consideration the comments of the first application and submitted a balanced and improved scheme.
- Fair balance between the future viability and considerate management of the land.
- The proposed development is appropriate in the National Park –
- Consistent with the visions of the Iford Whole Estate Plan.

Neutral

- Gate positioned across the lane in front of 1 Lower Stalls to be kept locked unless for emergency use.
- Install gates in the 'dead space' area beside Lower Stalls Cottages
- Construction of a wall between the Flint Barn and A1/A2 buildings
- Installation neutral Yorkshire board to the back and side of building A2.
- New planting proposed adjacent to the A2 unit should be conditioned.
- Condition a restriction to noise levels/ smell pollution from commercial uses.
- Restrict the use of commercial buildings to normal working hours
- Careful choice of tenant, B8 could mean a use by many commercial vehicles.
- Greens and browns used for roofs and the elevations stained darker colour.
- The construction of the new access road will allow the separation of business activities from the village.
- New access must be a reasonable distance from domestic gardens to ensure privacy and current levels of tranquillity.
- The proposed junction is at a bend of the C7, which has a 50 mph limit. Due to reduced visibility, concerns about safety.
- Cutting back hedges around the proposed junction is not consistent with country roads in the National Park.
- Road/Access must not be over engineered.
- Require that B8 must be retained in commercial use.
- Needs further examination of the various potential sites.
- Two lock up units and yard have been omitted from the application.
- Welcome the demolition of some redundant buildings.
- Resisting of components away from floodplain are welcomed.
- Site levels no longer being raised significantly is beneficial in terms of landscape impact.
- There must be no adverse impact on surrounding SSSIs.
- Concerns about proximity of new industrial development and traffic to Conservation Area houses in Iford.

Objection

- Heavy vehicles need to be actively reduced and diverted from Southover High Street and Bell Lane Roundabout.
- An independent traffic survey should be carried out by ESCC to establish the true number of farm vehicles currently using the C7
- Additional buildings will result in an intrusion into the visual amenities of the countryside.
- Out of keeping with the Lewes Brooks SSSI and the exceptional environment that the lower Ouse Valley provides to migrant birds.
- A section of off road pathway should be constructed alongside the C7 from Swanborough Drove to near Northease.
- 40mph speed limit should be extended from Kingston through the whole of the C7 except for the 30mph section through Rodmell.
- Legal protection required to maintain ditch systems at Iford Farm.
- Heritage Statement ignores Lewes town centre.
- Concerns regarding concreting over the aquifer.
- Following the submission of the additional traffic report, the safety of the proposed new access road junction on the C7 has therefore still not been demonstrated.

5.3 Letter of objection from Cycle Lewes. This letter has been submitted against the current three planning applications by the Iford Estate currently under consideration. Therefore, for the sake of completeness, that main points raised within the letter have been summarised within all three applications, although it would appear that a number of the points raised relate directly to this application SDNP/20/05439/FUL.

- Unclear if a previous permission for a Grain Store on the main Iford site has been implemented.
- The need for the development must be considered against the backdrop of the Committee on Climate Change (CCC) and the 2050 Net Zero target
- The revised application represents little difference in terms of the scale to the previously refused application and in addition includes retrospective permission for commercial buildings and one additional conversion.
- The higher built element of the straw barn within the main Iford farm site is closer to views from the Downs where it affects the setting of the adjacent Iford village conservation area
- Concerns regarding the importation of waste and development within the flood plain in terms of traffic, impact on flood plain and visual amenity.
- The future use of some redundant buildings within the Estate has not been clarified
- Concerns about increased traffic generation including an increase in HGVs. There is no assessment of the impact on Lewes conservation area or cyclists using the C7.
- Impact on cycling route and footpaths - C7 is notoriously dangerous route for cycling; the proposals will deter local cycling at a time when the government and SDNPA are seeking to encourage more cycling and walking.
- Whilst the principle and formation of the Egrets Way is strongly supported by Cycle Lewes, it is considered that the need is a permanent one and should accordingly be accompanied by a permanent commitment underpinned by the relevant Rights of way legislation.

6. Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan is South Downs Local Plan (2014-33). The relevant policies are set out in section 7 below.

National Park Purposes

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

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

National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and the revised National Planning Policy Framework (NPPF) issued in July 2018 and further amended in February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Relationship of the Development Plan to the NPPF and Circular 2010

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

Statutory Requirements

- 6.5 The Planning (Listed Buildings and Conservation Areas) Act 1990 places a series of duties on planning authorities when determining planning applications for planning permission that may affect conservation areas, listed buildings or their setting.
- 6.6 Section 66 (1) states that 'in considering whether to grant planning permission for development which affects a listed building or its setting the local planning authority 'shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses'
- 6.7 Section 72 states that when considering proposals within conservation areas, the decision maker must pay 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'

The South Downs National Park Partnership Management Plan

- 6.8 The South Downs National Park Partnership Management Plan 2020-25 is a material consideration in the determination of the application. The following policies are relevant:
- 1: Conserve and enhance natural beauty and special qualities of the landscape;
 - 3: Protect and enhance tranquillity and dark night skies;
 - 4: Create more, bigger, better-managed and connected areas of habitat in and around the National Park, which deliver multiple benefits for people and wildlife;
 - 5: Conserve and enhance populations of priority species;
 - 9: The significance of the historic environment is protected from harm, new discoveries are sought and opportunities to reveal its significance are exploited;
 - 10: A diverse, sustainable, dynamic economy which is positively linked to the special qualities of the National Park;
 - 12: Support conservation grazing on semi-natural habitats as part of a profitable livestock and mixed farm economy;
 - 13: Support the financial viability of farm businesses through appropriate infrastructure and diversification developments, in particular, encouraging those that will support sustainable farming;

- 55: Promote opportunities for diversified economic activity in the National Park, in particular, where it enhances the special qualities.

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
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD10: International Sites
- SD11: Trees, Woodland and Hedgerows
- SD13: Listed Buildings
- SD15: Conservation Areas
- SD17: Protection of the Water Environment
- SD19: Transport and Accessibility
- SD20 Walking, Cycling and Equestrian Routes
- SD21: Public Realm, Highway Design and Public Art
- SD25: Development Strategy
- SD39 Agriculture and Forestry
- SD40: Farm and Forestry Diversification
- SD41: Conversion of Redundant Agricultural or Forestry Buildings
- SD48: Climate Change and Sustainable Use of Resources
- SD50: Sustainable Drainage Systems
- SD54: Pollution and Air Quality
- SD55: Contaminated Land

8. Planning Assessment

Principle of development – Major Development

- 8.1 Determining whether proposals are major development in terms of paragraph 172 of the NPPF 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. With regard to the considerations of this site, it is a complex of existing farm buildings, in a farmstead and seeks to foster typical National Park uses. Therefore, having regard to the matters to take into account, it is not significant and as such is concluded in this case that the development is not major development for the purposes of paragraph 172.
- 8.2 Therefore, the main considerations are:
- a) Principle of Development and Agricultural Justification
 - b) Landscape and Visual Impact
 - c) Impact on Conservation Area
 - d) Drainage and Water Environment
 - e) Biodiversity, Ecology and Ecosystem Services

- f) Impact on Surrounding Residential Amenities
- g) Highways, Access and Traffic
- h) Public Rights of Way
- i) Dark Night Skies

Principle of Development and Agricultural Justification

- 8.3 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.
- 8.4 The farm is a mixed arable and livestock operation. Forming a total of 1,500ha of land, 940ha of which is arable land with the remaining land utilised for mixed arable and livestock. The farm has a livestock to include 300 suckler cows between 18/24 months.
- 8.5 The proposal is compliant with policy SD39 (Agriculture and Forestry) of the South Downs Local Plan (SDLP). This policy supports sustainable development and proposals for new agricultural buildings where there is a need and when appropriate measures have been undertaken to ensure development does not have an adverse impact on the locality. Policy SD25, (Development Strategy), allows for development outside of the settlement boundary when there is an essential need for a countryside location. Supporting mixed farming, recognising the value livestock play in landscape management is part of the general thrust of the Local Plan.
- 8.6 In support of the economic sustainability of the proposal, an Agricultural Justification Statement has been submitted with this application to demonstrate the principle of the development and the need. The application subject of this report seeks to overcome previous concerns regarding the visual impact and the scale of the Refused 2019 Scheme. This Statement proposes a less intensive and more compact development that reduces the area of land to be raised and the number of buildings proposed. However, the benefits of the revised scheme, in terms of the reduced level of development, needs to be balanced with some buildings outside of the main yard still needing to be used for agricultural purposes.
- 8.7 The applicant has reassessed the farm buildings within the Estate and identified those that are surplus to requirements and can be demolished including a grain silo and two large straw barns and then those that can be converted to other uses, such as equestrian and BI office. These proposals are detailed within submitted applications SDNP/05441/FUL and SDNP/20/05442/FUL, also brought to the Planning Committee for consideration, so that the overall current proposals for the Estate can be balanced. Albeit, that each of the applications are standalone submissions and would be capable of implementation in isolation should the Planning Committee be minded to approve the applications.
- 8.8 With the submission subject of this report, the applicant is seeking to demonstrate that the farm is not at its most efficient and sustainable, as it currently operates from three yards, Iford Farm, The Old Sheep Yard and the Young stock Barn, (also known as Upper Stalls) and Swanborough Farm. The submitted Agricultural Justification Statement considers the limitations of the three sites, the buildings therein and concludes that the consolidation of most of the farm operations, to provide a new farm complex at Iford Farm, would overcome the material constraints of the current disparate operation. This is in terms of the time and cost of operations and providing facilities that are suitable for modern agricultural needs at predominantly one location within the Estate.
- 8.9 This application has also included proposals to regularise the commercial uses of the units A1 to A8 located within the eastern corner of the red line site and further seeks a change to the use of a building currently redundant, unit A2, to a B8 (storage) use. An Operation Strategy has been submitted by the applicant to describe the operation and the history of the uses within these buildings; which uses range from B1c, (light Industrial) to B8, (Storage). The proposals are supported by the applicant through a Farm Diversification Plan and it is considered that this document meets the requirements of policies, SD34: Sustaining the Local Economy, SD39: Agriculture and Forestry, SD40: Farm and Forestry Diversification

SD4I: Conversion of Redundant Agricultural or Forestry Buildings. The proposals also accord with paragraph 83 of the NPPF in that they support “sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings”.

- 8.10 It is considered that this proposal is not only acceptable, in principle, but takes the opportunity to address some of the desirable outcomes of the WEP. WEPs are supported by SDLP policy SD25, which recognises the benefit of looking at Estates in their wider context when considering an individual application. A WEP is therefore a material consideration. The outcomes of the Iford WEP that are specific to this proposal are; principle of farm consolidation and maintenance of diverse farming, increasing the longevity of the enterprise, ability to demonstrate direct public goods from land management, creation of further habitats, including meadow, wetland and reed beds and the preservation and enhancement of Iford village character.
- 8.11 Furthermore, it is acknowledged that the landscape of the South Downs has been shaped by traditional farming over many generations, and that the farming continues to contribute to the landscape character, biodiversity and ecosystem services intrinsic to the National Park. Policy 13 of the South Downs Partnership Management Plan (2020-25) (SDPMP) states the SDNPA’s support for the financial viability business through appropriate infrastructure.
- 8.12 In summary, it is concluded there is justification for the proposal and that there is overarching policy support for the principle of the consolidation of many of the farm buildings at the Iford Farm site and the regularisation of the commercial use within units A1 to A8.

Landscape and Visual impact

- 8.13 The environmental aspect of sustainable agricultural development requires the consideration of its landscape impact. The proposed barns, silage storage area, with associated land raising and new access and farm track have two main visual impacts; those of distant views and those closer to.
- 8.14 Policy SD04, (Landscape Character) supports development that is informed by landscape character, that conserves and enhances the existing landscape features that contribute to the distinctive character, pattern and evolution of the landscape; and safeguards the experiential and amenity qualities of the landscape. Policy SD05, (Design), supports the development that demonstrates landscape-led design approach and respects local character. Policy SD06 (Safeguarding Views) supports development that conserves and enhances views from publically accessible areas.
- 8.15 The application the subject of this report has sought to address previous reasons for refusal by significantly reducing the proposed land raising and reducing the buildings proposed to be located along the south eastern site boundary. The number of overall new buildings proposed has been reduced from seven to five and the new development forms a more consolidated farm complex at this site. Having regard to the revised wire frame plans, it can be appreciated that the revised proposal will sit well in relation to the existing buildings within the site and an unacceptable level of dominance of the additional buildings will not be observed from close to and wider views of the site. Additional and sensitive planting will further assist to break up the building form along the south eastern boundary.
- 8.16 It is considered that the development within the farm will accord with the existing character of the site and that the benefits from the more consolidated farm operation outweigh any changes to the wider visual impact of the proposals. A planning condition will be required to control final land levels. It is not considered that this application would constitute a waste operation and therefore the policies of the West Sussex Waste Plan are not engaged.
- 8.17 The other aspect of the scheme that will have a visual impact is the proposed access and farm track. Concerns have been made through representations submitted in respect of this application that the access and associated farm track will have an unacceptable urbanisation impact on the immediate and wider views of the site. It is accepted that the new access and track will have a visual impact. However, it can be conditioned that the track and bellmouth

are not over engineered and the benefits gained to the amenities of the adjacent Iford Conservation Area are considered to dramatically outweigh the impact of the new track.

- 8.18 To ensure an acceptable development is achieved onsite, all planting and hard surfacing proposed must be considered in detail through the submission of information to address landscape conditions and should be managed in the future through the submission of an acceptable Landscape and Ecological Management Plan, (LEMP).
- 8.19 In summary, it is concluded that the development changes to the agricultural yard, commercial units and access track are acceptable in terms of design and landscape impact.

Impact on Conservation Area

- 8.20 The Iford Conservation Area is located adjacent to the application site and includes a number of listed buildings. There is a small area within the application redline to the west of the farmyard where it extends into the conservation area. However, the main areas of development sit within the section of the site outside of the Iford CA.
- 8.21 One of the advantages of the proposed scheme is considered the benefit to the Iford CA. Currently the main route for farm traffic is through the narrow roads of Iford village. The application is supported by a Heritage Statement that concludes that, by removing as much traffic and inappropriate activities from the historic parts of the village as possible, it will result in a significant improvement to the wider conservation area and the setting of listed buildings. A conclusion with which the SDNPA's Conservation Officer concurs.
- 8.22 A further proposed enhancement to the western side of the site adjacent to the conservation area is proposed; by removing the existing hardstanding that is utilised for storage and returning it to fields, it will provide a visual betterment to the appearance of the farmyard from the conservation area.
- 8.23 Accordingly, it is considered that the proposed scheme accords with policy SD12 (historic environment) and paragraph 200 of the NPPF. There is a special duty of care when considering applications within the setting of listed buildings and this has been undertaken within the consideration of this application and it is concluded that there will not be harm
- 8.24 Concerns have been raised within a representation to the application that the submitted Heritage Statement does not address the impact on the historic centre of Lewes. It is considered that this would be outside of the scope of the application. However, the traffic impact on Lewes is considered within the Highway section of this report.

Drainage and Water Environment

- 8.25 Policies SD49, (Flood Risk Management), SD17, (Protection of the Water Environment) and SD55 (Contaminated Land) are engaged for the proposed development at this site. The superficial geology beneath this site is River Terrace Deposits and Head deposits and the bedrock is the West Melbury Marly Chalk Formation. It does not lie within a Source Protection Zone, but the chalk bedrock is designated as a Principal Aquifer and there are a number of surface water features. The Environment Agency have advised that the existing use of the site as agricultural land presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Therefore, controlled waters are very sensitive in this location and need to be protected and the Environment Agency have responded with no objection to the scheme so long as further information is sought from the applicant at post application stage. The submitted FRA is considered to be acceptable.
- 8.26 In summary, with suitably worded conditions, it is considered that this proposal in line with paragraph 170 of the NPPF and policies SD49, SD17 and SD55 of the SDLP with regard to impact of the scheme on the water environment.

Biodiversity, Ecology and Ecosystem Services

- 8.27 Paragraph 175 of the NPPF requires that if significant harm is brought to biodiversity resulting from development that cannot be avoided, mitigated or compensated for, planning permission will be refused. Policy SD09 (Biodiversity and Geodiversity) of the SDLP goes further and requires that biodiversity is enhanced. The application as submitted was

supported by a Preliminary Ecological Appraisal. It is necessary to condition accordance with the survey report. Given the current operational nature of the site, it is considered that so long as the recommendations of the survey works undertaken and are adhered to, then the scheme is acceptable in regard to the impact to ecology. The further enhancements required to biodiversity are considered within the submitted Ecosystem Services Statement.

- 8.28 Part 118 of the NPPF draws attention to the duty to protect the natural environment and to the opportunities for its enhancement. The relevant policy of the SDLP is SD02 (Ecosystem Services). SD02 states that development proposals will be permitted where they have an overall positive impact on the ability of the natural environment to contribute to goods and services. It is considered that the scheme demonstrates direct public goods from land management and provides for the creation of further habitats, including meadow, wetland and reed beds. Other biodiversity benefits include, bird and bat boxes, deadwood habitat piles and flowering plant species.

Impact on Surrounding Residential Amenities

- 8.29 The social aspect of sustainable development requires that decision makers must take account of the impact of proposed development, amongst wider issues, on the amenities of the occupiers of surrounding dwellings. To this regard, it is considered that the new access and farm track will move a significant volume of vehicular trips to and from the site away from the adjacent residential dwellings to the west of the site. Furthermore, the applicant has agreed to retain the existing gate to the access in front of Lower Stalls Cottages and install a further gate to the existing access directly adjacent.
- 8.30 It is not considered that the consolidation of the operations within the site will detriment the amenities of the occupiers of the adjacent dwellings to any significant extent. As this is already a working farm and the use of which will remain unchanged albeit intensified.
- 8.31 This revised application also includes the regularisation of units A1 to A8 in terms of commercial B1c and B8 uses and the conversion of redundant unit A2 to B8. It is considered that without appropriate conditions that these uses do have the potential to cause harm to the amenity of the residents living closest to the site. To this regard the inclusion of these units within this application, some of which could benefit from deemed permission due to the length of operation, is to be welcomed. This is an opportunity to condition the operation of the units in terms of operating hours, car parking and the removal of further permitted development rights so as to require the submission of an application should any further change of use be sought.
- 8.32 Representations received from residents have requested that the cut way adjacent to the existing buildings of the site and Lower Stalls Cottages is blocked off. This has been included within the plans and the area adjacent to the western elevation of unit 2 is to be landscaped and lockable gates to be installed.
- 8.33 It is concluded that the proposed scheme will accord with the requirements of policy SD05 in terms of the impact on the surrounding residential amenities and that the scheme is acceptable in planning terms to this regard in so long as appropriate conditions are imposed to control the future use of the units.

Highways, Access and Traffic

- 8.34 The Highway Authority raised initial concerns concerning the information submitted with the application. They considered that it was insufficient information to conclude that the scheme would not have an adverse impact on the grounds of the regularisation of the commercial uses within the site and the additional B8 use of unit A2.
- 8.35 Following the submission of the additional information, including details of the number of movements and HGV's associated with the regularisation of the commercial units; the Highway Authority has concluded that there are HGV movements associated with the existing operations on the site but that the detail is limited. Additionally, without an end user for the proposed conversion of unit A2 to a B8 use, it is difficult to quantify the impact on the surrounding network. Therefore, in order to provide mitigation that will prevent any increase in HGVs routing via Southover High Street in Lewes, a Travel Management Plan has

been agreed with the applicant for those units that either do not currently have consent and could not benefit from deemed consent. In so long as the application is appropriately conditioned, the Highway Authority has confirmed that they raise no objection to the scheme on highway safety grounds.

- 8.36 In terms of the proposed new access, the application will use a purpose made one rather than the less than ideal historic route that takes farm traffic through the Iford Conservation Area. The new access is up to modern standard and the route avoids the historic village.
- 8.37 Accordingly, it is considered that subject to appropriate planning conditions, the proposed access arrangements and site layout are acceptable in Highway, access and traffic terms and that the scheme is in accordance with the requirements of SDLP policies SD19, (Transport and Accessibility) and SD05 (Design). Whilst the new access may not be in full accordance with Roads in the South Downs (2015), it is considered that the great benefits to Iford CA outweigh in terms of traffic reduction must be held in balance and that to this regard the proposal is considered to be acceptable.
- 8.38 The Highways Authority also considered the impact of this application in conjunction with planning applications SDNP/20/05441 and SDNP/20/05439 and raised no object to any of the three subject to suggested conditions being imposed.

Public Rights of Way

- 8.39 Policy SD20, (Walking, Cycling and Equestrian Routes), requires that new developments maintain existing rights of way; and conserve and enhance the amenity value and tranquillity of, and views from, non-motorised travel routes and access land. There is a public right of way that transverses the proposed farm access track. This PRoW runs across two of the farm's lower fields adjacent to the C7 (Piddinghoe Road). The Highway Authority response raises no concerns with regard to impact of users of this footpath if suitably worded conditions are attached to a planning consent.
- 8.40 Insofar as suitable planting is incorporated into the scheme and suitable surfacing is utilised for the access track, it is not considered that the scheme will create an unacceptable visual impact for the users of the adjacent PRoW network and that the views from the surrounding network will remain that of an active farm operation. Furthermore, the public footpaths through the village of Iford will be enhanced through the reduction of farm vehicles through the Conservation Area.
- 8.41 The SDNPA Access and Recreation team have been working with the applicant to secure a S106 agreement to facilitate the construction of a significant length of the Egrets Way shared use path through the land owned by the Estate required for the works that have already secured planning permission (SDNP/14/01443/FUL). The applicant has agreed that the land strip will be secured by common law through Express Dedication by the landowner for the right of passage on bicycle, on foot and horseback etc. It would be accompanied by a termed Licence Agreement (25 years) covering access for the construction, operation and management of the Egrets Way path through the dedicated land strip. This can be achieved by a schedule to the S106 setting out to an agreed form, the express declaration by the estate.
- 8.42 This accords with the Iford Whole Estate Plan to "encourage wider access and appreciation of the high quality landscapes on the Iford Estate". The Egret's way is a key route that runs through the Estate and views from the new development to it will be altered. Given the scale and significance of the application under consideration, the impact of the scheme in terms of development in this location, that it is visible from both close to and wider views, it is considered appropriate and proportionate that a Section 106 agreement is secured.. This is not only a statement of the WEP but is considered appropriate to accord with the first purpose of the National Park, the duty to conserve and enhance the natural beauty of the National Park. It would also meet the second purpose, to promote understanding and enjoyment of the Park.

Dark night skies

- 8.43 The site is located within the Transition Zone (EIb) and a lighting assessment has been submitted to support the application. Policy SD08 of the SDLP requires that development does not harm the quality of dark night skies of the National Park, for the benefit of people and wildlife. In consideration of this, the applicant has sought to minimise light spill from the site by minimising additional external lighting, PIR sensors fitted to all new external lighting and minimise all internal lights to buildings. Given the higher relative contrast of lighting in rural areas, it will be important that any bright lights (above 5000 lumens) be mitigated sufficiently. To this regard, it is considered necessary to impose a planning condition to require details of the external and internal lighting to be submitted to and approved by the SDNPA.

9. Conclusion

- 9.1 Given the above, it is considered that the proposal is in accordance with the Development Plan and there are no overriding material considerations to otherwise indicate that permission should not be granted. The scheme supports the future of the farming operation and enables conservation and biodiversity enhancements to be delivered. It is therefore recommended that planning permission be granted, subject to the conditions listed below in order to meet the requirements of SD25, the purpose (I) of the National Park and the Iford WEP and subject to the completion of a Section 106 to permit the development of the Egrets Way on Iford Estate land. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress made within 6 months of the Planning Committee meeting of 15 April 2021.

10. Reason for Recommendation

- 10.1 The application is recommended for approval subject to the following conditions and subject to a legal agreement to permit the development of the Egrets Way on Iford Estate land, the final form of which is to be delegated to the Director of Planning;

Timescale

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

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

Accordance with 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.

Material details

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

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

4. Prior to the implementation of the change of use of unit A2 hereby approved, a schedule and samples of external materials and finishes to be used in the alteration of the building, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out strictly in accordance with the approved details.

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

5. Prior to the implementation of the change of use of unit A2 hereby approved, a schedule and samples of materials and dimensions of the proposed wall/fence to be constructed between buildings A1 and A2, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out strictly in accordance with the approved details.

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

Control of Commercial Units

6. The commercial uses; hereby permitted within units A1 to A8 shall not take place other than between the hours of:
 - i) 7am to 7pm; Mondays to Fridays
 - ii) 9am to 4pm; Saturdays
 - iii) At no time on; Sundays and bank holiday

Reason: To protect the residential amenities of the locality.

7. All fork lift and other vehicles servicing the commercial units shall be fitted with a reverse beep white noise silencers and shall be maintained in such condition at all times thereafter.

Reason: To ensure the use of the units do not have a harmful environmental effect and in the interests of amenity.

8. There shall be no alteration or variation to the existing ventilation equipment without the prior written approval of the local planning authority, and the ventilation equipment shall not be operated outside of the agreed hours of operation set out in condition 6, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the amenity of the area is not detrimentally affected by the use of the site.

9. The B8 use of unit A2 hereby approved, shall be used in accordance with the details approved; and for no other purpose (including any other purpose in Class E; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2020 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).

Reason: To ensure the use of the units do not have a harmful environmental effect and in the interests of amenity.

10. The commercial units, shall be used in accordance with the details approved in terms of the current use class; and for no other purpose (including any other purpose in Class E; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2020 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).

Reason: To ensure the use of the units do not have a harmful environmental effect and in the interests of amenity.

11. No materials, goods, plant, equipment or any waste materials associated with the commercial uses shall be stored externally; (i.e. outside the confines of the units within the area of the site shown on plan 2006_1005 rev A). The area of hardstanding between Lower Stalls Cottages and the approved wall between units A1 and A2 shall be kept clear at all times.

Reason: To ensure the use of the units do not have a harmful environmental effect and in the interests of amenity.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order or revoking and re-enacting that order with or without modification), no further plant or machinery shall be

erected on or carried out at the site as shown on plan 2006_1005 rev A under or in accordance with Part 7 Class H of Schedule 2 to that Order unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: To enable the Local Planning Authority to regulate and control the development of land.

Highways and Access

13. The development shall not commence until details of the layout of the new access and the specification for the construction of the access which shall include drainage have been submitted to and approved in writing by the Planning Authority and the development shall not be occupied until the construction of the access has been completed in accordance with the agreed specification.

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

14. No development shall be occupied until gates have been installed at the existing access adjacent to the western elevations of units A1 and A2 shown on the submitted plan (Plan no 2006-1003 Rev C). The existing gate across the site entrance adjacent to Lower Stalls Cottages shall be retained. Thereafter all gates must remain installed as approved across both site accesses.

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

15. The new access shall not be used until visibility splays of 3 metres by 132 metres have been provided to the South and 3 metres by 147 metres have been provided to the North of the existing vehicular access onto the C7 in accordance with the submitted Transport Report received 17 March 2021. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

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

16. The development shall not be occupied until a parking area has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority and the area shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

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

17. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development

18. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the submitted plan (Plan no 2006-1003 Rev C)) and the turning space shall thereafter be retained for that use and shall not be used for any other purpose.

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

19. The development shall not commence until revised plans and details incorporating the recommendations given in the Stage 1 Road Safety Audit and accepted in the Designers Response have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.

Reason: In the interests of road safety.

20. Prior to the occupation of development, a Travel Management Plan shall be prepared and submitted to detail the number of movements generated by the following units A2, A5, A6 & A7, this should include the number of HGV's and proposed routing from the site. The figures will need to be kept within the trip rates set out within Allen Rollings' Highways Report dated 17 March 2021. This Travel Management Plan will need to be approved in writing by the Local Planning Authority.

Reason: In the interests of road safety

21. Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed and implemented in accordance with the approved details.

Reason: To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding.

22. The completed access shall have maximum gradients of 2.5% (1 in 40) from the channel line and 11% (1 in 9) thereafter

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

23. Prior to the commencement of development details of the proposed signage shall be submitted to and approved in writing by the Local Planning Authority. Once approved the signage should be erected and maintained at a minimum of 450mm back from the edge of the adjacent carriageway, in order to provide adequate clearance from any overhang of passing vehicles.

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

24. Public Footpath Iford Id should remain unobstructed during and on completion of the development

Reason: To ensure the safety of persons proceeding along the public footpath.

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

- i) the anticipated number, frequency and types of vehicles used during construction,
- ii) the method of access and egress and routeing of vehicles during construction,
- iii) the parking of vehicles by site operatives and visitors,
- iv) the loading and unloading of plant, materials and waste,
- v) the storage of plant and materials used in construction of the development,
- vi) the erection and maintenance of security hoarding,
- vii) the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- viii) details of public engagement both prior to and during construction works,
- ix) detail measures to manage flood risk, both on and off the site, during the construction phase.

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

Flood Risk

26. The development shall be carried out in accordance with the submitted Flood Risk Assessment (Ref 7187, November 2020, by GTA Civils Ltd) and the mitigation measures detailed within (sections 3.6, 3.8, 5.3 and 5.4). These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure that flood risk is managed.

Development on land affected by contamination

27. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

- i) A preliminary risk assessment which has identified:
 - a. all previous uses;
 - b. Potential contaminants associated with those uses;
 - c. a conceptual model of the site indicating sources, pathways and receptors; and
 - d. potentially unacceptable risks arising from contamination at the site.
- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution.

Verification report

28. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

Previously unidentified contamination

29. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this

contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

SuDS Infiltration of surface water into ground

30. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development must be carried out in accordance with the approved details. The surface water drainage system shall incorporate the following:
- i) Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to 2 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence.
 - ii) The details of the outfall of the proposed drainage system and how it connects into the watercourse shall be submitted as part of a detailed design including cross sections and invert levels.
 - iii) The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
 - iv) The detailed design of the surface water drainage features (attenuation pond) shall be informed by findings of groundwater monitoring between autumn and spring at the location of the proposed tank. The design should leave at least 1m unsaturated zone between the base of the drainage structures and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system should be provided

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

31. A maintenance and management plan for the entire drainage system shall be submitted to the planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:
- i) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.
 - ii) Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development

These details shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter remain in place for the lifetime of the development.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

32. Prior to occupation of the development evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

Landscaping, Ecology and Trees

33. Prior to the commencement of the development hereby permitted, a detailed scheme of soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in accordance with the approved development. The scheme shall include details of:
- i) Proposed planting plans and strategy, including written specifications, cultivation and other operations associated with plant, grass, shrub and tree establishment; schedules of plants and trees noting species, sizes; and proposed numbers/densities where appropriate;
 - ii) Tree guards, staking and tree-pit construction;
 - iii) Retained areas of grassland cover, scrub, hedgerow, and trees;
 - iv) A timetable for implementation of the soft landscaping works.
 - v) A schedule of landscape maintenance for a minimum period of 5 years to include details of the arrangements for its implementation.

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

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

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

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

35. Works shall be carried out in full accordance with the ecological mitigation and enhancement measures as set out in the Preliminary Ecological Appraisal report (The Ecology Consultancy, 27/11/2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, and to provide a net gain for biodiversity.

36. No development shall take place until a Landscape and Ecological Management Plan (LEMP), has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include, but not be restricted to, the following:

- a) A description, plan and evaluation of landscape and ecological features to be managed including the water features and ditches, grassland and hedgerows, tree planting, enhancement of the coastal and floodplain grazing marsh, creation of a wildlife area including pond, and the provision of bird boxes, including a barn owl box.
- b) Measures setting out how the development will:
 - i) Conserve water resources and improve water quality;
 - ii) Protect and provide more, better and joined up natural habitats;
 - iii) Improve the National Park's resilience to, and mitigation of, climate change;
 - iv) Increase the ability to store carbon;
 - v) Conserve and enhance soils.
- c) Ecological trends and constraints on site that might influence management;

- d) Details of future management of both areas for habitats and species, including details of management responsibility;
- e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- f) A scheme of ongoing monitoring, and remedial measures where appropriate;
- g) details for disposal of any wastes arising from works.

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

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

37. Prior to the commencement of the development hereby permitted details of the protection of the trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The measures of protection should be in accordance with BS5837:2012 and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the Root Protection zones.

Reason: In the interests of the amenity of the local area.

Lighting and Dark Night Skies

38. Prior to development above slab level, a scheme of external lighting to be installed at the site shall be submitted to, and approved in writing by the Local Planning Authority. The lighting shall:
- i) Comply with the guidance set out in the SDNPA's Dark Night Skies Technical Advice Note;
 - ii) Be designed to minimise impacts on wildlife
 - iii) Internal lighting shall be installed as high as possible so that there is an even spread and that the lights aren't directly visible from the surroundings and greater detail provided of the internal lighting switching
 - iv) The lighting shall be installed, maintained and operated in full accordance with the approved details

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

Informatives

Requirement for an Environmental Permit

1. The application states that the proposal for the discharge of foul effluent is unknown. Any discharge of effluent associated with this development may require an Environmental Permit from us under the Environmental Permitting (England & Wales) Regulations 2016, unless an exemption applies. The Applicant is advised to contact us on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk for further advice and to discuss the issues likely to be raised. The Applicant should note that a permit is separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to the granting of a permit. Additional guidance' can be found on the gov.uk website – <https://www.gov.uk/environmental-permit-check-if-you-need-one>.

2. For Commercial Kitchens, details should be drawn up with regard to Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems produced by Department of Environment Food and Rural Affairs.

Digestate and silage storage

3. The site lies on Chalk, which is classified as a Principal Aquifer. Groundwater must be protected from pollution and all precautions including the design and construction of any storage lagoon must be undertaken in accordance with best practice. Silage feedstock material for the AD plant should be stored as in accordance with the SSAFO Regulations (The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010). It is noted that the Agricultural Justification report confirms that the silage clamp will be constructed to SSAFO requirements (paragraph 5.20). The Applicant should note that in accordance with the SSAFO Regulations, we require 14 days' notice before work starts on the construction of new silo, slurry or fuel oil storage facilities, or the refurbishment of existing ones, and for purpose built on site clamps and field heaps (including "Ag Bag" structures which may be stored off site by sub-contractors/other farmers). Notification form WQE4 and further guidance on the SSAFO regulations are available on the gov.uk website - <https://www.gov.uk/guidance/storing-silage-slurry-and-agricultural-fuel-oil>, but where the NVZ Regulations are applicable this should be increased to 5 months. Rainfall should be taken into account also when calculating capacity also.

Locally Sourced Materials

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

Highways

5. The applicant will be required to enter into a license/agreement with East Sussex County Council, as Highway Authority, for the off-site highway works. This includes the construction of the new access. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
6. The applicant is advised of the requirement to enter into discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. The applicant should contact the Transport Development Control Team (01273 482254).

11. Crime and Disorder Implication

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

12. Human Rights Implications

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

13. Equality Act 2010

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

14. Proactive Working

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

TIM SLANEY

Director of Planning

South Downs National Park Authority

Contact Officer: Heather Lealan

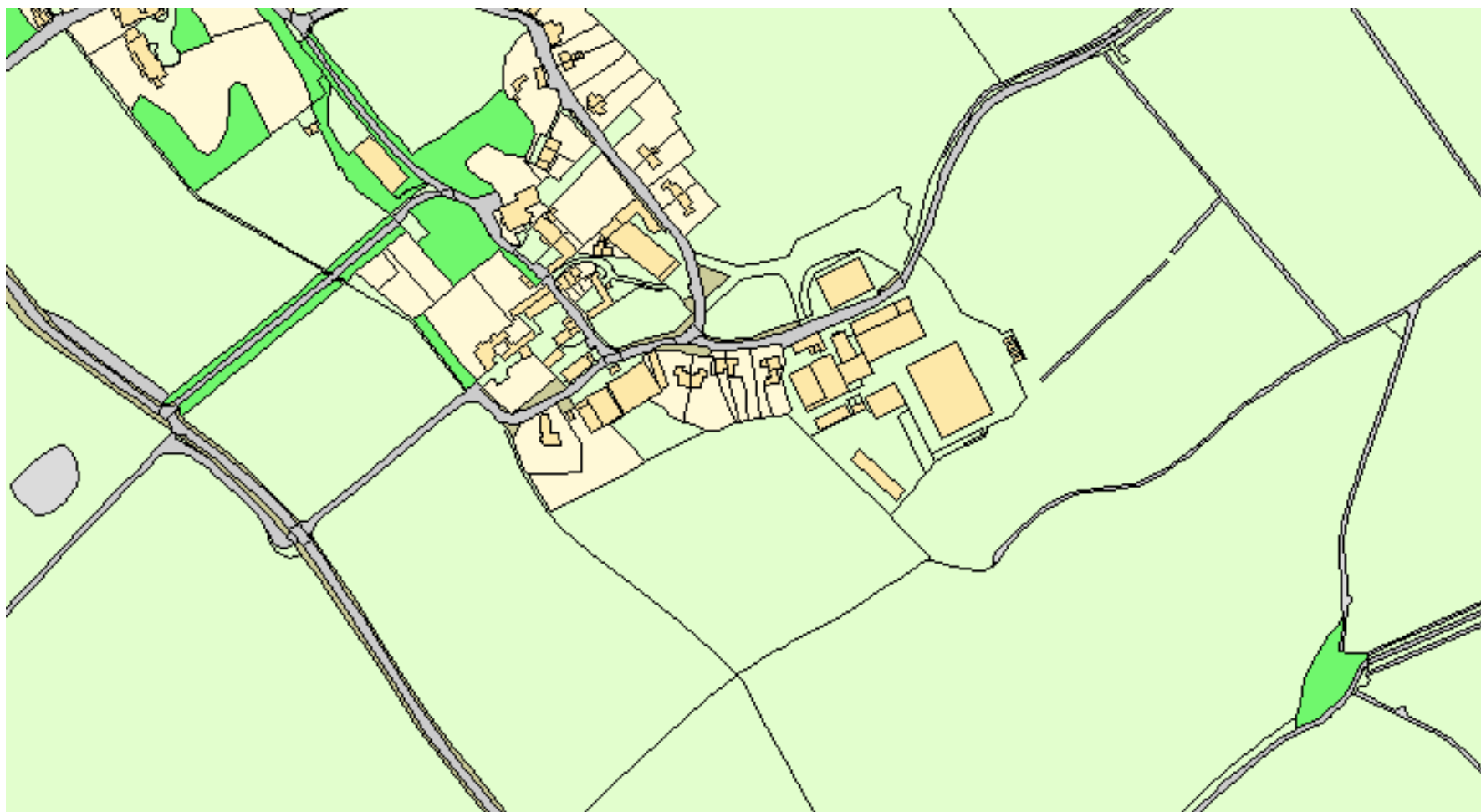
Tel: 01730 819363

email: heather.lealan@southdowns.gov.uk

Appendices I. Site Location Map

SDNPA Consultees Legal Services, Development Manager

Background Documents <https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>
[National Planning Policy Framework \(2019\)](#)
[South Downs Local Plan \(2014-33\)](#)
[South Downs National Park Partnership Management Plan 2014](#)
[South Downs Integrated Landscape Character Assessment 2005 and 2011](#)

Site Location Map

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