

Report to Planning Committee

Date

By **Director of Planning and Environment**

Local Authority **Chichester District Council**

Application No. **SDNP/22/00098/FUL**

Applicant **Mr Kane Adams**

Application **Retrospective planning permission on 1 no. part-built barn (west of field) and 1 no. new barn (north east of field).**

Address **Land to The North of Blind Lane
Blind Lane
Lurgashall
West Sussex**

Recommendation: That the application be Refused for the reasons set out in section 10 of this report.

IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.

Executive Summary

Reason for Committee Referral: Councillor request

The application site constitutes a parcel of agricultural land, measuring approx. 6.3ha, located to the east of Lurgashall village. The proposal relates to regularising one existing unlawful barn on the western boundary of the site and erecting a further agricultural barn to the eastern corner. It is considered that the proposed barns due to their siting, scale and design would result in harm to the landscape character of the South Downs National Park, failing to conserve and enhance its natural beauty. Furthermore, insufficient justification has been provided to demonstrate that two large agricultural buildings are required for the purposes of agricultural, particularly given the size of the holding.

There is also insufficient information regarding whether the proposal would result in harm to protected species on the site, with no surveys being undertaken, whilst no evidence has been provided that the proposal would result in water neutrality given both buildings include bathroom facilities. The application is therefore recommended for refusal.

1.0 Site Description

- 1.1 The site comprises a parcel of agricultural land, measuring approximately 6.3 hectares in size, that appears to be predominately utilised as grazing land. The site lies to the east of Lurgashall village within the South Downs National Park, to the north of Blind Lane and to the east of Hill Grove Lane. Navant Hill farm is sited immediately to the north of the site.
- 1.2 Public footpaths are present to the north of the site from Hill Grove Lane running to the east and from the road junction with Hill Grove Lane and Blind Lane running in a north-east direction, bisecting the adjacent field. The wider character of the area is predominantly rural comprising agricultural grazing land.

2.0 Proposal

- 2.1 The application seeks permission for two agricultural buildings on the site.
- 2.2 One barn is proposed in the eastern corner of the field and would measure 30m (W) x 10 m(D) x 4m (H) and would comprise of a slight lean-to roof form. Whilst the floor plans have not been annotated to demonstrate how the buildings will be laid out, the submitted Development Justification Statement noted the barn is proposed to be used for storage of the following. This includes the storage of home-grown produce, Tractor and trailer, Compact loader, Mini excavator, Topper, Hedge cutter, Plough, Seed drill, Roller, Scarifier, Gas dryer, Polaris agricultural quad in addition to administration/common space and toilet facilities
- 2.3 The second barn, which has already been partially constructed on the site, is sited to the west of the site and measures 20m (W) x 8m (D) with a staggered form with the flat roof changing levels to follow the topography. The building would comprise of four separate compartments, with the section to the south being open fronted, the two sections in-between comprising of windows and doors and the section to the north comprising of double doors. The barn would be utilised for the storage of Sheep bedding, Feeds, Sheep hurdles, Posts, Fencing, Sheering, Sheering equipment, Secure sheep treatments and medication, common space, and toilet facilities.

3.0 Relevant Planning History

- 3.1 SDNP/20/03482/APNB - 2 no. agricultural barns. Prior Approval Required and Refusal
- 3.2 SDNP/21/00009/NONDET - 2 no. agricultural barns. Appeal dismissed

4.0 Consultations

Parish Council Consultee

- 4.1 The Parish Council has considered this application and has the following concerns:

Retrospective planning permission for barn (west of field):

- The part-built barn is situated in a prominent position on high ground some 10 metres from public right of way 588, which is in regular use
- It is damaging to the otherwise unspoilt view to the South Downs and is highly visible from both the footpath and from the highway
- The building is within 400 metres of a listed building and close to other residential dwellings
- There is no suitable track for vehicle access and the plan shows no area of hardstanding, which would presumably be required for the purposes stated
- The proposed usage is for the storage of feed and shelter of livestock so the requirement for toilet facilities is not justified
- The Parish Council is of the opinion that this building is inappropriately positioned on the site and requests that this part-built barn is dismantled.

Proposed barn in north east side of the field:

- This would be sited in a less prominent position from the footpath and would be more accessible from the highway
- The size of the proposed building is disproportionate for an agricultural operation on this small site
- There is no justification for toilet facilities
- A smaller building in this location is likely to be more acceptable, subject to sight of an appropriate Business Plan
- The SDNPA's 'Integrated Landscape Character Assessment' states the adverse effect that hobby farming can do to the rural landscape. This application would appear to be a prime example and will damage the character of this area of the National Park.
- The Parish Council objects to this proposal and urges the District Council to refuse the application.

HCC - Landscape Team

4.2 Summary Response Objection

1.0) Site Description and Landscape Policy Guidance:

1.1) location/topography

Situated within undulating landform to the east of the village of Lurgashall, in the rural landscape of the Low Weald, the site comprises 6.3 ha of Grade 3 agricultural land.

Bounded by established hedgerows, except to the north where new planting has recently taken place, the site also contains a small watercourse along the north-east boundary.

Set within mixed arable and pasture farmland, scattered settlement along nearby Hillgrove Lane to the west and north contains two grade 2 listed buildings, Crossways and Navant Hill Farm. To the east the A283 is at least 500m distant with scattered development also along its length. Between around 60 and 70m AOD the application site has land that rises to the north with a local highpoint of 85m AOD at the small settlement around Navant Hill. To the south the gradient eases into the arable and woodland beyond Blind Lane.

Agricultural buildings pepper the landscape although generally appear to be either associated with historic farmyards/houses or located adjacent the public highway. The agricultural or woodland between this landscape's intersecting lanes and roads generally appears to have little, if any, built development adding to its deeply rural character.

1.2) historic landscape/assets.

Two historic buildings are within relatively close proximity of the site: Crossways to the west-s-w and Navant Hill Farm to the north-n-w, both grade II and around 100 and 200m distant respectively.

The landscape setting is that of "Modern Fields" (Historic landscape character assessment)

1.3) Ecology

The site is located within The Mens, Ebernoe Common, Singleton and Cocking Tunnels SAC buffer and within the SSSI (5km) buffer zone.

Replanted Ancient Woodland (AW) is found on the opposite site of Blind Lane at the north-east corner of the site. With further areas of AW to the west at Kings Copse, adjacent Navant Hill. SDNP-22-00098-FUL 2 barns, part retrospective, at Blind Lane, Lurgashall: LPH/CES/25.02.2022

A locally designated Site of Nature Conservation Importance (SNCI) - Upper Barn and Mire Hangar - is found approximately 500m to the west.

This field is noted as being part of Network Enhancement Zone 2 on Natural England's habitat mapping. As such there is potential for connecting existing patches of primary and associated habitats, to improve biodiversity value through land management changes or through green infrastructure provision.

The hedgerows around the application site are identified on Chichester MyMaps as having potential as a Bat Movement Network.

1.4) Public Access

Approaching from the west-s-w, footpath 2035/1 joins path 588_1/19 at a point to the north-n-w of the site. This latter path runs roughly parallel with the site's north-west boundary before heading north-n-e.

Open access land to the west of Hillgrove Lane comprises a couple of small narrow wooded areas.

A public highway, Blind Lane, runs adjacent the south-south-east boundary while Hillgrove Lane is around 200m to the west, running north-south, separated by fields, hedgerow and dwellings.

1.5) Landscape character

Set within the Low Weald Landscape Character Area (SDLCA 2020), specifically area P2 The Northchapel Basin, the site exemplifies some of its key characteristics: gently undulating land; part of a patchwork of irregular fields divided by well developed hedgerows with hedgerow oaks; narrow winding lanes; small streams; a high density of dispersed settlement; a deeply rural and enclosed landscape.

The site has a moderate level of tranquillity (SDNP tranquillity mapping) although it borders on a very high scoring area to the north.

The light emissions score here is very low ensuring that it is categorised within the Core Dark Night Skies area (EO in the SDNP dark skies mapping).

1.9) Local Plan Policy

Of particular relevance to this application are the following Core Policies: SD4 Landscape Character; SD5 Design; SD6 Safeguarding Views; SD7 Relative Tranquillity; SD8 Dark Skies; SD9 Biodiversity; SD11 Trees and hedgerows; SD39 Agriculture and Forestry; SD48 Climate Change.

2) The proposal - assessment of impacts

The proposal comprises

- a) the completion of four attached compartments to form a stepped barn 2.4m high x 7m wide (with 1m overhang) x 20m total length located on the western site boundary.
- b) A single barn 4m high x 30m long x 10m wide with double doors 4 x 3.3m high proposed adjacent the north-east site boundary.

Materials include timber cladding with felt roofing materials, shuttered windows, and doors of unspecified materials. Access is proposed via an existing field gate in the north-east site corner.

The proposal introduces barns with a footprint totalling 740m² to be used for storage of materials and equipment, welfare facilities and "common space" and occasionally for housing livestock.

The agricultural need for this development has to be balanced by the requirement (SD39 Agriculture & Forestry) that it occupies the site best suited to conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.

Generally new buildings should be located close to existing buildings unless there are exceptional circumstances. We understand this 6.3ha plot is leased independently from its surroundings.

In addition, the buildings need to be in keeping with local character and of a design that reflects the proposed agricultural use. Proposals for structure planting to integrate development into the existing local landscape framework should be included. SDNP-22-00098-FUL 2 barns, part retrospective, at Blind Lane, Lurgashall: LPH/CES/25.02.2022

The effect of this proposal on receptors:

- From Blind Lane to the south, the site is becoming more screened with time, as the boundary hedgerow matures. The level of maintenance of this feature will determine the extent of views into the site in future. Allowed to fully mature, the hedgerow would effectively shield views of the western barn from the Lane although as the Lane approaches the north-east site corner it is highly likely a barn of the size proposed here, would not only be visible but have a dominant impact on the rolling green landscape.
- From the west, the compartmentalised barn is visible to users of PRow 2035/1, although the intervening hedgerow provides a measure of filtering.
- The visual amenity of listed buildings Navant Hill Farm to the north (both barns visible) and Westminster Cottage to the west (compartmentalised barn only) are likely to be negatively affected by the introduction of built forms into this landscape.
- Users of PRow 538_1/19 will have the clearest views of the two barns with the land falling southward. New planting along this boundary will take many years to mature. The proposal introduces development into this otherwise undeveloped landscape.

The effect of the proposal on the landscape:

- Located within rolling countryside with maturing hedgerows lining the boundaries, the site is typical of the wider pastoral landscape around the small nearby settlement at Navant Hill. There is dispersed residential property lining Hillgrove Lane and little, if any, overt human development in the hinterland.
- The sub-division of fields, ownership and/or tenancy inevitably leads to additional requirements for nearby facilities. While these may be required, they should be balanced with the conservation of the landscape and ensure they respect the character of the setting. Siting the buildings with a backdrop of vegetation and at low points on the land is generally preferable.

- Large scale buildings in this landscape are currently most frequently found associated with historic farmsteads. A minority of individual new buildings have been located in isolated locations. Proposals to create two buildings within the same 6.3ha plot, with a combined footprint of 740m², is we suggest, out of character.
- We query the size of the proposed north-east barn. Its scale, as mentioned above, will make it highly visible from not only the PRoW and residential properties to the north and west but also from Blind Lane to the south-east. Is this 10 x 30m x 4mH building essential to the management of the land?
- There are no landscape proposals associated with this application. Notwithstanding the points above, we would expect to see structure planting included around any proposed barn in accordance with policy SD39, to settle a new building within the landscape. The opportunities to extend fragmented habitats as defined in Natural England's mapping (enhancement zone), and to conserve potential Bat Movement networks (Chichester MyMap) could also be included.

5.0) Conclusion

We are concerned about the location and scale of this development. Visual receptors to the north, west and south-east along Blind Lane will be negatively impacted by the proposals, residential visual amenity will be affected, and the character of the landscape will be altered with the introduction of overt human development into a relatively tranquil area. For the reasons stated above we make a landscape objection to this proposal.

CH - Environmental Strategy

Water Neutrality

- 4.3 Due to the impacts of water consumption within the Sussex North Water Supply Zone on the Arun Valley site, development proposals within this area that would lead to a material increase in water demand will need to demonstrate 'water neutrality'. This means that there would be no increase in water consumption, demonstrated by a combination of water efficiency, water recycling and offsetting measures. Following guidance from Natural England relating to the requirement for water neutrality, a water budget, showing the baseline and proposed water consumption and mitigation measures proposed must be submitted as part of this application. Further information can be found on the SDNP website: Water resources in the central area of the South Downs National Park - South Downs National Park Authority.

Biodiversity

Due to the site's location within the Mens, Singleton and Cocking Tunnels and Ebernoe Common SAC buffer zone a bat survey will need to be undertaken to assess the impact this development may have on any SAC species potentially using the site.

Due to the location of the site, the propose works and the records protected species and habitats within close proximity of the site there is a moderate likelihood that protected species and habitats could be disturbed / harmed by the proposal. Due to the this and prior to determination we require that an extended phase one habitat survey is undertaken on the site to determine if there is potential for protected species. If there is potential for protected species then further surveys would be required. These surveys plus any mitigation strategies required will need to be submitted as part of the planning application prior to determination.

This survey will need to assess the green infrastructure across the site and ensure that this is retained and enhanced as part of the scheme. We require that enhancements to improve biodiversity across the site are incorporated into any future planning application and these should be discussed within the ecological surveys and shown within the landscaping plans.

CH - Environmental Health - Protection

- 4.4 Recommend that a condition is placed on an application with regard to unexpected contamination.

Further comments from Environmental Health - Protection

It is recommended that the uses of each of the barns is restricted to those listed in the development justification statement and it is suggested this is controlled by way of a condition eg. Small barn restricted to storage of following
Sheep bedding, Feeds, Sheep hurdles, Posts, Fencing, Sheering, Sheering equipment, Secure sheep treatments and medication, common space, and toilet facilities.

Larger barn restricted to following uses:

The larger barn will be used to store home-grown produce, farm vehicles and equipment as well as administration/common space and toilet facilities.

Items stored to include: Tractor and trailer, Compact loader, Mini excavator, Topper, Hedge cutter, Plough, Seed drill, Roller, Scarifier, Gas dryer, Polaris agricultural quad.

Further details are requested with respect to the following:

1. Storage/disposal of animal and other wastes generated
2. Management of temporary toilets eg. disposal arrangements
3. Storage arrangements for diesel and other fuels etc to power machinery where applicable.

The applicant may want to submit an Environmental Management Plan to cover items 1-3 above.

5.0 Representations

- 5.1 19 letters of objection regarding:

- 2 agricultural buildings excessive compared to size of holding
- Lack of justification
- Scattering of buildings at either side of the site
- Presence of the building and associated paraphernalia
- Integrated Landscape Character Assessment document of the SDNP clearly states the adverse affect that hobby farming can do to the rural landscape. Development visible both from the road and footpath
- Barn to north is within 250m of several houses.
- Dark skies of the SDNP
- No mention of installing hardstanding around the barns.
- Increased vehicular movement between barns
- No justifiable requirement for toilet facilities to be sited at either end of this small field
- Fields are grazing pasture land and not a working farm
- Site supports numerous wildlife species.
- Excessive animal effluent would run off onto Blind Lane
- No information on environmental matters such as control of noise, smell, flies or storage of waste.
- No certainty over what type of animals might be housed in the future, nor are there any proposals detailing where or how any animal waste would be stored.
- Little information submitted to demonstrate that the site and its use meet the definition of 'agricultural land' and an 'agricultural unit' nor that the buildings are 'reasonably necessary for the purposes of agriculture.
- Unlikely that the size of the field could support farming and ploughing the land for arable crops

- 30-40 sheep have been kept on the land. No evidence of crops being grown to feed sheep
- Viability
- No detailed business plan to justify two sizable buildings on only 6.3 hectares of relatively poor quality Grade 3 agricultural land.
- No detailed floorplans have been provided, 'development justification' states common space and toilet facilities are proposed in both barns with additional administration in the larger barn.
- Siting of building furthest point from water supply and entrance.
- Retained building – no existing track to this meaning vehicles are driven around the northern perimeter and across the field causing damage to land in times of wet weather.
- Pressure for second access to south of the barn
- Spread built form across the site and further erosion of the quality of the landscape.
- Part built barn is directly opposite the otherwise completely undeveloped outlook of Westminster Cottage and several other residential properties.
- Part built building does not resemble an agricultural barn for accommodating sheep
- Limited needs of around 30-40 sheep and limited need for machinery for sheep grazing, the proposed size and massing of the buildings appears to be excessive.
- Two centres of agricultural activity on both the eastern and western boundaries does not reflect the traditional farming activities on a relatively small parcel of land within the SDNP
- If buildings considered essential then only the least harmful siting and sympathetic design should be chosen
- Precedence for other buildings
- Pre-cursor to applying for a residential dwelling in time
- No landscape proposals associated with the application

6.0 Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans.
- 6.2 The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

National Park Purposes

- 6.3 The two statutory purposes of the SDNP designation are:
- To conserve and enhance the natural beauty, wildlife and cultural heritage,
 - To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.
- 6.4 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.

7.0 Planning Policy

Relevant Government Planning Policy and Guidance

- 7.1 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), updated July 2021. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 176 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.

National Planning Policy Framework (NPPF)

- 7.2 The following National Planning Policy Framework documents have been considered in the assessment of this application:

Section 6 - Building a strong, competitive economy
Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

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

- 7.4 The following policies of the **South Downs Local Plan** are relevant to this application:

SD1- Sustainable Development
SD2- Ecosystems Services
SD4 - Landscape Character
SD5 -Design
SD7 - Relative Tranquillity
SD8 - Dark Night Skies
SD9 - Biodiversity and Geodiversity
SD10 - International Sites
SD12 - Historic Environment
SD25 - Development Strategy
SD39 - Agriculture and Forestry
SD48 - Climate Change and Sustainable Use of Resources

Partnership Management Plan

- 7.5 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 policies include:

Outcome 1 - Landscape & Natural Beauty

8.0 Planning Assessment

The principle of the development

- 8.1 Policy SD39 of the SDNP Local Plan states that applications for new buildings for the purposes of agriculture will be permitted where there is an agricultural need for the development within the National park and its scale is commensurate with that need, the development occupies the site best suited to conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park. It should where possible re-use existing buildings or be on the same footprint, otherwise it should be related physically and functionally to existing buildings associated with the enterprise, unless there are exceptional circumstances relating to agriculture that necessitate a more isolated location. Buildings should be in keeping with local character and of a design that reflects the proposed agricultural.
- 8.2 Given that the site comprises a parcel of land of 6.3 hectares, and this constitutes the total agricultural holding, it is considered that insufficient information has been submitted to satisfactorily demonstrate that the proposed buildings are reasonably necessary for the purposes of agriculture. Whilst the planning statement refers to the land being used for sheep farming and ploughing the land for arable crops little evidence has been provided to demonstrate that crops have been grown and that an ongoing agricultural enterprise has been established necessitating the proposed barns. The proposed buildings (with a cumulative footprint of approx 740 m²) would be significantly large, disproportionate to the size of the holding and the level of machinery proposed to be stored considered excessive for the size of the holding, particularly given that it appears to be mainly used only for sheep grazing. Little justification has been provided in respect to the use of the site and the need for buildings of this scale and size, for example the applicant's future intentions, stocking levels, previous sales or predicted turnover. The agricultural land is also of relatively poor quality being Grade 3 agricultural land. Whilst the floor plans provided for the buildings are not annotated, a Development Justification Statement has been submitted and this states that both buildings will include common space and toilet facilities with additional administration space. Given the limited size of the holding at only 6.3 hectares the need for this level of space also appears excessive and no justification has been provided for the duplication of space, as well as staffing numbers to require this level of accommodation.
- 8.3 It is therefore considered that insufficient information has been submitted to demonstrate that the two large agricultural buildings are reasonably necessary for the purposes of agriculture given the size of the holding. The proposal is therefore contrary to Policy SD39 of the South Downs Local Plan and the NPPF.

Impact on Landscape Character and Design

- 8.4 Policy SD4 of the Local Plan considers landscape character and states that development proposals will only be permitted where they conserve and enhance landscape character whilst Policy SD5 of relates to design and requires development to be of the highest possible design quality and 'contribute to local distinctiveness and sense of place through its relationship with adjoining buildings, spaces and landscape features including historic settlement patterns.' The supporting text makes it clear that proposals should adopt a landscape led design approach to enhance the landscape character.

- 8.5 The proposed buildings are sited in a prominent location and are considered to result in harm to the character and appearance of the National Park which would be neither conserved nor enhanced by the application proposals. In particular, the buildings are notably visible from the adjacent public footpath to the north of the application site and detract from the unspoilt open agricultural character of the area. The west building (which has been partly constructed on site), due to the topography, requires terracing of the sloping landform to accommodate the proposed buildings as demonstrated by the submitted drawings for the west barn. The engineered result is at odds with the softly undulating character of the landscape, adding to the incongruity of the development and its siting.
- 8.6 The eastern barn is also of a large scale, would be visible from the Public Right of Way and Blind Lane and has a sprawling flat roofed design which would result in it being highly visible within the landscape. Both buildings are considered to read as utilitarian buildings on the site, that do not reflect the local character of the area, resulting in them being visible within the landscape failing to conserve and enhance the natural beauty of the South Downs National Park.
- 8.7 Given the prominent position of the site, the buildings will be seen from multiple public vantage points, north, west and south. The provision of two large agricultural buildings in differing positions on the site would exacerbate this prominence within the landscape and would change the unspoilt character of the area. Furthermore, the introduction of paraphernalia associated with this use is likely to increase the harm to the landscape character and to the prominence of the buildings further.
- 8.8 Furthermore, by having agricultural buildings in two separate locations, this adds to the built form on the site and may lead to pressure for an additional vehicular access being required in the future for the west barn. Notwithstanding this, there is likely to be vehicular movements or increased activity between the two buildings, which in turn would impact on the tranquillity of the South Downs National Park contrary to Policy SD7. It could also lead to pressure for tracks across the field between the buildings, which again given the prominent location of the site would harm the landscape character of the South Downs National park.
- 8.9 The siting would also be contrary to Policy SD39 which requires buildings to be related physically and functionally to existing buildings associated with the enterprise. Whilst there are no buildings on the site it would be expected that buildings are grouped together to reduce any visual harm to the landscape. Typically, agricultural buildings are sited in a cluster with other historic farm buildings within this location, therefore the provision of two large agricultural buildings sporadically dispersed within this unspoilt landscape would be out of character and fail to conserve and enhance the landscape character of the South Downs National Park.
- 8.10 Whilst the applicant has offered additional planting on the site it is not considered that this would overcome the issues with the proposed buildings given their scale and prominence with the landscape.
- 8.11 It is therefore considered that the proposed agricultural buildings, by reason of their siting, scale, and design, would result harm to the landscape character of the South Downs National Park failing to conserve and enhance the landscape character of the South Downs National Park. The proposal is therefore contrary to Policies SD1, SD4, SD5, SD7 and SD39 of the South Downs Local Plan and the NPPF.

Residential amenity

- 8.12 Given the distance of the buildings to residential properties, with the building to the west being approximately 150 metres away, it is not considered that the proposal would result in significant harm to the residential amenity of neighbouring properties to warrant a reason for refusal.

Contamination

- 8.13 If planning permission were to be approved it is considered that the matter could be appropriately mitigated via a condition which would be required to address any unexpected contamination with an Environment Management Plan required to set out storage/disposal of animal and other wastes generated, management of temporary toilets e.g., disposal arrangements and storage arrangements for diesel and other fuels etc to power machinery where applicable.

Water Neutrality

- 8.14 The application site is located in an area served by groundwater abstraction near Pulborough, near to the Arun Valley SSSI, SAC, SPA and Ramsar. Natural England are undertaking condition assessments of these designated sites and have identified significant negative changes in their condition. The hydrology (water quantity and its movement) of the area is essential to maintaining the habitat upon which the designation features/species rely on. In summary, Natural England advise that development must not add to this impact and should only be permitted if it can be demonstrated that it is water neutral. This is in order to meet the legal tests of the Habitats Regulations in preventing potential impact upon the designated sites. Water neutrality means, "the use of water in the supply area before the development is the same or lower after the development is in place" (NE Position Statement). Natural England has therefore advised that it cannot be ruled out that groundwater abstraction for water supply near Pulborough is contributing to the situation and that new developments are a contributory factor.
- 8.15 The proposals would result in an increase in water consumption due to the provision of toilet facilities in both buildings. Accordingly, the Natural England position statement advises that 'If the application cannot demonstrate, through an appropriate assessment, the required water neutrality, we advise that it is either revised to achieve this in line with the above or awaits completion of the strategic approach'.
- 8.16 Given that no information has been provided to demonstrate that the proposal would provide a water neutral form of development this is considered an overriding reason for refusal as the application is contrary to policies SD1, SD9 and SD17 of the South Downs Local Plan, the National Planning Policy Framework 2021 and The Conservation of Habitats and Species Regulations 2017 (as amended).

Ecology

- 8.17 It is noted that the site lies within the Mens, Singleton and Cocking Tunnels and Ebernoe Common SAC buffer zone, therefore a bat survey is required to assess the impact this development may have on any SAC species potentially using the site. Without this information it cannot be demonstrate that the proposal would not result in an adverse impact on the SAC.
- 8.18 In addition, due to the location of the site, the proposed works and records of protected species and habitats within close proximity of the site there is a moderate likelihood that protected species and habitats could be disturbed/harmed by the proposal, therefore an extended phase one habitat survey would need to be undertaken to determine if there is potential for any protected species on the site. If there is potential for protected species then further surveys would be required.

- 8.19 It is therefore considered that, in this regard, the application is contrary to Policies SD9 and SD10 of the South Downs Local Plan 2019, the National Planning Policy Framework 2021 and The Conservation of Habitats and Species Regulations 2017 (as amended).

9.0 Conclusion

- 9.1 To conclude, the proposed agricultural buildings would result in an incongruous form of development, failing to conserve and enhance the landscape character of the South Downs National Park. Furthermore, insufficient information has been submitted to justify the need for two large agricultural buildings on the site, given the size of the holding whilst insufficient information has also been provided with regard to protected species on the site and water neutrality. It is therefore considered that the application fails to accord with the Development Plan and, as there are no material considerations to override this conclusion, the proposal is accordingly recommended for refusal.

10 Reason for Recommendation and Conditions

It is recommended that the application be refused for the reasons set out below.

1. The proposed agricultural buildings, by reason of their siting, scale and design, would result harm to the landscape character of the South Downs National Park failing to conserve and enhance the Landscape Character of the South Downs National Park. The proposal is therefore contrary to Policies SD1, SD4, SD5, SD7 and SD39 of the South Downs Local Plan and the NPPF.
2. Insufficient information has been submitted to demonstrate that two large agricultural buildings are reasonably necessary for the purposes of agriculture given the size of the holding. The proposal is therefore contrary to Policy SD39 of the South Downs Local Plan and the NPPF.
3. In the absence of sufficient information to determine any likely significant effect upon the Arun Valley designations, and any potential mitigation being secured, it has not been demonstrated that the proposals accord with policies SD1, SD9 and SD17 of the South Downs Local Plan, the National Planning Policy Framework 2021 and The Conservation of Habitats and Species Regulations 2017 (as amended).
4. Insufficient information has been provided to demonstrate that the proposal would not result in harm to protected species on site, particularly given that the site is sited within the SAC buffer zones of The Mens and Ebernoe Common. The proposal is therefore contrary to Policies SD9 and SD10 of the South Downs Local Plan 2019, the National Planning Policy Framework 2021 and The Conservation of Habitats and Species Regulations 2017 (as amended).

11. Crime and Disorder Implications

- 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 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, thereby allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied as part of a revised scheme. The Local Planning Authority is willing to provide pre-application advice and advise on the best course of action in respect of any future application for a revised development.

Tim Slaney
Director of Planning
South Downs National Park Authority

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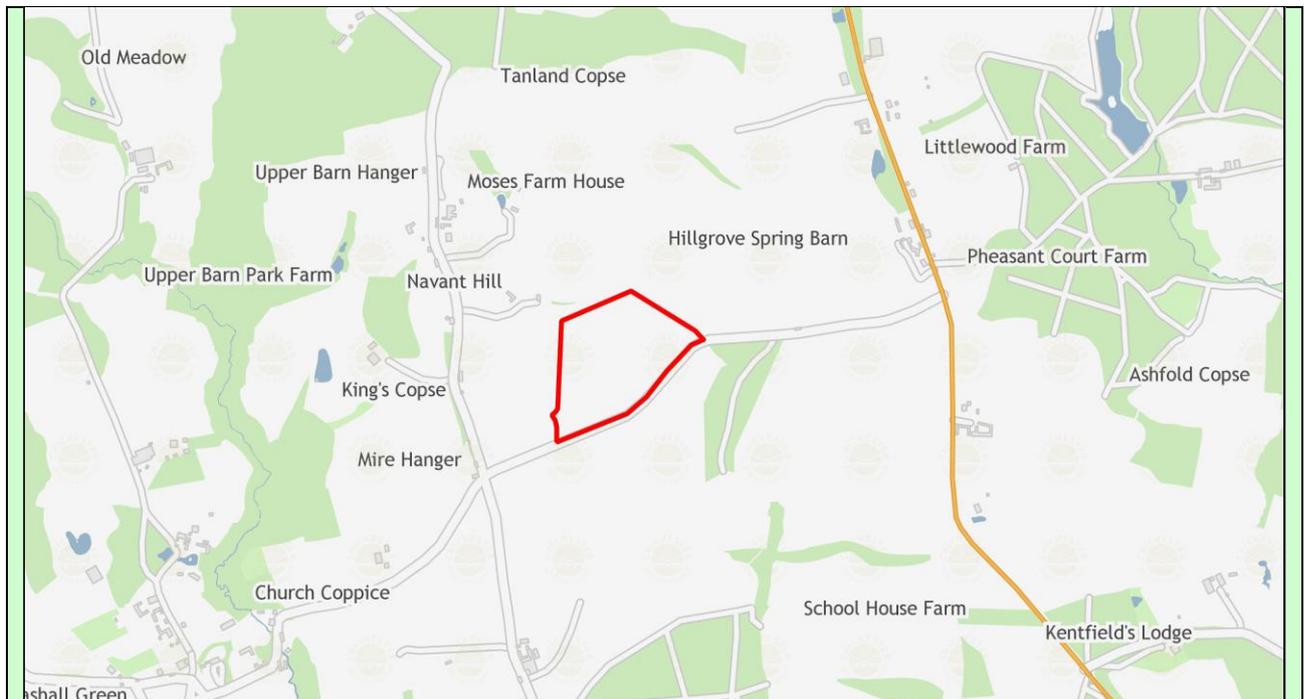
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix 1

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type_Reference	Version	Date Received	Status
BL1001	1	28.01.2022	Not approved
BL1002	3	28.01.2022	Not approved
BL1003	3	28.01.2022	Not approved
BL1004	3	28.01.2022	Not approved
BL1005	2	28.01.2022	Not approved
BL006	2	28.01.2022	Not approved

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