

# Public Document Pack

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A meeting of **Planning Committee** will be held in the Committee Rooms, East Pallant House on **Wednesday 10 July 2024 at 9.30 am**

**MEMBERS:** Mr C Todhunter (Chairman), Mr J Cross (Vice-Chairman), Mr R Bates, Mr D Betts, Mr R Briscoe, Mr J Brookes-Harmer, Ms B Burkhart, Mrs H Burton, Mrs D Johnson, Mr S Johnson, Mr H Potter, Ms S Quail and Ms V Weller

## SUPPLEMENT TO AGENDA

### 12 **PS/22/01735/FULEIA - Crouchlands Farm, Rickmans Lane, Plaistow - REPORT TO FOLLOW (Pages 1 - 85)**

PS/22/01735/FULEIA – Crouchlands Farm, Rickmans Lane, Plaistow  
Regeneration of Crouchlands Farm, comprising demolition of selected buildings, extension, refurbishment and remodelling of selected buildings and the erection of new buildings to provide up to a total of 8,788 sq m (including retained / refurbished existing buildings) comprising the existing farm hub (sui generis), a rural enterprise centre (Use Classes E(c), E(e), E(g), C1 and F1(a)), a rural food and retail centre (Use Classes E(a) and E(b)) and a glamping site (Use Class E and sui generis); provision of new hardstanding, pedestrian, cycle and vehicular access, circulation and parking, landscaping including new tree planting, maintenance and improvements to the Public Rights of Way, site infrastructure and ground remodelling.

**The report recommendations are as follows:**

**That Planning Committee:**

- i) notes the information within the report, and**
- ii) agrees to contest appeal APP/L3815/W/24/3344661 for the reasons set out at section 10 of this report.**

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**Chichester District Council**

**Planning Committee**

**10 July 2024**

**Planning appeal APP/L3815/W/24/3344661 – Crouchlands Farm,  
Rickman’s Lane, Plaistow, Billingshurst RH14 0LE (LPA ref.  
22/01735/FULEIA)**

**1. Contacts**

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**2. Recommendation**

2.1 That the Planning Committee:

- i) notes the information within the report, and**
- ii) agrees to contest appeal APP/L3815/W/24/3344661 for the reasons set out at section 10 of this report.**

**3. Introduction**

3.1 The Council has received a non-determination appeal regarding application 22/01735/FULEIA at Crouchlands Farm, Rickman’s Lane, Plaistow, Billingshurst, RH14 0LE. The application, which was submitted in July 2022, proposes the:

“Regeneration of Crouchlands Farm, comprising demolition of selected buildings, extension, refurbishment and remodelling of selected buildings and the erection of new buildings to provide up to a total of 8,788 sqm (including retained / refurbished existing buildings) comprising the existing farm hub (sui generis), a rural enterprise centre (Use Classes E(c), E(e), E(g), C1 and F1(a)), a rural food and retail centre (Use Classes E(a) and E(b)) and a glamping site (Use Class E and sui generis); provision of new hardstanding, pedestrian, cycle and vehicular access, circulation and parking, landscaping including new tree planting, maintenance and improvements to the Public Rights of Way, site infrastructure and ground remodelling”

- 3.2 During the course of the application amended plans were received which saw a reduction in the quantum of development including the removal of a previously proposed equestrian centre, special events area and cookery school in addition to amendments to the design and layout of the proposal.
- 3.3 Whilst a full re-consultation was undertaken with regard to those amendments the applicant chose to submit a non-determination appeal. The purpose of this report is therefore to confirm the grounds on which the Council should defend the appeal.

- 3.4 The Planning Inspectorate have confirmed that the appeal will be heard by way of a Public Inquiry and has scheduled 10 days, commencing on 1 October. The Council's Statement of Case is due to be submitted to PINS on 19<sup>th</sup> July 2024.
- 3.5 The application, and all submitted appeal documents, can be viewed on the online planning register using the above reference.

#### **4. Site and Surroundings**

- 4.1 The application site constitutes an agricultural enterprise with a modest number of existing agricultural buildings and associated hardstanding, a non-designated heritage asset known as Hardnip's Barn, a series of open fields with vegetative boundaries that are in agricultural use and a combination of large areas of open land and woodland.
- 4.2 The application site is characterised by its rural location and agricultural use. This is largely defined by the lack of built form, vegetative boundaries, lack of formal vehicular access and lack of any suburban or formalised features (i.e. pavements and streetlights). This notably forms the setting for Crouchlands House, a grade II listed building located adjacent to the site.

##### Access

- 4.3 Rickmans Lane, as adopted highway, runs north-south to the west of the site and there is an existing access from it onto a track that provides access to Crouchlands Farm.
- 4.4 There are a number of Public Rights of Way (PRoW) within and adjacent to the site including Restricted Byway 633 and 639, which are aligned north-south to the northwest of the application site, and Bridleway 643 which is aligned along the existing access road to Crouchlands Farm. In addition, Footpath 628 connects Rickman's Lane with Bridleway 643 at the centre of the site.

##### Services and Facilities

- 4.5 In terms of location and access to facilities and services there are four settlements located broadly 'near' the application site, Plaistow, Ifold and Loxwood to the north and Kirdford to the south all of which have limited facilities and services and are defined as 'Service Villages' by the Local Plan. Larger settlements, for example Petworth, Billinghamurst and Haslemere are all over 7 miles away with Horsham approximately 14 miles away.

##### Planning Designations

- 4.6 The application site is subject to the following designations and notable planning features:
- Located outside of any defined settlement boundary;
  - Grade 3b Agricultural Land;
  - Within the Sussex North water resources zone, requiring water neutrality;
  - Large areas of Ancient Woodland, most notably Hardnips Copse and Limekiln wood ;

- On-site and nearby habitat used by owls, bats, dormice and water vole;
- Within the 6.5km buffer for both the Ebernoe Common SAC and the Mens SAC;
- Record of common and European protected bats near application site;
- Within the Weald Clay of the Brick Clay Resource Minerals Safeguarding Area;
- The boundary of the South Downs National Park is approximately 2 kilometres to the west and 4 kilometres to the south of the application boundary; and
- Within the current Flood Zone 1.

## 5. The Proposal

- 5.1 The application comprises a multi-faceted proposal that would introduce a number of new uses to the application site. Therefore, whilst this section sets out a summary the full details are contained within the submitted application documents.
- 5.2 With a combination of ‘converting’ existing agricultural buildings, the erection of new buildings and the change of use of land the proposal would introduce the following uses which are split into four main ‘self-styled’ areas:

	Planning Use Class	Existing floorspace to be retained/converted/refurbished (sqm)	New floorspace (sqm)	Total floorspace proposed (sqm)
Farm hub	Sui generis	2,000		2,000
Rural enterprise centre	E (c, e and g) (office and light industrial)	3,175		3,175
	C1 (staff/student accommodation)	230		230
	F1(a) (education and training)	650		650
Rural food and retail centre	E (a and b) (retail and café)	176	1,431	1,607
Hardnips barn and glamping	Sui generis (glamping)		824	824
	E (restaurant/bar)	166	94	260
Total				8,746

### Farm Hub

- 5.3 The ‘farm hub’ comprises the existing cattle barn and workshop at Crouchlands Farm. No operational development or material change of use appears to be proposed to this space.

### Rural Enterprise and Education Centre

- 5.4 The Rural Enterprise and Education Centre comprises of the ‘conversion’ of five existing agricultural buildings to provide the following:
- Building B - this would provide a range of office units and meeting spaces;

- Building C - this would provide staff and student accommodation for those working or studying at the Farm that require overnight accommodation;
- Building D - this building would provide a mix of light industrial units;
- Building E - this building would provide further light industrial units with ancillary meeting spaces; and
- Building F - this building would accommodate the proposed AgriTech Centre, providing a mixture of education and training accommodation.

- 5.5 The office and light industrial units, in buildings B, D and E, are described by the applicants as “space for artisan craftspeople, such as food producers, bakers, chefs, decorative iron workers, and woodworkers local to the area or attracted to Crouchlands Farm by its diverse and innovative approach to agricultural practice”.
- 5.6 The AgriTech Centre proposed in building F is described by the applicants as “a purpose-built high-tech environment for seminars, classes, innovation labs, and conferences facilitating knowledge-sharing amongst the farming community. The building will include meeting rooms and space for conferences and lectures, as well as a demonstration hall into which farm machinery and livestock can be brought in to”.
- 5.7 Parking would be provided within the ‘courtyard’ between the buildings in addition to the immediate west of the buildings and on the access road.

#### Rural Food and Retail Centre

- 5.8 On an existing agricultural field to the south of the main cluster of existing buildings it is proposed to erect new buildings to form a rural food and retail centre. The existing lambing shed would also be ‘converted’ to form part of the new cluster that would be arranged in a layout of an agricultural typology.
- 5.9 The buildings on the southern side would predominantly form a café and farm shop with the remainder comprising of four independent retail units. A fifth retail unit is proposed in the ‘conversion’ of the lambing shed.
- 5.10 The applicants describe the proposed farm shop as acting “as an anchor by providing a farm shop and cafe. The farm shop will showcase the best of West Sussex food and drink (grown on-site and at other local farms). The produce sold, such as meat reared on the farm and organic food and beverages, will derive value from its on-site production, low mileage, and connection to the wider Crouchlands Farm. The offer will be very much complementary to the existing produce available in the shops in the surrounding villages”.
- 5.11 The other retail units are described by the applicants as “designed to accommodate niche, independent retailers, which in combination would add retail gravity and complement the other elements of the Whole Farm Plan, for example a tack shop for equestrian users”.

#### Glamping

- 5.12 The application proposes a tourism use on existing agricultural fields to the north and west of Crouchlands Farm. The proposal includes a variety of built accommodation constituting 4 x lodges and 3 x ‘underground pods’ in the northern

glamping field and 3 x small treehouses and 2 x large treehouses in the southern glamping field. In addition, there are 2 x wigwams, 3 x shepherds huts and 5 x yurts in the southern glamping field.

- 5.13 An existing building, Hardnips Barn, would be converted to form a reception area and restaurant for those on the glamping site.

#### Access

- 5.14 Whilst the existing agricultural access track from Rickmans Lane would remain to serve the proposed farm hub a new vehicular access is proposed off Rickmans Lane to the south of the existing access to serve the remainder of the proposal. The new access road would run parallel to the existing agricultural access through the adjacent agricultural field to the south.
- 5.15 To ensure that agricultural and non-agricultural traffic stay separate a new access road to the sole remaining agricultural building would be formed northwards with all other traffic utilising the westernmost part of the existing agricultural track.
- 5.16 It is proposed that all refuse and servicing vehicles would enter and exit the site via the same route as private vehicles.
- 5.17 The following car parking provision is proposed:
- Rural food and retail – 93 spaces (inc. 13 disabled);
  - Rural enterprise centre – 55 spaces (inc. 4 disabled); and
  - Hardnips Barn and glamping – 25 spaces (inc. 2 disabled).

#### Public Rights of Way and Footpaths

- 5.18 The application proposes the following:
- The surface of Footpath 633/2 would be re-profiled and be firmer;
  - Permissive paths would be provided through Limekiln Wood and Hardnips Copse; and
  - Bridleway 643 would be widened, in part, to enable the movement of farm machinery.

#### Other matters & basis of assessment

- 5.19 This application, submitted in June 2022, has been joined by two further applications, both submitted in December 2022 and by the same applicant, within the same wider site at Crouchlands Farm. The applications are:
- Full planning application for the erection of 108 dwellings (Use Class C3), and associated access and street network, footpaths, open spaces, plant, landscaping and site infrastructure (22/03114/FULEIA) – this is referred to by the applicants as ‘phase 1’; and
  - Outline planning application (with all matters reserved except access) for the erection of up to 492 dwellings (Use Class C3), education provision including primary school (Use Class F1) and associated access, footpaths, open spaces,

landscaping and site infrastructure (22/03131/OUTEIA) - this is referred to by the applicants as 'phase 2'.

- 5.20 The respective Planning Statements for the residential applications indicate that the totality of the three applications would form a new settlement named Rickman's Green Village. All three applications are accompanied by Environmental Statements and are considered to collectively be a Project.
- 5.21 Whilst no longer forming part of the application it is notable that, during the application process, the following elements of the proposal were removed by the applicant:
- Equestrian centre;
  - Cookery school;
  - Special events area; and
  - Restriction on weddings at Hardnips Barn.
- 5.22 Whilst it is noted that the Operational Statement & Planning Statement contradicts each other stating that the field to the north east accommodates 5 x lodges and 5 x underground pods in addition to the field to the south west accommodating 5 x small treehouses and 2 x wigwams, as well as 5 x shepherd's huts this assessment, for the avoidance of doubt, is based on the submitted plans (1801 PL0 017 dated 29/3/22 and 1801 PL0 018 dated 29/3/22).
- 5.23 In addition, the application documents contain numerous references to 'potential future developments', such as a future works/demonstration area, a future barn and two instances of future tree house accommodation. However, as a detailed application these elements are not included in the description of development and no plans have been provided (pg.15 of the submitted Planning Statement confirms permission is not sought for them). The application has therefore been assessed on the basis that planning permission is not sought for these elements and, should the application have been acceptable, any notation to them on plans that would have been approved would have been required to be removed.

## **6. Planning History**

6.1 The relevant site history includes:

- 78/00015/PS – Permit -Covered cattle yard;
- 78/00039/PS – Permit -Implements shed incorporation 2 loose boxes ancillary to covered cattle yard;
- 82/00042/PS – Permit -Erection of steel framed building for housing of 200 dairy cattle, milking parlour etc;
- 95/01276/PNO - NOPA - Steel framed portal stock building;
- 03/00190/FUL – Permit – Radio base station for airwave network comprising 25 m slimline monopole and ground level equipment cabin;
- 07/03771/FUL – Permit - Retention of loose housing for dairy cows in form of 1 no. cattle shed;
- 07/03860/FUL – Permit - Retention of 2 no. mobile homes as temporary accommodation for agricultural worker;
- 07/04916/FUL – Permit - New silo for additional slurry storage to comply with amended NV2 regulations;



- 07/04917/FUL – Permit - Replacement silo for additional slurry storage to comply with amended NV2 regulations;
- 08/02511/FUL – Permit -Siting of 3 no. portable containers associated with the harvesting of methane from silos granted permission as PS/07 04917/FUL;  
PS/04916/FUL – One houses control room, one houses gas washing plant, one houses engine;
- 11/02514/FUL – Permit -Siting of 4 metal containers to aid gas conditioning for biogas plant;
- 11/04982/FUL – Permit - Replacement of existing slurry/dirty water lagoon with underground concrete store;
- 13/03613/FUL -Refused - Erection of 2 no. rural workers dwellings on land with the curtilage of Crouchland Farm being replacements of 2 no. existing mobile homes located on the same land;
- 14/01925/FUL – Permit - Retention of 1 no. existing mobile home located on the farm to accommodate an agricultural worker;
- WSCC/042/14/PS Proposed upgrade of existing anaerobic digester facility to enable the export of biomethane to the national gas grid, installation of a new digestion tank, two new CHP engines, digestate lagoon and associated infrastructure;
- 14/03513/FUL – Refused - Erection of wood store and general garden storage on land adjacent Hardnips barn;
- 15/03095/FUL – Refused - Retention of wood store and general garden store on land adjacent to Hardnip's Barn;
- 16/01784/FUL – Refused - Retention of 1 no. existing mobile home located on the farm to accommodate agricultural worker;
- 16/03793/PNO NOPA Proposed livestock shelter;
- 17/01934/PNO NOPA Agricultural feed silo (plus associated concrete base measuring 0.35m in height, 3.5m in width and 3.5m in length);
- 19/00682/FUL – Permit -Installation of 3 no. portakabin buildings consisting of 1 no. two storey office, 1 no. single storey toilet block and 1 no. single storey welfare unit for a temporary 2 year period;
- 20/03336/FUL – Refused - Siting of 2 no. mobile homes with ancillary car parking to accommodate agricultural workers for a temporary period of three years
- 21/00545/EIA – EIA Required Screening opinion - commercial and high welfare, low impact and low intensity farming activity, the gradual development of a rural enterprise centre, a rural food and retail centre, equestrian centre, and glamping site;
- 21/01110/FUL – Permit - Erection of 1 no. farm workshop building (retrospective);
- 21/02590/FUL – Permit -Retention of 3 no. temporary Portakabin buildings including 1 no. two storey office and 2 no. single storey Portakabin buildings for a further period of 104 weeks;
- 22/01754/EIA – EIA Required - Request for an EIA Scoping Opinion in relation to proposed Rickman's Green village development;
- 22/03114/FULEIA – Refused - Erection of 108 dwellings (Use Class C3), and associated access and street network, footpaths, open spaces, plant, landscaping and site infrastructure;
- 22/03131/OUTEIA – Refused - Outline planning application (with all matters reserved except access) for the erection of up to 492 dwellings (Use Class

C3), education provision including primary school (Use Class F1) and associated access, footpaths, open spaces, landscaping and site infrastructure; and

- 23/02796/FUL – Pending Consideration - Retention of 3 no. temporary Portakabin buildings including 1 no. two storey office and 2 no. single storey Portakabin buildings for a further period of 104 weeks.

## **7. Planning Policy**

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029. There is no made neighbourhood plan for Plaistow and Ifold Parish as its production was ceased in 2022.

7.2 The principal policies of the Chichester Local Plan relevant to the consideration of this application are as follows:

### Chichester Local Plan: Key Policies 2014-2029

- Policy 1 Presumption in Favour of Sustainable Development
- Policy 2 Development Strategy and Settlement Hierarchy
- Policy 3 The Economy and Employment Provision
- Policy 8 Transport and Accessibility
- Policy 9 Development and Infrastructure Provision
- Policy 25 Development in the North of the Plan area
- Policy 30 Built Tourist and Leisure Development
- Policy 31 Caravan and Camping Sites
- Policy 37 Accommodation for Agricultural and other Rural Workers
- Policy 38 Local and Community Facilities
- Policy 39 Transport, Accessibility and Parking
- Policy 40 Sustainable design and construction
- Policy 42 Flood Risk and Water Management
- Policy 45 Development in the Countryside
- Policy 46 Alterations, Change of Use and/or Re-use of Existing Buildings in the Countryside
- Policy 47 Heritage and Design
- Policy 48 Natural Environment
- Policy 49 Biodiversity
- Policy 52 Green Infrastructure

### National Policy and Guidance

7.3 Government planning policy comprises the National Planning Policy Framework (NPPF December 2023). The relevant sections of the NPPF pertinent to the assessment of this application include:

- Section 2 Achieving Sustainable Development
- Section 4 Decision Making
- Section 5 Delivering a Sufficient Supply of homes
- Section 6 Building a strong, competitive economy
- Section 7 Ensuring the vitality of town centres
- Section 8 Promoting healthy and safe communities

- Section 9 Promoting sustainable transport
- Section 11 Making effective use of land
- Section 12 Achieving well designed places
- Section 14 Meeting the challenge of climate change, flooding and coastal change
- Section 15 Conserving and enhancing the natural environment
- Section 16 Conserving and enhancing the historic environment

7.4 The relevant paragraphs of the National Planning Practice Guidance and the National Design Guide (January 2021) have also been taken into account.

#### Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039

7.5 Following the Regulation 19 consultation which took place from 3 February to 17 March 2023 and consideration of all comments received, the Submission Local Plan was submitted to the Secretary of State for independent examination on 3 May 2024. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2025. At this stage, the Local Plan Review is an important material consideration in the determination of planning applications. The weight that can be attached to the policies contained therein is dependent on the significance of unresolved objection attributed to any relevant policy, commensurate with government policy in the NPPF.

7.6 The relevant policies of the Chichester Local Plan 2021 - 2039: Proposed Submission (Regulation 19) include:

- Policy S1 Spatial Development Strategy
- Policy S2 Settlement Hierarchy
- Policy NE2 Natural Landscape
- Policy NE5 Biodiversity and Biodiversity Net Gain
- Policy NE6 Chichester's Internationally and Nationally Designated Habitats
- Policy NE8 Trees, Hedgerows and Woodlands
- Policy NE10 Development in the Countryside
- Policy NE15 Flood Risk and Water Management
- Policy NE16 Water Management and Water Quality
- Policy NE17 Water Neutrality
- Policy NE20 Pollution
- Policy NE21 Lighting
- Policy NE22 Air Quality
- Policy NE23 Noise
- Policy NE24 Contaminated Land
- Policy H9 Accommodation for Agricultural, Horticultural and other Rural Workers
- Policy P1 Design Principles
- Policy P2 Local Character and Distinctiveness
- Policy P4 Layout and access
- Policy P5 Spaces and Landscaping
- Policy P6 Amenity
- Policy P7 Alterations and Extensions
- Policy P8 Materials and Detailing
- Policy P9 The Historic Environment

- Policy P10 Listed Buildings
- Policy P12 Non-Designated Heritage Assets
- Policy P14 Green Infrastructure
- Policy P16 Health and Well-being
- Policy P17 New and Existing Local and Community Facilities including Local Shops
- Policy E1 Meeting Employment Land Needs
- Policy E2 Employment Development
- Policy E5 Retail Strategy and New Development
- Policy E8 Built Tourist and Leisure Development
- Policy E9 Caravan and Camping Sites
- Policy T1 Transport Infrastructure
- Policy T2 Transport and Development
- Policy T3 Active travel – Walking and Cycling Provision
- Policy T4 Parking Provision
- Policy L1 Infrastructure Provision

### Other Local Policy and Guidance

7.7 The following documents are also material to the determination of this planning application

- Planning Obligations and Affordable Housing SPD (December 2018)
- Surface Water and Foul Drainage SPD (September 2016)
- WSCC Guidance on Parking at New Developments (September 2020)
- Planning Noise Advice Document Sussex (November 2023)

7.8 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Promoting and developing a dementia friendly district
- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Protect and support the most vulnerable in society including the elderly, young, carers, families in crisis and the socially isolated
- Maintain the low levels of crime in the district in the light of reducing resources
- Support and empower communities and people to help themselves and develop resilience
- Support and promote initiatives that encourage alternative forms of transport and encourage the use of online services
- Promote and increase sustainable, environmentally friendly initiatives in the District

## **8. Consultation Responses**

8.1 The responses from consultees and third-parties are summarised at Appendix B.

## **9. Main Issues**

9.1 The key considerations for this application are:

i. Principle

- Impact upon existing agricultural use
- Farm Hub
- Introduction of rural enterprise centre
- Introduction of rural food and retail centre
- Introduction of glamping use
- Whole Farm Plan

ii. Highways

- Access
- Internal Highway network
- Highway network
- PRow & Connectivity

iii. Detailed Design

- Rural enterprise zone
- Food and retail zone
- Glamping units
- Hardnips Barn
- Parking
- Neighbouring Amenity
- Design Summary

iv. Landscape

- Ancient Woodland

v. Protected designations – HRA

- Water neutrality
- SAC Bats
- Air quality

vi. Ecology

- Habitats and species
- BNG

vii. Water

- Flood Risk
- Foul Drainage

viii. Pollution – lagoon

ix. Heritage

- Crouchlands House
- Hardnips Barn

x. Sustainable Measures

xi. Other matters

- Archaeology
- Construction impacts
- Economic & Social Value
- Fire & rescue
- Land contamination
- Minerals and Waste

xii. Infrastructure and planning obligations

xiii. Conclusion and planning balance

**i. Principle**

- 9.1 This section will consider the principle acceptability of the proposed development and its component parts. It is, however, important at the outset to retain a wider context noting that the supporting text to policy 25 of the adopted Local Plan recognises that, in the 'north of the plan' area, where the application site is located, "accessibility to services and facilities is a particular issue for this area, with local residents having to travel significant distances for many facilities. The larger villages provide a range of local facilities and play an important role in providing services to their local communities. However, for higher order facilities such as employment, shopping, secondary schools and leisure facilities, the area mainly depends on larger settlements outside the District, principally Billingshurst and Haslemere, and further afield Guildford, Horsham and Crawley. Public transport serving the area is also very limited, particularly since recent cuts in local bus services".
- 9.2 Within this context the development plan, through policies 25 and 45, identifies that due to the "constraints on development in the area", primarily only "small scale proposals in line with the overall Plan strategy and settlement hierarchy" should be permitted with tests such as being "essential", "small scale" and for meeting "local need". This is echoed by the tourism policies which includes the criteria for being proposals being "of a scale appropriate to the location" before they can be considered acceptable.
- 9.3 Overarching balance is provided by the NPPF that, under the heading "supporting a prosperous rural economy" seeks to enable "the development and diversification of agricultural and other land based rural businesses" and "sustainable rural tourism and leisure developments which respect the character of the countryside".
- 9.4 This section will therefore begin by considering the principle of the loss/partial loss of the existing agricultural use before considering the principle acceptability of each component part of the proposal (the farm hub, rural enterprise centre, rural food and retail centre and glamping use) against their respective most relevant policies. It will conclude by considering the principle acceptability of the 'whole farm plan'.

#### Impact upon existing agricultural use

- 9.5 Policy 48 of the adopted Local Plan requires, amongst other criteria, that "development of poorer quality agricultural land has been fully considered in preference to best and most versatile land".
- 9.6 The application is accompanied by an Agricultural Land Classification and Soil Resources Statement that includes the results of a soil survey comprising of 40 soil samples and two soil pits. This found that the site has one main soil type, a stoneless to slightly stony, dark greyish brown, heavy clay loam and clay topsoil; over a stoneless to slightly stony, greyish brown to brown, heavy clay loam or grey clay upper subsoil; and a stoneless, grey clay lower subsoil. These soils are poorly drained and are limited to moderate quality Subgrade 3b by soil wetness.
- 9.7 As the site is classified as subgrade 3b it does not include any Best and most Versatile agricultural land and therefore, whilst the loss of any agricultural land is weighed negatively in the planning balance, it does not constitute an overriding reason for refusal given that the land proposed to change use through this application is a relatively modest part of the wider holding.

- 9.8 Policy 45 of the adopted Local Plan requires, amongst other criteria, that to be acceptable a “proposal is complementary to and does not prejudice and viable agricultural operations on a farm and other existing viable uses”. This is echoed by policy NE10 of the emerging Local Plan.
- 9.9 The existing buildings at Crouchlands Farm are utilised for agricultural activities. An application seeking permission for mobile homes for agricultural workers on the site submitted in 2020 (20/03336/FUL) included an Agricultural Needs Appraisal which stated that “central to the proposals for the future of Crouchlands Farm will be rural sustainability” .... “at the heart of this is an active livestock farm”. In setting out the scale of the agricultural enterprise, that report states that:
- “The agricultural buildings in the main farmyard include:
- 1 cattle building (1,600m<sup>2</sup>);
  - 4 steel frame general purpose buildings (656m<sup>2</sup>, 755m<sup>2</sup>, 1071m<sup>2</sup> and 1302m<sup>2</sup>) – the two closest to the mobile homes both currently used for livestock housing;
  - 1 single pitch garage (168m<sup>2</sup>);
  - 1 farm workshop (188m<sup>2</sup>);
  - 1 farm office housing in two Portakabins; and
  - 2 welfare units.”
- 9.10 The proposed rural enterprise centre would result in the net loss of 4,055 sqm of existing agricultural buildings leaving only the building proposed as the farm hub remaining. In addition, the proposed rural food and retail centre would result in the loss of a further 176 sqm agricultural building.
- 9.11 Whilst the proposed new uses would introduce uses that are related to agriculture they are, as the description of development and the table of uses at pg.11 of the submitted Planning Statement sets out, not agricultural uses and will not, on the whole, actively contribute to the farming of the agricultural holding (the rural enterprise centre is a combination of office and light industrial, staff/student accommodation and education and training uses whilst the rural food and retail centre is a combination of retail and café uses).
- 9.12 Whilst it is notable that the application refers to a “possible future stock barn” (on submitted plan no. 463-PA-061 G) the application would result in the loss of a significant quantum of agricultural buildings that appear to play an important role in the operation of the agricultural holding. It is therefore considered that it has not been demonstrated that the proposal would not prejudice the viable agricultural operation at Crouchlands Farm contrary to policy 45 of the Chichester Local Plan 2014-2029, policy N10 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF and this is considered an overriding reason for refusal.

#### Farm Hub

- 9.13 The farm hub comprises the existing cattle barn and workshop and, whilst the application proposes this as a sui generis use, there appears no material change of use away from the existing agricultural use. The sui generis use proposed by the application therefore appears to have been included to allow any cross-over

necessary between educational elements elsewhere on the site but, given this would still be for agricultural practices and would form a minor part of the use it is not considered that any change of use is proposed.

#### Introduction of rural enterprise centre

- 9.14 Whilst falling under the umbrella of a 'rural enterprise centre' use the proposal, in detail, is for a range of uses to be introduced through the 'conversion' of the existing agricultural buildings on the site to provide:
- Networking hub and bookable offices and meeting rooms in Building B;
  - 4 x Live/work units with living accommodation and office/meeting dining space in Building C;
  - "Adaptable workshops and light industrial units suitable for artisanal manufacturers and food and drink producers" (pg.54 of DAS) in Building D;
  - 2 x business/workshop units in Building E; and
  - An "agri innovation hub", comprising an education facility with classrooms and large demonstration space, in Building F.
- 9.15 The proposal would have capacity for a significant number of employees and students. For example, the ground floor plan (1801 PL0 042 dated 29/03/22) for Building B shows 126 seats whilst the ground floor plan for Building F (1801 PL0 049 dated 29/03/22) includes a conference room with 66 seats (in addition to 15 other seats and a laboratory, classroom, meeting room, office and demo hall where no seats are shown). Building D shows 20 seats and a workshop whilst Building E shows 30 seats and two workshops.
- 9.16 Policy 3 of the adopted Local Plan recognises the economic and employment benefits of "planning to provide a wider range of local employment opportunities in the rural parts of the plan area" whilst policy 46 of the adopted Local Plan supports the principle of 'alterations, change of use and/or re-use of existing buildings in the countryside'. Policy 3 of the adopted Local Plan also states that "small-scale employment development or live/work units, including extensions to existing sites in rural areas, may be identified in neighbourhood plans or permitted in appropriate circumstances where commercial demand exists".
- 9.17 Within that overarching context, which seeks to direct employment uses to the most sustainable locations. policy 46 of the adopted Local Plan supports the principle of 'alterations, change of use and/or re-use of existing buildings in the countryside' subject to a number of criteria which provide a framework for assessment noting that the proposal is both a change of use and operational development.
- 9.18 **"Structurally sound and capable for conversion for employment uses without the need for significant extension, alteration or rebuilding"** - The application includes the submission of a building survey that details the structural stability of the buildings, sets a schedule of works required to 'convert' the buildings and a method statement for the work required.
- 9.19 Buildings B, C and D are all open fronted with B and D also not having full height side walls. Buildings E and F are almost completely open. All are agricultural in nature with functional appearances and little if any insulation. They are, in essence,



enclosed roofs supported by a series of pillars with modest elements of the sides filled in with precast concrete panels.

- 9.20 All of the buildings would therefore require significant work to be used as proposed including, but not limited to, demolition of existing concrete block walls, taking up of existing concrete floor structures, enclosing of external elevations, insertion of windows and doors, introduction of insulation and the introduction of utilities including water, electricity and drainage.
- 9.21 It is therefore considered that the proposed 'conversion' of the buildings to form the rural enterprise centre would require "significant extension, alteration or rebuilding".
- 9.22 **"Demonstrated that economic uses, including live/work units, have been considered before residential and are unviable"** - Not applicable as commercial uses are proposed.
- 9.23 **"Complementary to and does not prejudice any viable agricultural operations on a farm and other existing viable uses"** - As set out in the section above (impact upon existing agricultural use) the proposed rural enterprise centre would result in the net loss of 4,055 sqm of existing agricultural buildings without demonstrating that the proposal would not prejudice the viable agricultural operation at Crouchlands Farm.
- 9.24 **"Form, bulk and general design of the building is in keeping with its surroundings and the proposal and any associated development will not harm its landscape character and setting"** – As set out elsewhere in this report there are concerns with the design proposed.
- 9.25 **"For residential, including holiday use, the proposal would involve the re-use of a traditional building of architectural or historic merit"** – Not applicable.
- 9.26 **"Will not damage the fabric or character of any traditional building or the historic character and significance of the farmstead and in the case of a Heritage Asset, whether designated or not, the proposal will not damage the architectural, archaeological or historic interest of the asset or its setting"** – The existing buildings are not traditional buildings.
- 9.27 Furthermore, for the avoidance of doubt, whilst the applicants propose a planning condition (Appendix A of the Planning Statement) that "the live/work units within the Rural Enterprise Centre shall only be occupied by employees of the businesses at the Rural Enterprise Centre, their guests, or students undertaking study at Crouchlands Farm" it is not considered that the proposal would meet the tests of policy 37 of the adopted Local Plan as it has not been demonstrated that they are "necessary to meet the accommodation needs of full-time workers in agriculture, forestry or other businesses requiring a rural location".
- 9.28 Notwithstanding the above, where it is clear that the proposal doesn't meet the tests, it is also appropriate to consider whether the proposed uses, and their overall quantum, would be appropriate in the location proposed given the restrictive spatial strategy set out by the development plan for this area and its countryside location. In particular, policy 45 of the adopted Local Plan only supports development that **"requires a countryside location"** where it is **"small scale"**, **"essential"** and meets

a “**local need**” whilst Policy 25 echoes that “provision will be made for small scale development”.

- 9.29 Whilst it is not contended that a countryside location would not benefit the image of some of the proposed uses, as they specifically relate to rural affairs, if they were found to be acceptable a restriction would need to be applied to ensure that the operations of end users are restricted to this use. However, it is noted that no such restriction is offered by the applicants, via either the s106 heads of terms or planning conditions included within the application submission (if such a condition could meet the enforceability test at paragraph 56 of the NPPF) whilst, for example, the submitted Design and Access Statement sets out, at pg.54, that Building D would comprise “adaptable workshops and light industrial units suitable for artisanal manufacturers and food and drink producers”. It is not considered that such occupiers would require a countryside location and it is considered they could be more sustainably located.
- 9.30 The submitted Rural Enterprise Centre Report (May 2022) reinforces that there is a lack of clarity over the need for the uses proposed underlining the speculative nature of the proposal (i.e. not derived from an existing identified and unmet local need) as it considers the potential for different occupants. There is little rationale within the Study regarding why the uses require a countryside location or how the uses would be linked to the existing agricultural operation of the application site.
- 9.31 Regardless, the rural enterprise centre would comprise of 3,845 sqm of floorspace representing a significant development that cannot be considered to be “small scale” within its relative context. Furthermore, whilst it may provide some employment and education opportunities that are positive, and are afforded weight, it cannot be considered to be meeting an evidenced “local need” nor be for an “essential” use. Neither the adopted Local Plan (policy 3) nor the emerging Local Plan (policy E2) direct this scale of employment to locations within the countryside.
- 9.32 To put the scale of the proposal in this countryside location into further context the emerging Local Plan, through Policy E1, proposes to allocate sites between 36,500-43,000 sqm of employment floorspace and 50,500 sqm of industrial floorspace in existing settlements, other sustainable locations and through the expansion of existing facilities across the District. This is a significant overall figure and would support sustainable growth in the District’s largest settlements. Therefore, despite there being no need for other significant developments to meet this need the proposal would introduce 3,175sqm of office and light industrial accommodation comprising 3.4% of the entire District’s need which is a significant proportion to be located where there are few sustainable transport links.
- 9.33 It is therefore considered that the proposed rural enterprise centre, by reason of its location where the Development Strategy would not direct development, would result in an unsustainable development largely reliant upon the private motor vehicle. It would also require the significant extension, alteration or rebuilding of existing agricultural structures, would not be small scale, essential or meet a local need in addition to including some uses that have not demonstrated that they require a countryside location. This is contrary to Policies 2, 25, 45 and 46 of the Chichester Local Plan 2014-2029, Policies S2 and N10 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF

### Introduction of rural food and retail centre

- 9.34 The proposed rural food and retail centre is predominantly new build development on agricultural land comprising of a farm shop, café and four independent retail units. A fifth retail unit is proposed through converting the sole existing building on this part of the site. It is therefore appropriate to assess this part of the proposal principally against policies 25 and 45 of the adopted Local Plan but also, for the element that proposes conversion, against policy 46.
- 9.35 The adopted Local Plan acknowledges, through policy 45, that development within the Countryside can be positive, including as part of rural diversification. The supporting text to policy 45, at 19.24 and 19.25, sets this out as follows:
- “As part of rural diversification, farm shops can play a key role. However, in allowing for such developments, it is important they have a limited impact on their surroundings or on existing shopping facilities. As such, they should be small scale and sell predominantly farm produce. Where necessary, the Council will restrict the range of goods sold”.
- 9.36 Policy 45 begins with ‘qualifying’ criteria that, to be acceptable, development must “require a countryside location and meet the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements” (policy 25 echoes this stating that only “provision will be made for small scale development”).
- 9.37 **“Require a countryside location”** – Whilst there is an appropriate link proposed between the farm shop and produce produced at Crouchlands Farm (the applicants proposed condition 21 in Appendix A of submitted Planning Statement proposes “the farm shop within the Rural Food and Retail Centre shall sell goods that have predominantly been produced at Crouchlands Farm”) it is unclear whether the Farm can generate enough produce to sustain the size of farm shop proposed (particularly given the proposed loss of agricultural buildings).
- 9.38 The same concern is evident with the proposed cafe and it is notable that the appellants do not propose a condition that the produce sold within the café should also, in some form, link to the produce generated by the agricultural activities at Crouchlands Farm.
- 9.39 A significant proportion of the retail provision is, however, not the farm shop and cafe but rather five separate self-contained retail units. The submitted Design and Access Statement, at pg.62, states that “these are designed to accommodate niche, independent retailers, which in combination would add retail gravity and complement the other elements of the Whole Farm Plan, for example a tack shop for equestrian users and kitchen equipment for those visiting the cookery school”. The application accordingly proposes a planning condition (no.22 at Appendix A of the Planning Statement) which states that “the retail units within the Rural Food and Retail Centre shall sell goods complementary to the other uses in the Rural Enterprise Centre, Rural Food and Retail Centre and Equestrian Centre”.
- 9.40 Whilst it is appreciated that the application seeks to create a self-supporting retail environment that complements each other, it is notable that the retail units would be

complementing other proposed uses (which are not existing and do not have planning permission) and not existing uses at Crouchlands Farm.

- 9.41 Furthermore, whilst there is no certainty of what the proposed retail uses would be, it appears as though the proposal is for products associated with rural pursuits, not agricultural output. There is therefore little direct link to existing activities at Crouchlands Farm and subsequently no reason why the retail units have to be located in a countryside location to the detriment of the vitality and viability of existing settlements which the adopted Local Plan development strategy seeks to protect and enhance in more sustainable locations. Furthermore, by being located as proposed, patrons would almost exclusively be reliant upon the private motor vehicle to access them as demonstrated by the quantum of parking proposed.
- 9.42 It is therefore considered that, whilst a modest farm shop proportionate to the existing activity on the site could in principle be acceptable (i.e. it would require a countryside location due to the intrinsic connection to the farm and its produce) it has not been demonstrated that a farm shop of the scale proposed, along with the ancillary café, is required to sell predominantly farm produce from Crouchlands Farm.
- 9.43 Furthermore, given the uncertainty regarding their intended produce, other than the speculative information provided, and the lack of information identifying the existing need it would be meeting it is considered that it has not been demonstrated that the five additional retail units would require a countryside location.
- 9.44 **“Essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements”** - As set out above whilst a farm shop, of a proportionate size, has a link to the location it has not been demonstrated that the proposed retail units have an essential or local need that is specific to Crouchlands Farm and could not be met in more sustainable locations. It is therefore considered that the application has not demonstrated that the proposed rural food and retail centre is essential or meets a specific identified local need.
- 9.45 With regards to whether the proposal is small scale 1,607 sqm of retail and café development is proposed with all, apart from a modest element in the existing building, being in new buildings. It is therefore not considered that the proposal constitutes a small-scale development.
- 9.46 Notwithstanding the above in the event it is considered by an Inspector that the proposal meets the ‘qualifying’ test of Policy 45 then it is appropriate to consider whether the proposed use meets the criteria for acceptability set out by the policy.
- 9.47 The supporting text to policy 45, at 19.23, sets out that “where essential development in the countryside is proposed to meet a demonstrable need, the following preferences for development should be applied:
- **Conversion of existing buildings worthy of retention;** or
  - **Redevelopment of sustainably located previously developed sites;** or
  - If no appropriately located and deliverable previously developed sites exist in the local area, greenfield sites within or immediately adjacent to existing settlements may be considered”.

- 9.48 The proposal is predominantly for new build development on a site which does not constitute previously developed land (agriculture is excluded from the NPPF definition). Therefore, it is considered that, if a countryside location was required, it has not been demonstrated that there are not other more suitable sites that could accommodate the proposed rural food and retail centre units. Furthermore, if a greenfield site was necessary then the proposed location adjacent to the grade II listed Crouchlands House and the ancient woodland to the east would be unlikely to be sequentially preferable.
- 9.49 **“Well related to an existing farmstead or group of buildings or located close to an established settlement”** – The proposal is within proximity of a farmstead (insofar as the existing agricultural buildings constitute a farmstead) but would be perceived as separate due to the location on the opposite side of the farm track in a clearly defined and open field. It is therefore not well related and is not located close to an established settlement.
- 9.50 **“Complementary to and does not prejudice any viable agricultural operations on a farm and other existing viable uses”** – This part of the proposal would result in the loss of the existing lambing shed in addition to the loss of agricultural land.
- 9.51 **“Ensure that their scale, siting, design and materials would have minimal impact on the landscape and rural character of the area”** - As set out elsewhere in this report there are concerns with the siting and design proposed.
- 9.52 Policy 45 also sets out a test that, “for retail development in the Countryside” it must have **“been demonstrated that the appropriate sequential and/or impact assessments have been undertaken. Local/small scale farm shops will be permitted provided they sell goods that have predominantly been produced on the farm”**.
- 9.53 The application includes little qualitative or quantitative analysis of retail need and is therefore considered to have failed to demonstrate that the retail provision proposed is either necessary or, if it was, sequentially appropriate in the location proposed. Given that the development strategy of the adopted Local Plan is clear that development should be directed to the most sustainable locations, the proposal therefore fails to meet this test.
- 9.54 In addition to the above, and with sole regard to the retail unit proposed in the existing building on the site, Policy 46 of the adopted Local Plan supports the principle of ‘alterations, change of use and/or re-use of existing buildings in the countryside’ subject to a number of criteria which provide a framework for assessment noting that the proposal necessitates a change of use and operational development.
- 9.55 **“Structurally sound and capable for conversion for employment uses without the need for significant extension, alteration or rebuilding”** - The application includes the submission of a building survey that details the structural stability of the buildings, sets of a schedule of works to convert the buildings and a method statement for the work required.
- 9.56 The lambing shed in a steel framed building with timber weatherboarding that would require significant work to be used as proposed including, but not limited to, the

removal of existing timber weatherboarding, addition of “wind bracing”, new concrete floor, enclosing of external elevations, insertion of windows and doors, introduction of insulation and the introduction of utilities including water, electricity and drainage.

- 9.57 It is therefore considered that the proposed conversion of the building to form part of the rural food and retail centre would require “significant extension, alteration or rebuilding”.
- 9.58 **“Demonstrated that economic uses, including live/work units, have been considered before residential and are unviable”** ..... Not applicable as commercial uses are proposed.
- 9.59 **“Complementary to and does not prejudice any viable agricultural operations on a farm and other existing viable uses”** - This part of the proposal would result in the loss of the existing lambing shed in addition to the loss of agricultural land.
- 9.60 **“Form, bulk and general design of the building is in keeping with its surroundings and the proposal and any associated development will not harm its landscape character and setting”** - As set out elsewhere in this report there are concerns with the design proposed.
- 9.61 **“For residential, including holiday use, the proposal would involve the re-use of a traditional building of architectural or historic merit”** – Not applicable.
- 9.62 **“Will not damage the fabric or character of any traditional building or the historic character and significance of the farmstead and in the case of a Heritage Asset, whether designated or not, the proposal will not damage the architectural, archaeological or historic interest of the asset or its setting”** – The existing buildings are not traditional buildings nor are part of a farmstead group of buildings.
- 9.63 It is therefore considered that the proposed rural food and retail centre, by reason of its location where the Development Strategy would not direct development, would result in an unsustainable development largely reliant upon the private motor vehicle. It has not been demonstrated that it is an essential, small scale and local need that requires a countryside location and cannot be met within or immediately adjacent to existing settlements. This is contrary to policies 2, 25 and 45 of the Chichester Local Plan 2014-2029, Policies S2 and N10 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.

#### Introduction of glamping use

- 9.64 The application proposes a tourism use on existing agricultural fields to the north and west of Crouchlands Farm. The proposal includes a variety of built accommodation constituting 4 x lodges and 3 x ‘underground pods’ in the northern glamping field and 3 x small treehouses and 2 x large treehouses in the southern glamping field. In addition, there are 2 x wigwams, 3 x shepherds huts and 5 x yurts in the southern glamping field. A ‘family field’ is notated on the site plan but there appears no other detail provided as to what this would entail whilst this assessment is also on the basis that the accommodation would be available all year around, as

none of the proposed conditions (Appendix A of the Planning Statement) or s106 terms propose to restrict otherwise.

- 9.65 Whilst the proposals are all included under the umbrella term of 'glamping' it should be noted, at the outset, that many of the accommodation types are of a significant scale (for example the large treehouses are 12m in diameter and almost 7m high whilst the lodges are approximately 8m x 5m) and of permanent build/appearance (particularly the lodges and the underground pods which are up to 10m x 7m and set permanently into the hillside). Furthermore, it is noted that the submitted Transport Assessment (at 6.1.2, pg.28) accepts that "whilst the site benefits from a network of PROW which can be enjoyed recreationally, it is acknowledged that many staff and visitors will access the site by vehicle".
- 9.66 It is therefore appropriate to utilise the criteria set out within both policies 30 and 31 as the starting point of assessment within the overarching recognition from Policy 3 of the adopted Local Plan which acknowledges the economic and employment benefits of "supporting and promoting a high-quality tourism economy" and NPPF which states that "decisions should enable" ... "sustainable rural tourism and leisure developments which respect the character of the countryside".
- 9.67 Policy 30 of the adopted Local Plan supports proposals for "built tourist and leisure development" subject to a criteria-based approach, which are more extensive when the proposal is in a countryside location, whilst policy 31 supports proposals for "caravan and camping sites" subject to a criteria-based approach. This is largely mirrored by policies E8 and E9 of the emerging Local Plan.
- 9.68 The proposals for the lodges, underground pods, large tree houses and small tree houses can therefore be assessed against the criteria of Policy 30 of the adopted Local Plan as follows:
- 9.69 **"Sensitively designed to maintain the tranquillity and character of the area"** - The proposal would introduce significant built form and intensity of use (visitors, servicing, utilities) to an otherwise unaltered landscape that currently contributes to the wider experiential qualities of the landscape. The permanence and scale of the interventions, resulting in the clear juxtaposition of placing accommodation with outdoor spaces into a countryside location where one would not expect to find such isolated uses, would introduce a significant magnitude of change. This is particularly the case given that the connection between the proposal and Crouchlands Farm is neither proportionate nor evident.
- 9.70 **"Located to minimise impact on the natural and historic environment"** – The location of the built tourist form would both be adjacent to two large areas of ancient woodland (necessitating arrival through the ancient woodland) and within the setting of Hardnips Barn. They are also visually separated from any other built form exacerbating the sense of isolated development (which itself is exacerbated by the scale of the proposed accommodation).

Whilst the countryside is safeguarded for its intrinsic value the proposal would have an impact upon the experiential quality of those passing through the area given the PROWs that run close to the proposal. This is particularly the case due to the artificial interventions into the landscape that the underground pods would require and the size of the lodges that would require an undercroft, working against the

landscape, to provide level accommodation. Furthermore, the likely paraphernalia associated with the units, such as outdoor furniture and personal belongings along with the introduction of the proposed swale and paths around the units add to the change in character of the area.

- 9.71 **“Provides a high-quality attraction or accommodation”** - The quality of the accommodation in the proposed lodges, underground pods and treehouses is considered to be high with facilities such as individual bathrooms, toilets and outdoor eating areas.
- 9.72 **“Encourages an extended tourist season”** – The proposal would be of permanent construction so would be able to accommodate visitors all year round.
- 9.73 **“Be of a scale appropriate to the location and demonstrate they require a rural location and cannot be accommodated elsewhere, or the proposal is associated with the expansion of an existing facility”** – The proposal would collectively introduce a significant quantum of built form and intensity of use to the site. This is exacerbated by the permanence of the built form. It is not considered that this would not be in proportion with/relative to the scale of the existing agricultural enterprise. Furthermore, given the lack of clear link between the income derived from the proposal and Crouchlands Farm it is unclear why the proposal needs this particular location given it is not linked to “enhancing visitor use or appreciation of a specific feature or location” (para 16.27 of the supporting text to policy 30).
- 9.74 **“Support the objectives of rural regeneration/diversification”** – Whilst the proposal would be located on Crouchlands Farm the link between the income that would be derived from the proposal and the agricultural enterprise at Crouchlands Farm is unclear.
- 9.75 The supporting text to Policy 30, at paragraph 16.24, recognises that “it is necessary to balance the provision of visitor facilities against the need to safeguard the landscape, character and environment” and, within this context, it is notable that the proposal is not the expansion of an existing tourism facility, is not near an existing settlement or facilities and is not the reuse of existing buildings. It is also not within walking or immediate distance of any “specific feature or location” (as is suggested as a rationale by paragraph 16.27 supporting policy 30) and there are no existing buildings on the site (or that are proposed and found acceptable by this report) that would provide any ancillary facilities.
- 9.76 Furthermore, whilst it could, in principle, support rural regeneration/diversification the quantum and scale of the proposed lodges, underground pods and large & small treehouses would not be proportionate to the scale of the rural enterprise currently at Crouchlands Farm and there is no clear link proposed between safeguarding the financial viability of the agricultural enterprise and the income that would be derived from the proposed accommodation. It is not considered that the contribution the built tourist form would make to the tourism sector or local economy would outweigh the harm identified.
- 9.77 It is therefore considered that built tourist form would not be of a scale appropriate to the location, is not associated with the expansion of an existing facility and has not demonstrated that it requires a rural location and cannot be accommodated elsewhere or that it would support the objectives of rural



regeneration/diversification. It would also not be located so as to minimise the impact upon the natural environment. This is contrary to Policy 30 of Chichester Local Plan 2014-2029, Policy E8 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.

- 9.78 The proposals for the shepherds huts, yurts and wigwams can be assessed against the criteria of Policy 31 of the adopted Local Plan as follows (the supporting text to policy 31 at 16.30 states that “For the purpose of this Local Plan, caravan and camping sites are those which primarily provide accommodation in temporary and mobile units such as chalets, static caravans, pitches for touring caravans, cabins, tents or yurts):
- 9.79 **“Meet a demonstrable need and require a rural location”** The supporting text to Policy 31, at paragraph 16.34 states that “applications for new caravan or camping sites will be required to provide evidence of need and justification for location” and Appendix E provides clarification stating that “evidence of the need for new tourist facilities to show a high demand on existing sites and justification for new sites, having regard to the quantitative and qualitative analysis of the range of tourist accommodation, including details about other local touring and permanent sites”.
- 9.80 Diversification research has been submitted to support the application and sets out a selection of nearby tourist accommodation sites. Whilst this is limited to only those listed by the ‘Canopy and Stars’ booking platform there were four within 15 miles and 26 within 30 miles (noting the report is now almost four years old so may not reflect the current situation).
- 9.81 The report identifies three sites that offer bell tents and concludes that there was limited availability (i.e. they were fully booked in the immediate term). For yurts there are two sites and both have availability. There are four sites with shepherds huts and they are a mixed picture with some availability but limited availability at some points. In terms of cabins, cottages and lodges this is again a mixed picture with some having limited or no availability and some having availability. There are no treehouses within 30 miles.
- 9.82 It is not therefore considered that the proposal has demonstrated a high demand on existing sites to justify the formation of a new site. However, it is recognised that this part of the proposal (i.e. shepherds huts, yurts and wigwams) is not for large scale caravan and camping but rather a provision based around the existing agricultural activities on the site. In this respect, should the proposal be clearly linked to Crouchlands Farm (as rural diversification), it is considered that the proposal would have demonstrated the requirement for its specific location.
- 9.83 **“They are of an appropriate scale in relation to their setting and would not diminish local amenity”** - The proposed shepherds huts, yurts and wigwams are relatively modest in scale.
- 9.84 **“They are sensitively sited and designed to maintain the tranquillity and character of the area”** and **“are sited to be visually unobtrusive and can be assimilated so as to conserve and enhance the surrounding landscape”** - The proposed shepherds huts, yurts and wigwams would be spread out in a linear form which would have a greater impact upon the landscape than being located where they would be clearly associated with the agricultural enterprises at Crouchlands

Farm. The severance of the causal link with their 'host', which would explain to those viewing them why they are present, would exacerbate the impact upon the experiential qualities of the landscape.

- 9.85 Furthermore, not only would their arrangement require additional lengths of utilities to be inserted (due to the level of accommodation they offer) but it would also necessitate the services running through ancient woodland. This is also the case for arrivals having to move, including in electric vehicles, through ancient woodland. Furthermore, the likely paraphernalia associated with the units, such as outdoor furniture and personal belongings along with the introduction of the proposed swale and paths around the units add to the change in character of the area.
- 9.86 **“The road network and the site’s access can safely accommodate any additional traffic generated”** - It is not considered that there would be an unacceptable impact upon highway safety or a severe impact upon the Local highway Network arising from the proposed shepherds huts, yurts and wigwams.
- 9.87 Noting the above it is therefore considered that, whilst the application could better demonstrate the link between this part of the proposal and Crouchlands Farm as an agricultural enterprise, the provision of shepherds huts, yurts and wigwams are proportionate to the scale of the existing agricultural enterprise so are, in this instance, considered acceptable in principle.
- 9.88 The ‘glamping’ proposal would be supported by the use of **Hardnips Barn** as a reception and restaurant facility and the applicants have proposed a planning condition (no.24 in appendix A of the Planning Statement) that would restrict the use as such – “The restaurant and bar within Hardnip’s Barn shall only be used by visitors staying within the glamping accommodation or attending an event at Hardnip’s Barn” (note the events part has now been omitted from the proposal). Given the location away from other facilities and services, in addition to the lack of direct public access and parking facilities, it is considered that the use without the restrictive condition would not be acceptable.
- 9.89 The lodges and underground pods have kitchens and it appears that the large and small treehouses also do (it’s unclear but there appears space in the respective layouts) meaning that either 7 of 22 or 12 of 22 of the units of accommodation have kitchens. This results in a maximum of 15 potential customer groups (plus potentially those in the lodges and underground pods should they choose to do so) that, given the proposed restrictive condition, would be able to use the Hardnips Barn restaurant which has 30 indoor seats and 20 outdoor seats (proposed condition no.23 at Appendix A of the Planning Statement states opening hours of 12:00-22:30).
- 9.90 Whilst the use of Hardnips barn as the reception and restaurant facility for the glamping proposals is therefore a logical use of an existing building, and it is well related to the accommodation, there are concerns over its long-term viability given the limited customer base. The design amendments proposed to Hardnips Barn and its other impacts, such as upon ancient woodland, are considered elsewhere in this report.
- 9.91 There is also little detail with the application regarding the management and maintenance of the glamping proposals albeit ‘back of house servicing and

emergency access' is shown on an access track from the south on plan no. 463-PA-063 (dated March 2023) and the Design and Access Statement, at pg.40, states that "from arrival at the car park to the glamping reception at Hardnips Barn guests would be immersed in the ancient woodland of Hardnips Copse via an existing path". The submitted Outline Woodland Management Plan, at pg.16, sets out that improvement works would be necessary to the path but would be "limited to timber edging". Whilst it is primarily considered within the ancient woodland section of this report there are concerns, in principle, with the proposed arrangement that would introduce an intensity of use, including "small electric vehicles", to the ancient woodland.

- 9.92 In totality the glamping proposals would introduce tourist form that would not be of a scale appropriate to the location, is not associated with the expansion of an existing facility and has not demonstrated that it requires a rural location and cannot be accommodated elsewhere or that it would support the objectives of rural regeneration/diversification. It would also not be located so as to minimise the impact upon the natural and historic environment. The proposed glamping provision would therefore be contrary to Policy 30 of Chichester Local Plan 2014-2029, Policy E8 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.

#### Whole Farm Plan

- 9.93 Whilst it is appropriate to assess each component of the proposal against the specific policies relevant to the nature of the development proposed it is also appropriate to recognise that there is a combination effect of the proposed components that may be greater than the sum of their parts. The totality of the 'whole farm plan' should also therefore be assessed.
- 9.94 The NPPF includes an overarching presumption in favour of sustainable development, noting the economic, social and environmental objectives. This includes, later in the NPPF, supporting a prosperous rural economy balanced with matters such as promoting sustainable transport, achieving well design and beautiful places and conserving and enhancing the natural and historic environments.
- 9.95 The Planning Statement advocates that the whole farm plan stems from an intention to provide sustainable rural diversification and the submitted Design and Access Statement, at Appendix 2, includes a table setting out how the different uses proposed are mutually beneficial and, in part, self-supporting. It is therefore clear that there are mutually reciprocal benefits of the uses proposes that would provide a synergy and, if operated successfully, would reduce unsustainable movements from the 'usual' range of support services such enterprises require to function.
- 9.96 As noted above there is therefore, in principle, support for developing appropriate and proportionate tourism facilities to support rural diversification and the economic profile of the District. There is also in principle support for employment and education uses associated with countryside activities, particularly when based around existing uses in addition to support in principle for proportionate small scale retail provision alongside rural enterprises to provide an outlet for the direct sale of produce created naturally on site.

- 9.97 However, this support is contingent upon, as set out in policy 45, it being “essential”, “small scale” and for meeting “local need” (albeit the tourism policies do recognise that provision can meet wider need). Within this context the supporting text to policy 25 is also notable given that it recognises the “constraints on development in the area” and therefore primarily supports only “small scale proposals in line with the overall Plan strategy and settlement hierarchy”.
- 9.98 The scale of the proposal is significant and requires both displacement/cessation of existing agricultural uses, the introduction of a significant quantum of new uses - over 3,000sqm of office and light industrial development and almost 1,500sqm of retail and café provision - and a significant quantum of new build development. This is disproportionate to the quantum and intensity of use of the existing buildings and wider site and cannot be considered small scale.
- 9.99 The uses proposed, whilst in the same agricultural sector, are not directly related to the operation of the existing use on the site but are rather for the wider benefit of the sector. They are therefore not, on the whole, essential uses nor need to be located in this specific location. This is particularly the case with regard to the office, light industrial and retail uses proposed and it is notable that the conditions and s106 Heads of Terms proposed by the applicant would not restrict them in a way that would make them intrinsically linked or dependent upon the existing operation of the application site.
- 9.100 Therefore, whilst the proportionate provision of a farm shop (linked to selling predominantly produce from the application site) and other uses have principle policy support to be delivered through the conversion of the existing buildings (that are worthy of conversion) on the site there is not policy support for the new build or quantum of uses proposed as they could be more sustainably met in locations where the adopted Local Plan development strategy directs development.
- 9.101 It is also noteworthy that the proposed ‘conversion’ of the existing barns to provide the rural enterprise centre would also require “significant extension, alteration or rebuilding” so would be tantamount to new buildings in the countryside resulting in the majority of the proposed new uses being located in new buildings.
- 9.102 The tourism provision is not based on access to any specific feature, location or settlement and the existing PRow network would be unlikely to generate demand in its own right. Therefore, whilst there is in principle support for an element of tourism use the proposal would, again, introduce significant built form with the proposed lodges and underground pods being of significant scale. The tourism offer is therefore not considered, in principle, to be of a scale appropriate to the location.
- 9.103 Taking all the above into account it is therefore considered that the proposal, by reason of its location where the Development Strategy would not direct development, quantum of new build development and quantum of proposed retail and commercial uses, would result in an unsustainable development largely reliant upon the private motor vehicle. Whilst, as set out later in this report, weight is given to the employment and educational benefits that would arise from the proposal these are not considered to outweigh the conflicts identified with the development plan.

9.104 The proposal would therefore be contrary to Policies 2, 25, 45 and 46 of the Chichester Local Plan 2014-2029, Policies S2 and N10 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF and this is considered an overriding reason for refusal.

## **ii. Highways**

### Access

9.105 The Road Safety Audit and Designers Response has raised a number of issues with the access to Rickman's Lane. These include the need to remove vegetation to allow for visibility splays, the need for the access to be able to accommodate two vehicles passing and details of the footpaths and pedestrian safety at the access. In the absence of such information the Local Highway Authority have been unable to conclude acceptability.

### Internal Highway Network

9.106 The Local Highways Authority raise concerns regarding the lack of information provided to demonstrate that the geometry of the internal network can accommodate all users safely, particularly with regard to tracking given that it is proposed as part of the bus network and the width of the proposed internal footways. As such, the application fails to demonstrate that the proposed access and internal road network can be navigated and operated safely.

### Highway Network

9.107 The Local Highway authority have identified that the application, and in particular the submitted Transport Assessment, have failed to provide the necessary information regarding trip generation and junction modelling to be able to conclude that the proposal would not result upon a severe impact upon the local highway network.

9.108 It is therefore considered that insufficient information has been submitted to demonstrate that the impacts of the proposal on the highway network can be adequately and suitably mitigated, with particular regard to any necessary junction improvements, highways works, modelling and suitable mitigation measures. Furthermore, insufficient information has been submitted to demonstrate that the internal highway network can safely accommodate all proposed vehicle movements. The Local Planning Authority cannot therefore be satisfied that the proposal would meet the requirements of Policies 8, 9 and 39 of the Chichester Local Plan 2014-2029, Policy T2 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039 and the NPPF.

### PRoW & Connectivity

9.109 As noted by the submitted Travel Plan, at 4.5.3, pg.15) most of the PROW within the site are in good condition, well maintained and readily passable in fair and foul weather. The PROW passing through the application site are well used by walkers, equestrians and cyclists and as a result they are well defined with wayfinding present throughout".

9.110 The proposal includes amendments to existing footpaths in addition to the creation of permissive paths through Limekiln Wood and Hardips Copse. Whilst the amendments are acceptable the proposed permissive paths through ancient woodland are not and this is considered elsewhere in this report. It is also noted that, whilst Bridleway 633 is proposed for vehicular access to serve the glamping accommodation, this does not currently have private access rights and this would need to be established alongside being demonstrated that it would not prejudice public access.

### **iii. Detailed Design**

9.111 Policy 25 of the adopted Local Plan requires development in the north of the plan area to “conserve and enhance the rural character of the area, the quality of its landscape and the natural and historic environment” whilst Policy 45 states that for “proposals requiring a countryside setting” ..... “ensure that their scale, siting, design and materials would have minimal impact on the landscape and rural character of the area”. This is supported by policy P1, which requires a “high quality design”, and policy P2 of the emerging Local Plan which sets out that “development will be expected to protect, enhance and reflect the positive characteristics and distinctiveness of the local area and contribute towards local identity. It shall be a positive addition to the surrounding area, being integrated within the built environment and landscape”.

9.112 The application is accompanied by a design and access statement that sets out the architectural approach to the proposal. This section will therefore consider the design and layout proposed.

#### Rural Enterprise Centre

9.113 It is appropriate, at the outset, to note that there are principle concerns, as set out elsewhere in this report, that the proposal for the Rural Enterprise Centre is not a conversion but essentially new development. Those overriding concerns remain and are relevant to this section but will not be repeated here.

9.114 The Rural Enterprise Centre would broadly seek to introduce a farmstead typology with a courtyard approach providing a sense of enclosure and designs that seek to lead the viewer to thinking it is a conversion (for example, the principal elevations have openings that are designed to look as though they are original agricultural openings that have now been filled), a ‘faux’ approach. In summary, the design of the buildings is considered as follows:

- Building B – No overall concerns with the approach which retains the low profile and introduces openings that seek to provide an agricultural narrative. The lack of rooflights is appropriate;
- Building C – Again, the proposal seeks to retain an agricultural narrative. However, there appears little internal ‘work’ space and is more akin to simply on-site accommodation for those studying or in employment at the site. Furthermore, there are excessive rooflights (12) on the rear elevation which domesticates the building;
- Building D – No overall concerns and is the building which most successfully reflects the original use of the building;

- Building E – Concerns with the level of enclosure that results in the original purpose of the building being lost; and
- Building F – Concerns that the original purpose of the building is clearly lost with a new industrial narrative with poorly formed openings.

9.115 The following overarching considerations also apply:

- The lack of parking is set out elsewhere in this report but there are also concerns with the divorced nature of the parking with the linear form of the parking to the east, which will dominate the access road (noting the access road is also to the Farm Hub, not the Rural Enterprise Centre, contrary to the rural character and the parking to the west which is located adjacent to the PRow;
- It is unclear where refuse would be located;
- It is unclear how the units would be serviced (noting the proposal for industrial use which may necessitate large deliveries/collections); and
- There is no identification of external break out spaces which is particularly relevant given the quantum of users.

#### Food and Retail Zone

9.116 The food and retail zone again seeks to adopt an agricultural narrative which, in principle, is an appropriate approach. The following is considered:

- The courtyard arrangement proposed would have benefits in terms of containing light spill and the spill of non-characteristic paraphernalia. However, the benefit of this is eroded by the fenestration and spill of the café / restaurant area out into the landscaping on the south / south-west side;
- The opportunity has not been taken to use the courtyard arrangement or built form to mitigate the visibility of the large area of car parking;
- The lack of rooflights is appropriate;
- The approach to proportions and massing of the building is at odds with historic farmsteads;
- In places there are roof slopes that are overly tall in relation to the rest of the building;
- The lengths of joined up form are considerable and also not locally characteristic in historic farmsteads or rural buildings;
- The ridge to eaves height is overly large and not in keeping with roof slopes found locally, particularly for buildings of relatively low eaves height;
- Parking could be better arranged to reflect typology with better sense of arrival – the setting is dominated by hardstanding, parking and pathways;
- The refuge point is located away from retail units and seems of limited size; and
- How the retail units would be serviced is unclear as they are away from the service access.

#### Glamping units

9.117 Whilst the works to Hardnips Barn, as a non-designated heritage asset, are considered elsewhere in this report the other forms of accommodation are considered below:

- Lodges – They are large scale and it is unclear why the additional ‘upper’ glazed area is necessary given that it does not support a first-floor of accommodation. This further increases the height of the structures that is already increased by the frame supporting the ground floor;
- Underground pods – No design concerns with the minimalistic design (notwithstanding the glazing comments in the landscape section of this report) albeit details of the roof structure and final levels would be required noting that it is unclear whether the chimneys would require protective fencing and whether the roofs are able to be walked upon;
- Shepherds huts – The design is considered acceptable albeit it is unclear whether any alterations to ground levels or supporting structures would be required;
- Large and small treehouses – Whilst the design is what it is, albeit noting despite the name it isn’t supported by or in a tree, the size and elevation of the treehouses is significantly large;
- Wigwams – The design is considered acceptable albeit the extent and structure (depending on the ground level) of the ‘decking’ is unclear; and
- Yurts – Again, the design is considered acceptable albeit the extent and structure (depending on the ground level) of the ‘decking’ is unclear.

9.118 The following overarching considerations also apply:

- No details of specific levels or details of necessary groundworks (noting the utilities that are proposed to connect) are provided for a number of the units;
- It is unclear for all the unit types how domestic paraphernalia would be controlled, particularly given that there are external areas provided and no apparent definition of curtilage;
- No details appear to have been provided regarding how light spill would be minimised, particularly given the expanses of glazing in the lodges and underground pods; and
- It is unclear what operational development may be required for supporting utilities that may be visible.

### Parking

9.119 The approach to parking is primarily set out within the submitted Transport Assessment which adopted a methodology of “the proposed parking provision being calculated based on parking assumptions for each proposed land use” (6.1.2, pg.28). This has resulted in the following provision:

- Rural food and retail centre – 93 spaces;
- Rural Enterprise Centre – 55 spaces; and
- Glamping – 25 spaces.

9.120 The Transport Assessment notes, in table 6.3 (pg.31) that this is below the WSCC parking standard (using the applicants calculated trip rates) by 16 spaces for the rural food and retail centre and 45 spaces for the Rural Enterprise Centre whilst there is no WSCC calculation for glamping.

9.121 The trip rates adopted in the Transport Assessment for the rural enterprise zone shows a peak parking demand for the rural enterprise zone to be 81 spaces with no



less than 70 spaces required between 9-16:00 on weekdays. As part of this calculation the Transport Assessment (8.2.23, pg.36) notes that “education and accommodation elements of the Rural Enterprise Centre would be low trip attractors, generally ancillary to the offices/ light industrial uses and travelling outside of peak periods”.

9.122 The submitted Economic Impact and Social Value Assessment Report states that there will be 71 FTE jobs created in the Rural Enterprise Centre (4.4, pg.18) whilst the respective submitted floorplans show:

- Building B – 126 seats;
- Building C – 4 x live work units;
- Building D – 20 seats in addition to a workshop;
- Building E – 30 seats in addition to two workshops; and
- Building F – Conference room has 66 seats with 15 other seats shown in addition to the following rooms that show no seats: laboratory, classroom, meeting room, office and demo hall).

9.123 The proposal therefore includes 55 spaces for the 71 FTE jobs and 257 seats (plus several rooms where there are no seats shown on the submitted floorplans). Whilst the parking therefore appears inadequate for the likely trip generation it is noted that the Transport Assessment applies a reduction due to the potential to share spaces across the site. However, it is appropriate to consider the other arrangements proposed across the site to see whether this approach would work.

9.124 The proposed glamping accommodation is as follows:

- 4 x lodges – 2-bedrooms (inc. sofa bed) per unit;
- 3 x underground pods – There is 1 x 1-bedroom pod and 2 x 2-bedroom pods;
- 3 x small treehouses – 1-bedroom per unit;
- 2 x large treehouses – 3-bedrooms per unit;
- 2 x wigwams – 1 bedroom per unit;
- 3 x shepherds huts – 1 bedroom per unit; and
- 5 x yurts – 1 bedroom per unit.

9.125 The proposal glamping therefore includes 25 parking spaces to accommodate 32 bedroom spaces whilst it is unclear where the 11 FTE jobs supporting the glamping use would be accommodated (4.4, pg.18, Economic Impact and Social Value Assessment Report).

9.126 The proposed rural food and retail centre has 93 spaces in addition to 4 staff parking spaces. The Transport Assessment (table 6.1, pg.28) states that there will be a weekday peak of 53 vehicles and weekend of 107 (albeit noting the report acknowledges this would need to overspill to the rural enterprise zone which the Transport Assessment accounts for no use of at the weekend). The submitted Economic Impact and Social Value Assessment Report states that there will be 35 FTE jobs created in the Rural Enterprise Centre (4.4, pg.18) which exceeds the 4 staff parking spaces shown.

9.127 The proposed rural enterprise centre therefore appears to have inadequate parking provision for the accommodation shown. The glamping appears to have inadequate

parking provision to accommodate the maximum number of guests that could be accommodated. Both the rural food centre and glamping appear to provide inadequate parking provision for employees. It is therefore unclear how any 'overspill' from each respective use could be accommodated within the parking for a different use, if that may also be over capacity.

- 9.128 It is therefore considered that, even accounting for distribution across the site (to take account of demand being at different times) and an element of car sharing, group travel, use of public transport and walking & cycling, it has not been demonstrated that the proposal would be able to accommodate the level of parking demand that would be generated by the uses proposed.
- 9.129 Whilst the Local Highway Authority has not raised parking provision as a highway safety or local highway network capacity concern it is noted that any overspill parking may have a significant impact upon the amenity of the area as vehicles may park in any space available which could be harmful to the character and appearance of this countryside location, the experiential quality of those passing through the site, in particular users of the PRoW's, and the setting of the grade II listed Crouchlands House.
- 9.130 This concern is given weight by the NPPF which acknowledges that "patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places" and Policy 39 of the adopted Local Plan with its supporting text, at 18.3, noting that "the provision of adequate parking in new development is important". Furthermore, the National Design Guide sets out how parking should be accommodated to ensure that it plays a positive role in placemaking.

#### Neighbouring Amenity

- 9.131 Moores Green Cottage is not part of the application site but is located centrally within the Crouchlands Farm site accessed by the same access track. The proposal would retain open undeveloped space to the north, west and east of the Cottage but, to the west, the existing barn would become the live/work units as part of the rural enterprise centre. However, given that the existing barn is utilised for agricultural purposes and the design of the proposed live/work units would retain the same shape and only include high-level rooflights facing Moores Green Cottage is it not considered that the application would be detrimental to neighbouring amenity in terms of outlook, daylight, overshadowing or overbearing. It is also not considered that the proposed access onto Rickmans Lane would have an unacceptable impact upon the amenity of the occupiers of the existing dwellings on Rickmans Lane.

#### Design Summary

- 9.132 The NPPF sets out, at paragraph 139, that "development that is not well designed should be refused". As a site located within the countryside it is important to recognise, as the NPPF does at paragraph 180, "the intrinsic character and beauty of the countryside". The barometer for the acceptability of new development is therefore high and it is important that the design of any development "conserves and enhances the rural character of the area" as required by policy 25 of the adopted Local Plan.

- 9.133 Whilst there are positive aspects of the proposed design, and the approach chosen to seek an agricultural narrative is appropriate, the execution of the approach is unsuccessful. This is not predominantly due to any individual overriding failing in appearance (albeit there are clearly many areas where the design could be improved) but rather the cumulative failings that are evident throughout the proposals as set out above and collectively erode the character of the area.
- 9.134 This is exacerbated by the lack of clarity regarding how the site would function and the high likelihood that there will be unintended consequences of the layout. This is particularly notable with the approach to refuse storage, provision for servicing and deliveries and the parking provision.
- 9.135 It is therefore considered that the proposal, by reason of its appearance and layout, would fail to meet the highest standards of design and create a high quality and beautiful place. The proposal would therefore be contrary to policies 25 and 45 of the adopted Local Plan, policies P1 and P2 of the emerging Local Plan, the National Design Guide 2021 and the NPPF.

## **Landscape**

- 9.136 Policy 25 of the adopted Local Plan requires that proposals “conserve and enhance the rural character of the area, the quality of its landscape and the natural and historic environment” whilst policy 45 requires that proposals “have minimal impact on the landscape and rural character of the area”.
- 9.137 The proposal would introduce a significant magnitude of change to the landscape, particularly due to the following:
- The new vehicular access from Rickmans Lane would introduce a formalised access that would juxtapose with the rural character of the area noting the ‘informal’ appearance of the existing agricultural access to Crouchlands Farm;
  - The new access would also introduce a parallel carriageway artificially subdividing an existing open agricultural field;
  - There would be significant vehicular movements to and from the site due to the intensity of use of the proposed development
  - The proposed rural food and retail centre would artificially subdivide an existing open agricultural field;
  - The introduction of significant quantum of parking, and associated hardstanding, would alter the character of the area;
  - The proposed underground pods would introduce artificial interventions into the landscape that, rather than seeking to assimilate with the landscape, would introduce significant areas of glazing;
  - The proposed lodges and treehouses would introduce an ad hoc arrangement of large structures into the open landscape;
  - The glamping use would introduce significant noise and movement into an otherwise tranquil landscape;
  - The arrangement of the glamping accommodation, and the lack of defined curtilage, would introduce an uncontained use into an open agricultural field where it is unclear where any agricultural use could continue or whether the land around the units would be artificially maintained. The glamping use would appear to ‘spill’ into the open countryside;

- The proposed Nereda plant would be a significant intervention into the countryside; and
- There would be a significant impact upon ancient woodland that is considered elsewhere in this report.

- 9.138 Whilst the above are specific examples it should not be lost that the magnitude of change from the existing modest agricultural operations to the intensity of use proposed would be significant. This is both in terms of the introduction of built form that would be visible within the landscape but also the significant quantum of users that would access the site on a daily basis, either as visitors to the retail provision, farm shop, café or businesses, as employees to service visitors, as employees within the offices or as temporary residents within the glamping accommodation.
- 9.139 This intensification would fundamentally alter the character of the countryside where it would not be expected. There is no significant quantum of existing buildings or use around which to base such exponential expansion. The proposed development would not therefore be landscape led insofar as it would not be a natural evolution of an existing use of landscape features.
- 9.140 Whilst the Countryside has an intrinsic quality, that requires safeguarding for its own sake, the proposed development would also be visible from the public realm both on Rickmans Lane and from the PRoW network resulting in harm to the experience of those moving through the area.
- 9.141 It is therefore considered that the proposal does not demonstrate a landscape-led approach and, by reason of its scale, urbanising form, intensity of use and location, would result in harm to the character and appearance and its experiential qualities of the area contrary to Policies 25 and 45 of the Chichester Local Plan 2014-2029, Policy P2 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.

#### Ancient Woodland

- 9.142 Ancient woodland is located within the western part of the site as part of a wider section of ancient woodland that extends to the north and south.
- 9.143 Ancient woodland which is defined by the NPPF as an "irreplaceable habitat". Therefore, unless "wholly exceptional reasons" and "a suitable compensation strategy" exists (as defined by footnote 67 of the NPPF) the NPPF requires that development "should be refused" if it would result in its "loss or deterioration".
- 9.144 When considering whether a proposal would result in the loss or deterioration of ancient woodland it is necessary to consider both direct and indirect impacts. In the case of direct impacts this includes, but is not limited to:
- "damaging or destroying all or parts of them (including their soils, ground flora or fungi)";
  - "damaging roots and understorey (the vegetation under tall trees)"; and
  - "damaging or compacting soil".
- 9.145 Natural England and the Forestry Commission's standing advice also considers indirect impacts advising that, with regard to operational development, there should

be a buffer zone “of at least 15 metres from the boundary of the woodland” and that “you should not approve development proposals” .... “within the buffer zones”.

9.146 It is notable that:

- As shown on the submitted Drainage Foul and Surface Water (1 of 3) plan (PB9500-RHD-GE-XX-DR-Y-0001) dated 08.02.24 the proposal includes the introduction of significant runs of foul water sewers including directly through ancient woodland, most notably Hardnips Copse;
- As shown on the submitted Landscape Masterplan (463-PA-05(1) B dated Feb 2024, the rural food and retail centre is within 15m of the adjacent woodland to its east;
- As acknowledged at Pg.15 of the submitted Design and Access Statement the proposed additions to Hardnips Barn, which would require foundations, and additional hardstanding (as shown on plan no. 463-PA-064(2) C dated March 2022) are within the 15m buffer of ancient woodland on both its western and eastern sides and appear to be under the canopy of trees. The proposed use of Hardnips Barn would also significantly intensify its use;
- Whether the ancillary elements of the proposed glamping units would be within the buffer and necessitate groundworks; and
- The proposed access for all occupants of the glamping accommodation would be through the ancient woodland which would necessitate the formulisation of the route. The proposed arrangement would introduce an intensity of use, including “small electric vehicles”, to the ancient woodland.

9.147 It is therefore considered that it has not been demonstrated, through evidence, exceptional reason or a compensation strategy, that the proposal, would not result in the loss or deterioration of ancient woodland, an irreplaceable habitat, in conflict with Policy 52 of the Chichester Local Plan 2014-2029, Policy NE5 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF and this constitutes an overring reason for refusal.

## **v. Protected Designations – Habitat Regulation Assessment**

### Water Neutrality

9.148 The submitted Water Neutrality Report (17 November 2023), is challenging as it covers three applications. However, specifically with regard to this full application for the Whole Farm Plan (WFP) the following is relevant.

### *Existing Water Demand*

9.149 The farm is currently used for livestock farming (mix cows, pigs and sheep) and served by a mains water supply to a series of troughs. The existing water demand is based on the number of animals on site in 2023. The Local Planning Authority agrees the water demand from the existing livestock (table 2-1) of 3,477m<sup>3</sup>/year.

9.150 Water is also used by the users of the existing office facilities and mobile home (albeit it is unclear from the report whether the office accommodation referred to is the temporary permission under 19/00682/FUL). The water demand has been estimated as 267m<sup>3</sup>/year. The applicant has used the incorrect occupancy rate,

however as this relates to only one x 3 bed mobile home the estimate of 267m<sup>3</sup>/year is acceptable by the Local Planning Authority.

- 9.151 This means the total water demand from the existing Crouchlands Farm of 3,743m<sup>3</sup>/year is accepted by the Local Planning Authority. As this is one of three separate applications, details of which development will be using this existing supply in their water neutrality calculations needs to be clarified to ensure no double counting across the developments.

#### *Future Water Demand*

- 9.152 The full application for the WFP proposes to deliver a mixed-use redevelopment over an area of approximately 51ha. The WFP comprises four elements, which are all intrinsically linked to one another, as follows:
- Farm hub: a small scale livestock operation at the northern end of the existing farm site, supported by 2,000m<sup>2</sup> of agricultural buildings comprising the existing cattle barn and workshop.
  - Rural Enterprise and Education Centre: 'conversion' of five existing farm buildings to the south of the existing farm site to provide a range of commercial and education uses and staff/student accommodation. This includes 3,175m<sup>2</sup> of office/light industrial uses (use classes E(c), E(e) and E(g)), 650m<sup>2</sup> of education and training (use class F1(a)) and 230m<sup>2</sup> of staff/student accommodation (use class C1).
  - Rural Food and Retail Centre: these are new buildings and 'conversion' of the existing lambing shed to the south of the main cluster of buildings which would provide up to 1,607 m<sup>2</sup> of retail space (use classes E(a) and E(b) and F1(a)), including a farm shop and café and five independent retail units. NB the cookery school and associated kitchen garden has been removed from the proposal.
  - Hardnip's Barn and glamping: this area comprises a tourism use on existing agricultural fields to the north and west of Crouchlands Farm. The proposal includes a variety of built accommodation constituting 4 x lodges and 3 x 'underground pods' in the northern glamping field and 3 x small treehouses and 2 x large treehouses in the southern glamping field. In addition, there are 2 x wigwams, 3 x shepherds huts and 5 x yurts in the southern glamping field.
  - An existing building, Hardnip's Barn, (260m<sup>2</sup>) would be converted approximately Hardnip's Barn would also provide a reception area and restaurant/bar for those on the glamping site.

- 9.153 The applicant has calculated the water demand of the WFP proposals by considering the anticipated users/visitors and staff for each element (as set out in table 3-4). The water usage has been derived from British Water, 2013. The Local Planning Authority agrees with the principle in the methodology of calculating water usage from British Water, 2013.

- 9.154 Table 3-4 sets out the average number of employees and the average number of visitors/occupants a day to establish the existing water demand.

Farm hub:

- 5 employees @ 90 l/p/d and no visitors = 450 l/p/d = 164 m<sup>3</sup>/yr
- Proposed livestock 3,477m<sup>3</sup>/yr (as per existing demand)

Rural Enterprise and Education Centre:

- Use classes E(c), E(e) and E(g) – 64 employees @ 90 l/p/d and 32 visitors @ 10 l/p/d = 6,080 l/p/d = 1,587 m<sup>3</sup>/yr
- Use class C1 (4 live work units) – 2 employees @ 90 l/p/d and 8 visitors/occupants @ 175 l/p/d = 1,580 l/p/d = 412 m<sup>3</sup>/yr.
- Use class F1(a) – 5 employees @ 90 l/p/d and 32 visitors @ 90 l/p/d = 3,330 l/p/d = 869 m<sup>3</sup>/yr

As set out elsewhere in this report this part of the proposal has capacity for a significant number of employees and students. For example, the ground floor plan (1801 PL0 042 dated 29/03/22) for Building B shows 126 seats whilst the ground floor plan for Building F (1801 PL0 049 dated 29/03/22) includes a conference room with 66 seats (in addition to 15 other seats and a laboratory, classroom, meeting room, office and demo hall where no seats are shown). Building D shows 20 seats and a workshop whilst Building E shows 30 seats and two workshops. Furthermore the water usage figure would also be higher if the live/work units could be lived in 7 days a week (not 5) and if calculated at the standard occupancy rate of 2.4 people per unit the overall water usage per unit would be higher than stated, even assuming the employee element and visitor element was only 5 days a week

Rural Food and Retail Centre:

Use classes E(a) and E(b) – 30 employees @ 90 l/p/d and 280 visitors @ 15 l/p/d = 6,900 l/p/d = 2,518 m<sup>3</sup>/yr (it is noted, however, that the submitted Economic Impact and Social Value Assessment report, at 4.4, pg.18, it states that there would be 35 FTE jobs).

- the cookery school and associated kitchen garden has been removed from the proposal, so 493m<sup>3</sup>/yr needs to be deleted from water demand.

Hardnips Barn and glamping:

- Use classes sui generis – 5 employees @ 90 l/p/d and 68 visitors @ 150 l/p/d = 10,650 l/p/d = 3,887 m<sup>3</sup>/yr.
- Use classes E(a) and E(b) – 6 employees @ 90 l/p/d and no visitors = 197 m<sup>3</sup>/yr.

9.155 The Local Planning Authority mainly agrees with the applicant's figures in table 3-4 with a number of caveats which are set out below and the need to delete the water demand from the cookery school (493m<sup>3</sup>/yr). This gives a total water demand of 9,634m<sup>3</sup>/yr plus a further 3,477m<sup>3</sup>/yr for the proposed livestock. It is the Local Planning Authorities view that the water demand calculation for the rural enterprise and education centre is too low (and therefore potentially so are the employee and visitor numbers). Finally the assumption of 15l/p/d for the rural food centre also appears to be an underestimate.

#### *Water Neutrality Plan*

9.156 The Water Neutrality Report sets out that for the WPF water neutrality is proposed to be achieved through a combination of rainwater harvesting, reducing water use on the development and utilising greywater reuse on site.

#### *Rainwater Harvesting*

9.157 The water neutrality report states that "rainwater harvesting will be used to serve the future livestock demand. This would be achieved by attenuating water in below ground attenuation tanks located strategically around the site to suit the livestock distribution and surface water drainage strategy. Below ground livestock water

storage for each farm area will be designed to provide minimum 35 days drought storage. Supplying 100% of the livestock with harvested rainwater will achieve a saving of 3,477 m<sup>3</sup>/yr”.

- 9.158 The Local Planning Authority supports the principle of rainwater harvesting to supply the livestock, however no supporting information has been provided to demonstrate the level of rainwater which can be achieved (i.e. how much rainwater is expected to fall, on average). In addition, no plan has been provided to show where the below ground water storage tanks would be located – which are likely to require planning permission in their own right due to the operational development required to put them below ground (notwithstanding the constraint that ancient woodland poses). No information has been included to show the size of the proposed tanks and the roof areas which will be used to fill the tanks. Finally there is no indication of the pipework infrastructure and locations to supply the farm troughs from the rainwater harvesting tanks.
- 9.159 Therefore although the Local Planning Authority accepts the principle, insufficient information has been provided to demonstrate this provision.

#### *Water efficiency fittings*

- 9.160 At tables 4-1 and 4-2 the applicant sets out the details to demonstrate water saving measures, using more efficient fittings. The calculation is based on BREEAM level 4 performance which is an acceptable approach to the Local Planning Authority. The tables are however lacking detail with no indication to the number of toilets, hand basin taps, kitchen taps, showers and baths which are to receive more efficient fitting and no precise calculations relating to numbers to demonstrate site specific savings. Instead in table 4-1 the applicant relies on a unit reduction for the standard fitting and shows a percentage reduction for each of the fitting types. From here an average reduction of 55% is calculated. This average 55% reduction is then applied to the different areas of the WFP to calculate the improvement from the standard demand taken from table 3-4 to a BREEAM efficiency water reduction (55% lower than the standard). Furthermore, there is a different mix of water saving fixtures that are applicable, depending on which elements are being considering. For example, it is unclear whether any of the glamping units or 4 live/work units have a bath as well as showers.
- 9.161 The Local Planning Authority has not been provided with sufficient certainty to demonstrate that the water efficiency savings will demonstrate the level of water savings as set out in tables 4-1 and that the appropriate levels of reduction have been applied to in table 4-2. Without a clear indication of the exact number of fittings to be replaced it is not possible for the Local Planning Authority to calculate the water efficiency measures or to condition verification that the equipment has been installed.

#### *Greywater recycling*

- 9.162 The water neutrality report states that the greywater recycling systems will be installed in all toilets across the WFP. The report says that the source of the greywater to flush the toilets on the WFP will come from all the taps (presumably hand basins rather than kitchen taps), showers and baths across the WFP or from excess greywater from the proposed Rickman’s Green Village. The water neutrality



report proposes 100% greywater recycling will be achieved, in other words every toilet in the WFP will use greywater.

- 9.163 The excess greywater from Rickman's Green Village is a future source of greywater, resulting from the development from two separate planning applications and therefore, until those applications have a permission, this cannot be relied on as a source of greywater to support this application (the sequencing of development would also have to be secured).
- 9.164 Table 4-1 states that the BREEAM level 4 performance for a toilet in the WFP will use 3.75l of water per flush for toilet. The total number of toilets in each of the four areas of the development are not set out. Table 4-3 highlighting the percentage of overall water use in the different use classes as follows:
- Restaurant / Bar - 55.13% from toilets
  - F1(a) Education – 43.08% from toilets
  - E (office and light industrial) – 64.52% from toilets
  - C1 (staff and student accommodation) – 19.42 of toilet use.
  - Farm hub – 64.52% of toilet use.
- 9.165 No specific information has been provided to justify this calculation, nor has the percentage of available grey water from these uses been provided. The Restaurant / Bar, office and light industrial (class E) and the farm hub all use more than 50% of the total water use for toilets making it impossible for these uses to provide enough grey water to supply the demand from the toilets. Furthermore, there is inevitably an element of water use that can't be used for grey water (that coming from Kitchen taps at 5l/min) as well as the demand for an element of portable water for drinking, food prep etc. The Council therefore do not accept the assumption that 100% of the toilets can be supplied by greywater for this application.
- 9.166 It is unclear how the greywater would be moved between the respective uses and areas of the whole farm plan to supply all the toilets and no provision appears to have been made on the submitted drainage plans. Given the significant areas of ancient woodland it has not therefore been demonstrated, in principle, that this can be achieved.

#### *Overall water demand, off-site offsetting and Conclusion*

- 9.167 For all the reasons set out above the Council does not support the applicants assertion in table 4-5 that the whole farm plan development will be water neutral. Therefore the Council contend that this proposal would need some off-site offsetting.
- 9.168 Although not specifically referred to for the WPF, the water neutrality report does discuss off-site offsetting for the housing schemes. At section 4.3 of the Water Neutrality Report the applicant states that the remaining additional water demand will be offset by a payment of a fee or tariff into an LPA-led offsetting scheme for the Sussex North WRZ.
- 9.169 The Local Planning Authority is working with all the other authorities in the Sussex North WRZ to establish a strategic offsetting scheme for the whole of the Sussex North WRZ. This scheme is known as the SNOWS scheme. The scheme is not operational yet and therefore at this point in time there is no ability therefore for the

applicant to pay an offsetting charge. Furthermore, the SNOWS strategic mitigation scheme is for policy compliant schemes only and therefore this application, which is not policy complaint, would not qualify for access to mitigation under SNOWS. Furthermore, it is the view of the Local Planning Authority that it would not be appropriate to impose a Grampian condition with regard to the off-site offsetting mitigation. A Grampian condition is not an acceptable approach as this would not provide the certainty that the impact of the development on the Arun Valley designated sites can and will be mitigated to pass Appropriate Assessment. Any grant of planning permission absent of the upfront certainty that the impact on the Arun Valley can be mitigated would therefore be contrary to the Habitat Regulations.

- 9.170 Given the inaccuracies and lack of certainty in the presented water calculations, the Council's view that some off-setting will be required and the absence of suitable off-site offsetting mitigation to demonstrate water neutrality, the Local Planning Authority is not therefore able to conclude that the development would not have a likely significant effect on the Arun Valley SAC, SPA and RAMSAR in combination with other developments in the Sussex North Water Supply Zone. The proposal is therefore contrary to the NPPF and Habitats Regulations.

#### SAC Bats

- 9.171 The proposal comprises a project within the 6.5km Zone of Influence for both the Mens and Ebernoe Common Special Areas of Conservation (SAC) which are designated for their importance for the Barbastelle and Bechstein bat species.
- 9.172 The application includes multiple surveys showing evidence of these bats and their roosts and community and foraging networks are within and surrounding the site. Due to the increased activity and lighting on site, which could potentially impacts on functionally linked habitat including roosts, foraging areas and/or flight lines of the bats, the application is considered to have a likely significant adverse impact of the respective SAC's prior to the consideration of mitigation.
- 9.173 In terms of design and construction stage impacts, the application proposes that the impacts are mitigated by:
- Tree loss being limited to poor quality specimens or for access; and
  - Checking for roosts and limit lighting to day time during construction unless required for health and safety and then limited by CEMP in terms of direction and screening.
- 9.174 However, at the operation stage, there is risk of severance of flight lines and/or disrupting behaviour through lighting from the scheme. The submitted Bat Mitigation Strategy shows the linear bat foraging/commuting habitat created by woodland edge and mature tree lines within the Crouchlands Whole Farm Plan site at figures 4 and 8 of that report. This includes the edge of the ancient woodland which would have glamping units within close proximity. The strategy suggests mitigation in the form of avoiding upward lighting, height and direction limitations and, importantly 'no-light' zones.
- 9.175 The assessment of the no-light zones and their buffer zones is made within the External Lighting Assessment. However, this appears to be limited to built structures and particularly focused on the rural enterprise centre, rural food and

retail centre and car parking areas. As such, there remains some uncertainty regarding the potential for lighting impacts from the glamping units, both due to their location within the buffer zone of the immediately adjacent 'no-light zone' and the potential for uncontrolled lighting by users of the glamping units, such as torches, portable lighting and other associated paraphernalia.

- 9.176 No management plan has been submitted with the application setting out how such impacts could be mitigated (if possible noting the requirements, including enforceability, set out at paragraph 56 of the NPPF) that would demonstrate how lighting resulting from the increase in activity adjacent to the linear features of the site would be managed and reduced to an acceptable level.
- 9.177 In the absence of appropriate mitigation it has not been demonstrated that the proposal would not have likely significant effect upon the integrity of the respective SACs.

#### Air Quality

- 9.178 Whilst an air quality assessment has been submitted with the application it has not considered the combination effect of the changes in air quality caused by the generated traffic from the proposal with other committed and proposed allocated developments. Furthermore, as an 'unplanned development' it would not benefit from any mitigation strategy proposed by the emerging Local Page 45 of 52 Plan. It has therefore not been demonstrated that, by reason of air pollution, there would not be an unacceptable impact upon The Mens Special Area of Conservation.

### **vi. Ecology**

#### Habitats and species

- 9.179 The application is accompanied by an Ecological Appraisal and subsequent survey reports into great crested newts, breeding birds, dormice, reptiles and bats. These concludes that mitigation measures would be required, including:

- 80m length of species-rich native hedgerow;
- Enhancement of pond 4 through the deposition of soil around the edges and planting with emergent, floating and submerged species of native aquatic plants;
- Introduction of 0.15ha of wet grassland around pond 4;
- Introduction of 0.3ha of species rich grassland;
- Native tree and shrub planting within the north-eastern portion of the site;
- 'Sensitive' lighting plan;
- Introduction of 20 bird nest boxes; and
- Hibernacula in the form of log piles.

- 9.180 However, whilst the above would be considered acceptable in principle it is noted that, due to the passage of time, it is now over six years since the original site walkover survey visit was undertaken on 27 April 2018 and over four years since updated walkover surveys were undertaken in June 2020, February 2021 and February 2022. Whilst eDNA results of ponds 6 & 8 were undertaken since this time the only other updates to the report have been to reflect amendments to the proposed plans.

9.181 The Chartered Institute of Ecology and Environmental Management (CIEEM) advise that after three years a report is unlikely to be valid and most, if not all, of the surveys are likely to need to be updated.

9.182 It is therefore considered that it has not been demonstrated that there would not be an unacceptable impact upon protected species. The application is therefore contrary to Policies 25 and 49 of the Chichester Local Plan: Key Policies 2014-2029, Policy NE5 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039 and the NPPF.

#### Biodiversity Net Gain

9.183 Whilst the application includes a Biodiversity Enhancement Strategy it does not include any details regarding Biodiversity Net Gain (BNG). However, the mandatory requirement for BNG came in after the submission of this application so this is not considered to constitute an overriding reason for refusal but, in the absence of information, means that the matter cannot be weighed positively in the planning balance.

#### **vii. Water**

##### Flood Risk

9.184 The Lead Local Flood Authority (LLFA) has advised that insufficient information has been provided to demonstrate the site will be adequately drained by the proposed Drainage Strategy and Flood Risk Assessment, particularly in respect of the how the site would drain without effecting flooding elsewhere, location of SuDs, impact of flood risk upon the development, and how the drainage and watercourse features would be maintained. Furthermore, it has not been satisfactorily demonstrated that the development would be safe for its lifetime without increasing flood risk elsewhere.

9.185 Given that it is concluded elsewhere in this report that it has not been demonstrated that elements of the new build development proposed require a countryside location or meet an essential local need it is also considered that insufficient information has been submitted to demonstrate the sequential test has been passed.

9.186 The application is therefore contrary to Policies 40 and 42 of the Chichester Local Plan: Key Policies 2014-2029, Policy NE16 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039 and the NPPF.

##### Foul drainage

9.187 The proposal is for the installation of a Nereda treatment plant on site. However, there are landscape concerns with the plant in addition to no certainty that the treatment plant would attain other necessary consents (for example the Environment Agency state that they “do not have confidence that a permit will be granted”).

9.188 As advised by the Environment Agency the installation of private sewerage systems in circumstances where it is reasonable to connect to the public sewerage network

is not considered to be environmentally sustainable as public sewerage systems are much more likely to meet the standards set in their environmental permit as a result of effluent receiving more comprehensive and reliable treatment.

- 9.189 The application also includes detail regarding a 'fall-back' position of a connection to the public sewer system this is not the proposal before the Local Planning Authority (as a detailed application which includes the Nereda plant). Regardless, the 'fall-back' position would also be dependent upon the installation of infrastructure that does not currently have permission and Southern Water has confirmed that the off-site infrastructure to establish capacity in the network to the WWTW is not currently in place.
- 9.190 Whilst it is recognised that the proposal contains a relatively modest quantum of overnight accommodation there is insufficient certainty to conclude acceptability on the information provided. It is therefore considered that it has not been demonstrated how the proposal would acceptably dispose of foul waste contrary to Policy NE16 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.

### **viii. Pollution – Lagoon**

- 9.191 Lagoon Three (L3), which sits just outside of the application boundary to the far south-western corner, is a bunded and covered structure which remains as a legacy from a previous anaerobic digester plant at Crouchlands Farm.
- 9.192 The structural details for L3 are not entirely known. It contains an estimated 53,000m<sup>3</sup> of liquid digestate. The structure features a (mostly) sealed to atmosphere cover system which contains an estimated 6,483m<sup>3</sup> of a mix of gases.
- 9.193 No adequately detailed chemical analysis of the liquid or gases contained by L3 has been provided by the applicant nor has been made available. However, the Council's EP Officers consider that, as the site has stood in its current state since 2017, it is probable that the gases contained by the cover system include carbon dioxide (CO<sub>2</sub>) and hydrogen sulphide (H<sub>2</sub>S).
- 9.194 There is currently no plan or timeline that the Council is aware of for the clean-up of L3 that would remove the risks described here. The site was subject to a consultant engineer's (Atkins, September 2018) report. The report made the following recommendations none of which have been implemented:
- 9.195 "Recommendations as to measures to be taken in the interests of safety - I recommend the following measures to be taken as soon as practicable:
1. Either properly designed stabilising measures to be installed, or the lagoon (L3) to be emptied.
  2. The lagoon (L3) shall be placed in a condition such that it cannot store any liquid above the level of the surrounding ground".
- 9.196 Were the bund and/or its cover system to fail then it is possible that the gases trapped under the cover will be released to atmosphere. Given that CO<sub>2</sub> and H<sub>2</sub>S are denser than air then it is possible that they will affect the local atmosphere at ground level and, depending on factors including the amount of gas released and

the meteorological conditions at that time, could create an acute risk to human health for persons in the vicinity.

- 9.197 The applicant proposes 'glamping' 140m from L3 to the north and north-east of the structure. As such, given the above-described risk, the applicant submitted a human health risk assessment which is part of the 'Environmental Impact Assessment Report, 06-05-2022' (Royal Haskoning DHV). There is no standardised approach for the consideration of acute risk from air quality as a planning matter. As such the assessment uses a proprietary air quality model to model concentrations of asphyxiant gases and adopts pre-existing environmental and health protection standards to assess the risk to human health.
- 9.198 L3 is inspected by the EA at regular intervals and also inspected when there are suspected liquid escapes from the structure. The EA carry out the inspections which continue to find further degradation to parts of L3's bund. Liquid escapes from L3 have happened on a number of occasions in the last year. There are no exact time estimates for how long L3 will remain integral and there is no imminent resolution which would result in L3's cover being removed (such that the gases were released 'harmlessly to atmosphere) and the liquid being removed. Nevertheless, it appears that the risk of failure of containment is rising with time as the bund continues to be eroded.
- 9.199 Given the above then a planning permission would allow glamping in perpetuity 140m adjacent to L3 with a rising risk over time of the potential for impact on the human health of the glampers. It is considered that glampers are more vulnerable to significant escapes of gas because they will spend part of their time asleep in this location.
- 9.200 The applicant's risk assessment nevertheless includes the mitigation measure of 'continuous monitoring of CO<sub>2</sub>, CH<sub>4</sub> and H<sub>2</sub>S to provide an early warning system to indicate possible failures in the containment system' and a 'response plan in the event of pollutants which includes the person(s) responsible for .... the potential evacuation of the site'. As the use sought is glamping then glampers would need to be made aware of the legacy industrial structure on their arrival at the site and be given a briefing about what to do should the alarm system sound. The response plan would need to make allowance for persons with a disability such as deafness, wheelchair users and potentially those incapacitated by alcohol. The site management would need to be able to successfully evacuate the glamping site during the night.
- 9.201 There are uncertainties around the modelling which is an appropriate tool for assessing the acute risk of asphyxiation from L3 emissions. Given that there is no remedy at hand for L3, that some modelling inputs are assumed, that L3 is likely to become more likely to fail with time, that modelling for H<sub>2</sub>S exceeds the applicant's assessment criteria in the more extreme scenarios and that a planning permission would grant a use class adjacent to this legacy industrial structure in perpetuity and that it might be possible to position the glamping further away from L3, then the matter is considered an overriding concern.
- 9.202 In summary, there is a degree of uncertainty and, given a potential consequence is a fatality, it is considered that any level of increased risk constitutes an overriding reason for refusal. This is particularly the case when weighed against the benefits of

the proposal and not a matter that a management plan could acceptably overcome (the fact a management plan is needed serves to highlight the risk). It is challenging to envisage that any tourism facility could operate successfully under a circumstance where visitors would need to be briefed about a risk to life from an adjacent use.

## **ix. Heritage**

### Hardnips Barn

- 9.203 When assessed against the criteria of a Non-designated Heritage Asset (NDHA) Hardnips Barn is considered to achieve a score of 8. Given that a score of 5 or more means it should be considered a NDHA it is therefore assessed as such.
- 9.204 Paragraph 209 of the NPPF states that “the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.
- 9.205 Hardnips Barn is a historic timber framed barn dating prior to 1875 which contributes to the understanding of the local agricultural history of the surrounding area. Whilst it has suffered unfortunate previous alteration that has harmed its significance and character, its appearance is still recognisable as a timber framed barn. Given its significance there are a number of concerns with the proposals to alter the Barn including:
- Inappropriate extension to historic form which does not relate well to host unit in terms of height, detailing and design quality;
  - The link building extension does not respect character of existing building including the flat roof projections, detrimental to agricultural and historic character of the NDHA;
  - External walkways and staircases completely inappropriate for the character of the NDHA. Erodes agricultural, historic and rural character;
  - Inconsistencies between plans and documents relating to roof lights proposed;
  - Uncharacteristic amount and positioning of openings on the principal façade of the barn facing the courtyard; and
  - The use of small unit paving over a large area has the potential to result in an overly urban appearance which would not be appropriate for the agricultural character of the NDHA or the rural area more widely.
- 9.206 It is therefore considered that, whilst the harm to Harnips Barn does not merit a stand-alone ‘heritage’ reason for refusal, the degree of harm is significant in its own right due to the design failings identified (and is accordingly included within the ‘design’ reason for refusal).

### Crouchlands House

- 9.207 Crouchlands is a large detached grade II listed building that is located to the west and south of the application site separated by only a narrow field and vegetative boundaries. The house at Crouchlands is currently accessed via the farm access

from Rickmans Lane. An outbuilding within the grounds of Crouchlands is also separately grade II listed.

9.208 The introduction of the proposal, in particular the rural food and retail centre and the parking for the glamping, would significantly alter its setting reducing both its stature, as a large building currently principally surrounded by open land, and the context within which it is appreciated, particularly by those travelling along the PRow immediate north and east of it. This would result in a less than substantial harm to the significance of the designated heritage asset that should be weighed against the public benefits of the application.

9.209 The public benefits of the application, which the applicant lists at paragraph 132 of the submitted Planning Statement, are not considered to outweigh the harm identified to the designated heritage asset. The harm to the listed building is therefore considered to constitute a reason for refusal.

9.210 Whilst it is considered that there would be an acceptable impact upon the setting of all other nearby listed buildings it is noted that the impact of the proposal (for example, the glamping and its associates use) on otherwise open countryside has a clear impact on the appreciation of this area of countryside, including its historic character. This character is defined by a mixture of open, undeveloped fields, hedgerows, tree planting and the designated heritage assets which comprise an important part of the historic landscape. The proposals would have a significant impact on this wider character and, alongside the concerns set out elsewhere in this report, are considered an overriding reason for refusal (and is accordingly included within the 'landscape' reason for refusal).

## **x. Sustainable Measures**

9.211 Policy 40 of the Local plan and Policy P1 of the emerging Local Plan set the expectation that developments will contribute to carbon reduction and resource use with "high environmental standards".

9.212 The application is accompanied by a Sustainable Design and Construction Statement that sets out a series of measures and this is examined in detail in the response of the CDC Ecologist which notes that the application fails to give sufficient certainty that it would meet the requirements of the policies.

9.213 It is therefore considered that, despite there appearing to be no barriers to providing a higher level of sustainable design, the application has failed to demonstrate that it would achieve high environmental standards. The application is therefore contrary to Policy 40 of the Chichester Local Plan: Key Policies 2014-2029, Policy P1 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF and this is considered an overriding reason for refusal.

## **xi. Other Matters**

### Archaeology



9.214 The submitted archaeological desk-based assessment identifies that there is moderate to high potential, particularly with regard to items of medieval and post-medieval origin. However, it is considered that, subject to a condition requiring investigation and, where necessary, recording, the application is acceptable in this regard.

#### Construction Impacts

9.215 Subject to securing a CEMP and CTMP it is considered that construction impacts could be acceptably mitigated.

#### Economic & Social Value

9.216 The NPPF seeks to enable “the development and diversification of agricultural and other land based rural businesses” and “sustainable rural tourism and leisure developments which respect the character of the countryside” in pursuit of “supporting a prosperous rural economy”.

9.217 This is echoed by policy 3 of the adopted Local Plan which recognises the economic and employment benefits of “supporting and promoting a high-quality tourism economy” and “planning to provide a wider range of local employment opportunities in the rural parts of the plan area”.

9.218 Whilst, at the current time, the existing Farm provides limited employment opportunities within agriculture and circa only 5 FTE jobs (Paragraph 58, Planning Statement) the proposal would bring significant economic benefits that should be afforded weight in the assessment of the application.

9.219 In the construction phase the submitted Economic Impact and Social Value Report sets out that there would be 42 gross person years of employment, 24 net additional person years of employment across the wider area and £3.95m gross value added to the economy.

9.220 The same report sets out that there would, in the operational phase, be 173 FTE jobs directly supported through on-site and off-site activity, 118 net additional FTE jobs across the wider area and £5.87m per annum gross value added to the local economy. There would also be up to £300,000 per annum generated in new business rates revenue in addition to a one-off CIL (retail tariff) payment.

9.221 The proposal would also result in social value through training and employment opportunities for the local community in addition to education opportunities.

#### Fire & Rescue

9.222 Subject to the appropriate inclusion of fire hydrants, which could be controlled via planning condition, the application is considered acceptable in line with the consultation response of West Sussex Fire and Rescue.

#### Land Contamination

9.223 It is considered that, subject to condition, appropriate investigation and, where necessary, remediation could take place to ensure that there is an acceptable impact.

### Minerals and Waste

9.224 The site is located within the Weald Clay of the Brick Clay Resource Minerals Safeguarding Area. A Mineral Resource Assessment has been submitted with the application and it is considered that a planning condition could be imposed to ascertain whether any extraction could be undertaken either prior to or as part of the proposed development. The application is therefore considered in accordance with Policy M9 of the Joint Minerals Local Plan 2019 in this regard.

### **xii. Infrastructure & Planning Obligations**

9.225 In the event that the appeal was to be allowed, this development would be liable to pay the Council's CIL charge (retail) which would address most of the infrastructure matters.

9.226 The applicant has submitted a s106 Heads of Terms document that proposes the following:

- “Contribution towards public transport provision;
- Contribution towards Travel Plan monitoring;
- Contribution towards improved transport networks;
- Contribution towards improving non-car accessibility infrastructure; and
- Contribution towards Green Infrastructure”.

9.227 However, it is considered that a s106 legal agreement would need to secure the following to make the development acceptable in planning terms:

- The funding or direct delivery of off-site highway works (including all ancillary payments, such as for TRO's);
- The funding or direct delivery of PRoW upgrades;
- Travel plan and travel plan monitoring fee;
- Mitigation from the impacts of water neutrality upon the Arun Valley Designated Sites;
- Securing the necessary mitigation for The Mens SAC and Ebernoe Common SAC; and
- s106 agreement monitoring fee.

9.228 In the absence of the legal agreement, the application would fail to proportionately contribute to managing the impact upon the District's infrastructure and internationally and nationally designated habitats. This would be contrary to Policies 8, 9 and 49 of the Chichester Local Plan 2014-2029, the CDC Planning Obligations & Affordable Housing SPD 2016, Policies NE6, NE17, P14, T1, T2 and I1 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039, the NPPF and the Conservation of Habitat and Species Regulations 2017.

### **xiii. Conclusion and Planning Balance**

9.229 It is not uncommon, and indeed is broadly supported by policy, for existing agricultural operations to diversify to support the viability and resilience of the

agricultural enterprise. This is often based around a successful enterprise that is either seeking more efficient ways to bring its produce to market, for example through direct sale in an on-site farm shop, or to take advantage of an attractive countryside setting and extensive PRow network, to offer seasonal tourist accommodation.

- 9.230 The Council, through its policies, seeks to support such proportionately scaled endeavors where they can be technically delivered and would not result in harm. To be acceptable they must also be located appropriately, non-prejudicial to the agricultural enterprise and delivered without 'harm'. This principle support recognises the important role agriculture plays in the social and economic health of the District and wider national role supporting food security.
- 9.231 The application documents set out a vision for the future of Crouchlands Farm that purport to have agriculture at its core. However, the proposals are ambitious in their scope and complexity and would significantly intensify the use of the site to an extent that it would be unrecognisable from its current position. The scale would be significant in any location let alone a countryside one. Just one of the five buildings in the rural enterprise centre alone includes 125 seats.
- 9.232 It should not be lost within the scale of the ambition that the existing agricultural operations at Crouchlands are relatively modest supporting only 5FTE jobs (paragraph 58, Planning Statement) and primarily comprising the existing agricultural barns, that are proposed to be lost through 'conversion' to other uses. Only one agricultural building in support of the existing agricultural enterprises would remain in agricultural use and would be dwarfed by the scale of the new uses. The concurrent residential applications proposed by the same applicants would erode the existing agricultural enterprise further.
- 9.233 Regardless, office, light industrial, education and retail facilities would be introduced to the site necessitating significant new build development. Whilst the application seeks to set out how the uses are dependent upon the agricultural operations at Crouchlands Farm there is little evidence that the existing operations are of the magnitude to be able to support the proposed uses or that the proposed uses would be able to be viable if solely reliant upon Crouchlands Farm.
- 9.234 The proposal should therefore be considered through the lens of what it actually is - the introduction of significant new build development in a countryside location that would introduce new uses, such as retail, office and light industrial, that are not dependent upon the existing use of the land and that the spatial strategy of the Local Plan would not direct to such a location.
- 9.235 Much of the proposal is therefore sought to be justified by what the applicant intends to do in the future but these uses appear to be self-supporting as opposed to be dependent, subsidiary or intrinsically linked with the existing use of the site. Furthermore, the extent of the future agricultural enterprise can understandably be called into question given the loss of agricultural facilities proposed by the application and the concurrent applications, by the same applicant, for large scale residential development that would not only reduce the agricultural holding further but potentially compromise the ability of the agricultural operation to function at its full capacity due to the incompatibility of the uses.

9.236 The development plan and NPPF would not therefore support the proposal in principle noting the loss of agricultural use and introduction of new buildings and uses in an unsustainable countryside location where the spatial strategy does not seek to direct new development. The detail of the application also identifies significant conflicts with regards to design, landscape, ancient woodland, heritage assets, the highway network, flood risk, internationally and nationally designated sites, protected species and sustainable design and construction.

9.237 There are merits to the proposal, most notably economic. However, these do not outweigh the significant conflicts above of which many are overriding in their own right and collectively indicate that the proposal is, simply put, of too great a magnitude and scope of uses to be acceptable in a countryside location where there is no significant baseline position, either in terms of existing buildings for conversion or existing uses.

9.238 It is therefore considered that the application is not in accordance with the development plan and the significant conflicts identified are not outweighed by any other material considerations. The application should therefore be refused.

## **10. Officer Recommendation and reasons to contest the appeal**

10.1 That the appeal should be dismissed by the Planning Inspector for the following reasons:

1. It has not been demonstrated that the proposal would not prejudice the viable agricultural operation at Crouchlands Farm contrary to policy 45 of the Chichester Local Plan 2014-2029, policy N10 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.
2. The proposed rural enterprise centre, by reason of its location where the Development Strategy would not direct development, would result in an unsustainable development largely reliant upon the private motor vehicle. It would also require the significant extension, alteration or rebuilding of existing agricultural structures, would not be small scale, essential or meet a local need in addition to including some uses that have not demonstrated that they require a countryside location. This is contrary to Policies 2, 25, 45 and 46 of the Chichester Local Plan 2014-2029, Policies S2 and N10 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.
3. The proposed rural food and retail centre, by reason of its location where the Development Strategy would not direct development, would result in an unsustainable development largely reliant upon the private motor vehicle. It has not been demonstrated that it is an essential, small scale and local need that requires a countryside location and cannot be met within or immediately adjacent to existing settlements. This is contrary to policies 2, 25 and 45 of the Chichester Local Plan 2014-2029, Policies S2 and N10 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.
4. The built tourist form would not be of a scale appropriate to the location, is not associated with the expansion of an existing facility and has not demonstrated that it requires a rural location and cannot be accommodated elsewhere or that it would support the objectives of rural regeneration/diversification. It would also

not be located so as to minimise the impact upon the natural and historic environment. This is contrary to Policy 30 of Chichester Local Plan 2014-2029, Policy E8 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.

5. The proposal, by reason of its appearance and layout, would fail to meet the highest standards of design and create a high quality and beautiful place. The proposal would therefore be contrary to policies 25 and 45 of the adopted Local Plan, policies P1 and P2 of the emerging Local Plan, the National Design Guide 2021 and the NPPF.
6. The proposal does not demonstrate a landscape-led approach and, by reason of its scale, urbanising form, intensity of use and location, would result in harm to the character and appearance of the area and its experiential qualities contrary to Policies 25, 45 and 47 of the Chichester Local Plan 2014-2029, Policies P2 and P9 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.
7. It has not been demonstrated, through evidence, exceptional reason or a compensation strategy, that the proposal, would not result in the loss or deterioration of ancient woodland, an irreplaceable habitat, in conflict with Policy 52 of the Chichester Local Plan 2014-2029, Policy NE5 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.
8. The proposal, by reason of its location and scale, would result in less than substantial harm to the grade II listed Crouchland that is not outweighed by the public benefits of the proposal. The application is therefore contrary to Policies 25 and 47 of the Chichester Local Plan 2014-2029, Policy P10 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039 and the NPPF.
9. Insufficient information has been submitted to demonstrate that the impacts of the proposal on the highway network can be adequately and suitably mitigated, with particular regard to any necessary junction improvements, highways works, modelling and suitable mitigation measures. Furthermore, insufficient information has been submitted to demonstrate that the internal highway network can safely accommodate all proposed vehicle movements. The Local Planning Authority cannot therefore be satisfied that the proposal would meet the requirements of Policies 8, 9 and 39 of the Chichester Local Plan 2014-2029, Policy T2 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039 and the NPPF.
10. Insufficient information has been provided to demonstrate the site will be adequately drained, particularly in respect of the how the site would drain without effecting flooding elsewhere, the location of SuDs, the impact of flood risk upon the development and how the drainage and watercourse features would be maintained. Insufficient information has also been submitted to demonstrate the sequential test has been passed. The application is therefore contrary to Policies 40 and 42 of the Chichester Local Plan: Key Policies 2014-2029, Policy NE16 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039 and the NPPF.

11. It has not been demonstrated that there are no risks to human health from the adjacent lagoon or that the benefits of the proposed development outweigh the risks. This is contrary to policy NE20 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.
12. It has not been demonstrated how the proposal would acceptably dispose of foul waste contrary to Policy NE16 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039 and the NPPF.
13. It has not been demonstrated that, by reason of air pollution as a result of increased vehicular traffic on the local highway network, there would not be an unacceptable impact upon The Mens Special Area of Conservation contrary to Policies 25 and 49 of the Chichester Local Plan: Key Policies 2014-2029, Policy NE6 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039, the NPPF and the Conservation of Habitat and Species Regulations 2017 (as amended).
14. The application site falls within the Sussex North Water Resource Zone and comprises new residential development which would result in an increased demand for water. Natural England's advice is that such applications, without mitigation, would have a likely significant effect on the Arun Valley SAC, SPA and RAMSAR in combination with other developments in the Sussex North Water Supply Zone. In the absence of suitable mitigation to demonstrate water neutrality, the proposal is likely to have a significant effect on the Arun Valley SAC, SPA and RAMSAR, contrary to Policies 25 and 49 of the Chichester Local Plan: Key Policies 2014- 2029, Policy NE17 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039, the NPPF and the Conservation of Habitat and Species Regulations 2017 (as amended).
15. It has not been demonstrated that, by reason of the impact upon Bechstein and Barbastelle bats, there would not be an unacceptable impact upon The Mens Special Area of Conservation or the Ebernoe Common Special Area of Conservation. In the absence of suitable mitigation, the proposal is likely to have a significant effect on The Mens SAC and the Ebernoe Common SAC, contrary to Policies 25 and 49 of the Chichester Local Plan: Key Policies 2014-2029, Policy NE6 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039, the NPPF and the Conservation of Habitat and Species Regulations 2017 (as amended).
16. It has not been demonstrated that there would not be an unacceptable impact upon protected species. The application is therefore contrary to Policies 25 and 49 of the Chichester Local Plan: Key Policies 2014-2029, Policy NE5 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039 and the NPPF.
17. The application has failed to demonstrate that it would achieve high environmental standards contrary to Policy 40 of the Chichester Local Plan: Key Policies 2014-2029, Policy P1 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 - 2039 and the NPPF.

18. In the absence of a signed S106 agreement the application makes no provision for securing the necessary infrastructure obligations the proposal generates including:

- The funding or direct delivery of off-site highway works (including all ancillary payments, such as for TRO's);
- The funding or direct delivery of PRow upgrades;
- Travel plan and travel plan monitoring fee;
- Mitigation from the impacts of water neutrality upon the Arun Valley Designated Sites;
- Securing the necessary mitigation for The Mens SAC and Ebernoe Common SAC; and
- s106 agreement monitoring fee.

In failing to secure the necessary infrastructure the proposal would fail to proportionately contribute to managing the impact of population growth within the District upon the Districts infrastructure. This would be contrary to Policies 8, 9 and 49 of the Chichester Local Plan 2014-2029, the CDC Planning Obligations & Affordable Housing SPD 2016, Policies NE6, NE17, P14, T1, T2 and I1 of the Chichester Local Plan Proposed Submission (Regulation 19) 2021 – 2039, the NPPF and the Conservation of Habitat and Species Regulations 2017.

## **11. Human rights**

11.1 The Human Rights of all affected parties have been taken into account and the recommendation is considered justified and proportionate.

## **Appendix A: Plans and documents**

The decision is based on the following submitted plans and documents:

TO FOLLOW ON UPDATE SHEET



## Appendix B: Consultation responses

The following is a summary of the representations received. Please note that the full text of any comments together with any supporting documents referred to therein can be viewed on the Council's online planning register.

### 1. Plaistow and Ifold Parish Council

#### *Comments dated 11 April 2024*

Further to the comments sent on 14th March 2024 and the submission of further information by the applicant the Parish Council confirms its continued objection to this proposal for the reasons noted below.

The Parish Council does not consider that the additional information has resolved any of the reasons why these applications should be refused and continues to object to the proposals in the strongest possible terms.

In general, the updates change nothing about the principles of the application. It remains a fundamentally unsustainable proposal for development in the countryside in common with the residential development proposals (Refs 22/03114/FULEIA and 22/03131/OUTEIA), which it is intended to support. The Parish Council's previous objections about the application and the planning strategy remain true. The Parish Council refers you to their comprehensive objection letter dated 10th October 2022 and their further objection in their letter dated 16th June 2023.

#### Water Neutrality

The Parish Council refers you to an appeal decision made on 5th February 2024 against Rydon Homes Ltd Reference APP/Z3825/W/23/3324144 Land North of The Rise, Partridge Green, RH13 8JB. The matter of achieving water neutrality for a new development of 55 homes in West Grinstead Parish, Horsham District was scrutinised by the Inspectorate. The decision clearly sets out the difficulty in achieving water neutrality on a site for 55 houses and the problem can only be compounded for the scale of this site. Further the figures included in the Water Neutrality Document submitted by the applicant can only be fully scrutinised by the submission of a Habitat Regulation Assessment to Natural England which the applicant has not done which surely means this application must fail.

#### Supporting Local Need

Commenting on the related application 22/03114/FULEIA the CDC Housing Officer on 6th April 2024 offers the following regarding this application providing basic services for local need:

"The applicant refers to application 22/01735/FULEIA which is the provision of rural food and retail outlets, a glamping site, farm hub, cookery school and rural enterprise centre, we believe this to be more akin to a tourist destination and not a local service centre to meet the needs of residents living on this development, and in particular not meet the needs of those people requiring affordable housing. We

would also draw attention to the restriction of parking areas is likely to lead to onsite difficulties and parking in inappropriate areas. It will not be possible for parking barns to be provided and for this to be shared between market housing and other tenure types in control of a Registered Provider owing to maintenance matters.”

This is a proposed tourist destination to be built in the countryside and not services to give the impression the residential housing applications 22/03114/FULEIA and 22/03131/OUTEIA are sustainable.

### Highways and Transport

The Parish Council continues to object to the proposed development on the grounds set out in its letter dated 3rd October 2022.

The attached new report dated 11th April 2024 *Regeneration of Crouchlands Farm Whole Farm Scheme (Planning reference 22/01735/FULEIA) Objections on Highways and Transport Grounds April 2024 Ref SWTP P1058- 04* points out the shortfall in the further information supplied. For example: the failure of the Transport Assessment Addendum (May 2023) to take into account the impact of the Rickman’s Green Village proposals (Refs 22/03114/FULEIA and 22/03131/OUTEIA) in the Junction Capacity Assessments. Given the site proposers reliance on the interlinking of the three proposals to demonstrate sustainability, this should be noted; in contrast the Framework Travel Plan Addendum (April 2023) includes a fare free shuttle bus service wholly reliant on the existence of the Rickmans Green Village proposals for viability; the Environment Impact Assessment Report Addendum (June 2023) distorts the baseline scenario for Traffic Flows due to the inclusion of traffic from the proposed Foxbridge Golf Club development (Ref 22/02346/OUT).

The Traffic report attached to this letter sets out the following conclusion: *“The proposals for the Crouchlands Farm WFP would result in an isolated, car-dependant, development, remote from population centres, local services and with inadequate public transport provision. The proposal is therefore contrary to national and local transport sustainability policy objectives and should be refused.”* This accurately summarises the Parish Council’s opinion of this proposal.

### *Comments dated 16 June 2023*

Comments received following additional information submitted and removal of equestrian centre.

### Summary:

- The Parish Council maintains its strong objection.
- Being a commercial / non-residential application, none of the arguments made in relation to the LPA’s five-year housing land supply / tilted balance have any weight or substance in relation to determining this application. Consequently, the proposals continue to flout CLP Policies 1, 2, 8, 39 and 45

all of which must be applied in earnest and, on this basis alone, the application should be refused.

- Now clear that proposals are part of a a substantial new settlement in the countryside to be known as 'Rickman's Garden Village' (RGV) with the 'Whole Farm Plan' proposals as a 'village hub'.
- It does not represent infrastructure appropriate to support new residential development, let alone a new settlement with a mixed resident population.
- All three applications pray in aid to one another to realise some modicum of sustainability and/or need. The residential development proposed relies entirely on the content of the WFP application, but this is wholly unsuited to the needs of the proposed community.
- There is an absence of any supporting highways information.

#### Comments dated 10 October 2022

The Parish Council continues to object to the application, and the detailed report forming part of these comments sets out those objections in connection with the following matters:

- conflict with Local Plan policies 45, 25, 2, 3, 55, 40, 31 and 48
- multiple concerns around the impact of artificial lighting associated with the development and the way this has been assessed by the applicant
- inadequate assessment of impact of the development on all potentially affected Heritage Assets (some have been missed altogether); no evidence that development has been designed to respect and enhance the historic assets and landscape; submitted information downplays impacts
- proposals contradict the findings of various Planning Inspectors in respect of various appeals relating to planning applications within the Parish.

#### Comments dated 7 October 2022

The Parish Council objects to this application for the reasons set out in the *Technical Note Review of the Landscape and Visual Impacts of Crouchlands Farm Whole Farm Plan and Regeneration* which accompanies these comments. In summary, *there are numerous and far-reaching adverse landscape effects resulting from this application. The Applicant's proposals are in clear conflict with CDC policy. The scale and design of the proposals fall significantly short from the small-scale, sensitive approach identified in CDC's landscape evidence and required to justify any development in this area's deeply rural and high-quality landscape. The scale of the proposals and the infrastructure needed to facilitate them, not only physically alters the character of the Parish's landscape, but also undermines the highly valued perceptual qualities that are such an important part of it.*

#### Comments dated 5 October 2022

The Parish Council objects to this application for a range of reasons, however, in this letter, the Parish Council sets out its objections based on the issues of Water Neutrality and Drainage only. In summary the reduction in water demand as stated

by applicant and the assumptions that underpins that conclusion are questionable on multiple grounds.

#### Comments dated 3 October 2022

The Parish Council objects to this application for a range of reasons, however, in this letter, the Parish Council sets out its objections based on the traffic and road safety aspects of the proposals only as set out in the accompanying *Technical Note Review of Transport Impacts Regeneration of Crouchlands Farm Whole Farm Scheme October 2022*. As set out in these comments the proposals conflict with multiple local and national transport-related planning policies including Local Plan policies 8, 25, 39 and 45 and NPPF paragraphs 105 and 110 (para numbers correct at the time of writing).

#### Comments dated 15 September 2022

Insufficient information has been submitted in order to demonstrate that there is evidence to demonstrate the commercial viability of and demand for the proposed new activities the applicant proposes to diversify into. If this evidence hasn't been submitted, then it should be in accordance with the requirements of Appendix E of the Local Plan.

#### Comments dated 15 August 2022

Summary:

- an Agricultural Assessment should be provided
- clarification on what proportion of retail goods would be 'produced on the farm' and how that term will be defined

## **2. Loxwood Parish Council**

Objection on the grounds summarised as follows:

- Traffic: significant level of traffic including large proportion of HGVs will travel through Loxwood village which is inappropriate on various grounds including insufficient footway provision and the damage to roads that will be caused. Speeding is already a problem in the village. Funding for maintenance of any traffic calming measures will be problematic as it would be the responsibility of the PC.
- development is contrary to Local Plan policy 45, failing to meet a number of its criteria.

## **3. Kirdford Parish Council**

Kirdford Parish Council objects to this application for the following reasons:

- Water neutrality: various assumptions upon which the applicant's calculations are based are questionable; caselaw indicates that any potential impact on Habitats Sites, however small, must be considered significant.

- Traffic: applicant erroneously suggests that there is no traffic data for the Plaistow Road/Kirdford Lane junction. No formal response from WSCC has been provided within the submitted Transport Assessment; a fatal collision should be included in the TA's appendix.

#### **4. Wisborough Green Parish Council**

Wisborough Green Parish Council objects to this planning application for the following reasons:

- Transport: Wisborough Green is the only service village in the locality of the development and would therefore suffer a significant increase in traffic through a relatively tranquil village; contrary to Local Plan policy 39 and NPPF paragraph 123.
- Water Neutrality: development will precipitate a potential crisis; applicant's water calculations are flawed; CDC should adopt a more robust stance on this issue.

#### **5. Waverley Borough Council**

No objection, subject to Chichester District Council being satisfied that it is in accordance with their policies.

#### **6. Horsham District Council**

No comment.

#### **7. Environment Agency**

*Comments dated 25 April 2024*

##### Foul Drainage

We note that Southern Water's response (dated 15 March 2024) states that they are in the process of planning offsite sewerage network reinforcements, and it may be possible for the capacity of the foul network to cope with additional sewerage flows.

In the submitted document 'Foul Drainage Fallback Solution Report' (ref: PB9500-RHDGE-XX-RP-Z-0021, dated 16 November 2023) it states in section 1 that the applicant's preferred option is to use a wastewater treatment facility (using Nereda technology) and "the fall-back position would be to amend the foul drainage proposals, to include a connection to the Public Sewer System".

The installation of private sewerage systems in circumstances where it is reasonable to connect to the public sewerage network is not environmentally sustainable. Public sewerage systems are much more likely to meet the standards set in their environmental permit as a result of effluent receiving more comprehensive and reliable treatment. The proposed development includes the provision of an on-site wastewater treatment facility which will provide foul drainage for the site. This will would require a bespoke permit under the Environmental Permitting (England & Wales) Regulations 2016.

As it stands, the application does not provide sufficient information to meet our requirements to prevent, minimise and/or control pollution to ensure the protection of the environment. We therefore maintain our objection to the proposal as submitted. Reasons Currently we do not have sufficient confidence that a permit application would be favourable.

This objection is supported by paragraph 188 of the National Planning Policy Framework, which recognises that planning and pollution control are separate, but complementary, regimes. Planners should consider the acceptability of the proposed use of land and the impacts of that use, but not the control of processes and emissions that will be covered by a permit.

Overcoming our Objection: The application states that the preferred option for foul drainage is non-mains. We do not have confidence that a permit will be granted and because the site is in a sewered area and the sewerage undertaker has stated that there are opportunities to connect following upgrades, the application needs to be amended to propose first choice to connect to the public sewerage system.

The installation of private sewerage systems in circumstances where it is reasonable to connect to the public sewerage network is not environmentally sustainable. Public sewerage systems are much more likely to meet the standards set in their environmental permit as a result of effluent receiving more comprehensive and reliable treatment.

We expect discharges of effluent to connect to the public foul sewer, where it is reasonable to do so, however, if we consider that the connection of a new development to an existing public sewer would cause or exacerbate problems in the receiving sewerage system these concerns should be raised through the planning system. This approach is consistent with the Government's National Planning Practice Guidance and Building Regulations requirements and recommendations.

*Comments dated 16 August 2022*

### Foul Drainage

The submitted application has no information in regard to the proposed method of foul drainage for the proposed development. We must therefore, currently object to the proposal until adequate additional information is submitted. At this stage we do not have enough information to know if the proposed development can meet our requirements to prevent, minimise and/or control pollution and we have concerns that these requirements might not be met through the current planning application as submitted.

To overcome our current objection, we need the applicant to confirm the method of foul drainage for the proposed development.

### Surface Water Drainage

We would be looking to condition no infiltration. The previous use of the proposed development site as agricultural land and woodland, including an anaerobic digester plant and associated lagoons presents a medium risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage

system (SuDS) leading to pollution of controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon Secondary aquifer A. In light of the above, we do not believe that the use of infiltration SuDS is appropriate in this location.

## **8. Natural England**

Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, the consultation does not include a Habitats Regulations Assessment. Given the distance between the development site and Ebernoe Common SAC and The Mens SAC (3km and 4km respectively), we recommend that your authority's HRA considers impacts to bat species. Natural England will provide advice on this application once an HRA has been provided for Water Neutrality and bats.

## **9. National Highways**

We are content that the development can be accommodated on the SRN without additional mitigation measures and therefore offer no objection.

## **10. South Downs National Park Authority**

- Although the application site is located outside of the National Park, the Council has a statutory duty to consider the Purposes of the National Park when making its determination.
- The main farm cluster is 2.8km from the National Park and the edge of the development site only 2km away;
- The site is within the setting of the National Park
- The definition of 'setting' encompasses wider considerations than purely whether a site is visible, and it is therefore important that the applicant demonstrates that a development of the scale proposed is characteristic and proportionate to the local settlement forms so as not to negatively affect the setting of either protected landscape.
- LVIA conclusions around impact on SDNP should be supported by evidence
- Lighting levels are appropriate for both construction and operational phases
- Some further thought could be given to the illuminance and luminaire choice of the smaller car parks ULR of zero should be used throughout
- CCT, spill and other dimming and switch mitigations to reduce impacts are welcomed
- The future illuminance of the outdoor surface should be avoided.

## **11. Southern Water**

*Comment dated 28 March 2024*

- No discharge of foul sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul network to cope with additional sewerage flows are complete.
- Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements. As previously advised Southern

Water seeks to limit the timescales to a maximum of 24 months from a firm commitment of the development.

- If the applicant proposes to offer a new on-site drainage and pumping station for adoption as part of the foul sewerage system, this would have to be designed and constructed to the specification of Southern Water Services Ltd. A secure compound would be required, to which access for large vehicles would need to be possible at all times. The compound will be required to be 100 square metres in area, or of some such approved lesser area as would provide an operationally satisfactory layout.
- In order to protect the amenity of prospective residents, no habitable rooms shall be located within 15 metres to the boundary of the proposed adoptable pumping station, due to the potential odour, vibration and noise generated by all types of pumping stations. The transfer of land ownership will be required at a later stage for adoption.

#### *Comments dated 22 August 2022*

- Additional flows may lead to an increased risk of foul flooding from the sewer network;
- Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water and Southern Water endeavour to provide reinforcement within 24 months of planning consent being granted;
- It may be possible for part of the development to connect with the current capacity in the network
- Occupation of the development should be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required;
- Records indicate there are no public surface water sewers in the area so alternative means are required which should not involve disposal into the public foul sewer;
- Where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should: specify the responsibilities of each party for the implementation of the SuDS scheme, specify a timetable for implementation and provide a management and maintenance plan for the lifetime of the development; and
- Records indicate that Southern Water can facilitate water supply to service the development.

#### **12. WSCC Lead Local Flood Authority (LLFA)**

We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) & Drainage Strategy relating to:

- The application is not in accordance with the NPPF, PPG Flood risk and coastal change or policy 42 in Chichester Local Plan
- The level of detail provided is not appropriate for a Full planning application.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 173, 175 and 180 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.



There has been no groundwater monitoring or infiltration testing for this application. Given the location of the site we are happy to condition this, however we cannot recommend conditions until the issues above have been adequately addressed.

Summary of concerns and/errors noted by LLFA):

- Out of date climate change being used
- No Evidence required on ground conditions / BRE365 or similar infiltration testing / dissolution potential / seasonally high groundwater levels.
- Drawing required to show where existing drainage network and outfall/s are, plus confirmation if will they be retained or removed.
- Surface watercourse – does it connect to the wider network and is there permission and agreed access locations for proposed outfalls?
- Appropriate water quality assessment is absent / incorrect. Simple index approach mentioned but not provided
- No details on proposed flow rate from each outfall have been provided
- Fail to use up to date FEH2022 rainfall parameters in any modelling scenarios
- need to show all the drainage features (storage and conveyance) with labels the same as those in supporting calculations. Inadequate level of detail for a full application. Catchments must be clearly shown as well as watercourses
- Cross sections and long sections of all the network and structures such as ponds, basins and swales required
- Revised modelling calculations to use a CV value of 1 required.
- Full network calculations required
- Exceedance of the design 1% AEP rainfall event plus climate change (or failure of the drainage network) must be shown on a drawing, minimising impacts to people and property. This drawing will include proposed external ground levels, finished floor levels and any designed slopes on impermeable surfaces such as highways or car parks
- The drainage calculations must be shown to include a surcharged outfall to a watercourse or sewer. This surcharge level must be the 1% AEP flood event of the receiving watercourse if known or bank full if not already hydraulically modelled
- Appropriate easements (to the adopting authority standard) to SuDS features should be shown on a drawing, this will be a minimum of 3m.
- Vehicular access route and off-road parking needs to be provided to ponds, basins and swales.
- Provide an easement of a minimum of 3 m from the top bank of any watercourse is required for maintenance of the watercourse. This should be on both banks but justification should be provided if access is proposed from only one side of the bank or less than 3m (e.g. 2.5 times the width of any plant likely to be used (from the top of bank with maintenance plant parallel to the watercourse)).
- A construction management plan and supporting calculations and drawings are required to show a timeline of how temporary measures will be put in place to protect the water environment and any newly built SuDS features. This will include any temporary water quality and flow control devices

- A high-level assessment of how water quantity and water quality will be managed during the construction phase is required. Identifying high level assumptions such as need to discharge to a sewer or watercourse with appropriate pollution measures.
- Consideration of ground remodelling impacts on surface water flow paths required.

### 13. WSCC Highways

*Comments dated 14 May 2024*

It is noted that changes to the application have been made and the ones that have highway impacts are listed below:

- Removal of the equestrian centre and associated parking;
- Removing the special events area from the glamping area and associated overflow parking; and
- Removing weddings from the Hardnip's Barn.

Vehicle tracking - Two Coach parking bays are still shown within the site and as such vehicle tracking should be provided.

Widening of site access to accommodate horse box movements - The removal of the equestrian uses from the site would address this issue, further comment will be provided after the provision of details around coach tracking.

Provision of stage 1 RSA and if applicable GG119 Appendix F compliant designers' response - A stage 1 Road Safety Audit has been undertaken and highlights 5 issues to be address, the designers response has yet to be provided to me in word format to allow for a WSCC response and agreed actions to be developed.

Additional details as to how the proposals would meet NPPF para 110 a.(now para 114 a) - The Framework travel plan addendum provides information about proposed bus services associated with the residential application, improvements to the PROW and the internal design of the site.

Additional information on effectiveness of the Travel Plan measures / additional measures - The applicant has provided evidence based upon the DfT sustainable Travel Towns Programme to detail the effectiveness of travel plan measures, these measures were introduced in the urban areas of Darlington, Worcester and Peterborough however no evidence is provided to the suitability of the measures in a rural environment. The Travel Plan addendum highlights the additional measure of the use of half hourly bus service would be available to staff free of charge should the residential applications be approved.

Information on the size of vehicles generated by the development - With the removal of the equestrian use from the site then this requirement for information on the size of vehicles is no longer required.

Revised trip distribution and assignment - Revised trip generation details have been provided given the reduction in uses proposed within the application:

- Utilising TRICS data the site is anticipated to generate 55 AM peak(8-9am) two way trips and 65 PM peak (5-6pm) two way trips Higher level of trips are anticipated at 9-10 am (78 two way trips, 1-2 pm (79 two way trips) and 4-5pm (71 two way trips);
- The weekend peak generation is between 2-3pm (116 two way trips);
- The proposals are anticipated to generate a single HGV trip in the AM peak and a total of 9 two way trips during the day (7-7);
- Trips have been distributed according to the census journey to work information and now aligns with those of the other applications on the site;
- Trips have then been distributed onto the network and show 16% routing northwards of the site and 84% southwards. 65% of the total are anticipated to route along Foxbridge Lane; and
- Junction Modelling has been provided and shows the impact of the development would be acceptable when considered in isolation on the site access, Rickman's Lane/Plaiستow Road/Foxbridge Lane, The Street/Dunsfold Road/Loxwood Road and Plaiستow Road/Foxbridge Lane, Vicarage Hill / Plaiستow Road and Kirdford Road / Plaiستow Road.

Cumulative Impact - Whilst it is acknowledged that further evidence of the cumulative impact of the 3 live planning applications on the site are included within the other documents there is no details of this within this application.

#### Foxbridge Lane:

- The revised trip assignment and distribution results in an increase in vehicle trips along Foxbridge Lane.
- The applicant proposes a scheme shown on drawing ref . PB9500-RHD-RG-SW-DR-D-0004 submitted with the WFP planning application however I have not been able to locate the drawing within this application (it is within the phase 1 and 2 apps)
- The scheme appears reliant on the mitigation proposed by the Foxbridge Golf Course application which is currently pending and as should detail what would be provided if the site comes forward in advance of the Foxbridge Golf club proposals or if that application is not consented.
- The planning authority will also be aware of para 66 of the decision notice of APP/P3800/W/15/3134445 that highlights "degree of harm to the rural character of this country lane through the loss of the roadside trees and the additional areas of hard surfacing and, whilst this would not be severe, it would nonetheless have a detrimental impact that would need to be set against any, albeit minimal, benefits to the free flow of traffic"
- Should the residential applications come forward then a wider scheme along Foxbridge Lane would be implemented, comments on this scheme will be provided within the relevant consultation response but in summary the proposals are not supported and insufficient information has been provided to assess the proposals.

Saturday Peak - It is noted that the Saturday peak period modelled is 11-12 where 84 two way trips are generated by the development where as the peak generation is 116 between 2-3pm. It has not been confirmed which timeframe would generate the most trips on the local network (existing +development) however given the results of the junction model would indicate the impact of any changes to the data utilised would result in minimal impact.

Possible vehicle tracking - information to show two large vehicles passing (scope and vehicles to be agreed) - Whilst the removal of the equestrian centre from the proposals would reduce the number of large vehicle movements e.g. horse box and trailer it is noted that within the phase 1 and 2 applications Swept paths have been provided for a box van along Foxbridge Lane, In some locations the vehicle tracking is beyond the highway boundary and as such works to provide a passing place would not be deliverable.

Conclusion - An objection is raised to the application:

- The proposals are contrary to CDC Local Plan Key Policy 39 and NPPF para 114.
- The proposal would not achieve safe and convenient access by a choice of means of travel nor encourage and enable and increase in environmentally sustainable means of travel such as walking, cycling and public transport and thereby minimise the impact of car journeys.
- Insufficient information has been provided to assess a number of issues and as such the proposals are contrary to CDC Local Plan Key Policy 39

The issues include:

- Provision of drawings for mitigation along Foxbridge Lane.
- Designer's Response to be provided in word format to allow for WSCC comments.
- Additional details as to how the proposals would meet NPPF para 114 a. Additional information on effectiveness of the Travel Plan measures / additional measures.
- Information on what mitigation would be provided along Foxbridge Lane should other applications not be consented or implemented.

*Comments dated 22 September 2022 (conclusion only)*

Further information / amendments are requested:

- Vehicle tracking for a coach
- Widening of site access to accommodate horse box movements.
- Provision of stage 1 RSA and if applicable GG119 Appendix F compliant designers' response.
- Additional details as to how the proposals would meet NPPF para 110 a.
- Additional information on effectiveness of the Travel Plan measures / additional measures.

From this second response

- Information on the size of vehicles generated by the development
- Revised trip distribution and assignment
- Possible vehicle tracking information to show two large vehicles passing (scope and vehicles to be agreed).

*Comments dated 9 September 2022 (conclusion only)*

Further information / amendments are requested:

- Vehicle tracking for a coach Widening of site access to accommodate horse box movements;

- Provision of stage 1 RSA and if applicable GG119 Appendix F compliant designers' response;
- Additional details as to how the proposals would meet NPPF para 110; and
- Additional information on effectiveness of the Travel Plan measures / additional measures.

#### 14. WSCC Public Rights of Way (PROW)

*Comments dated 30 April 2024:*

I note no documents reflect that Restricted Byway 639, Footpath 564, and Byway 3519 reopened early 2023 nor has the PRow note been amended whatsoever to address the queries made in my previous responses.

No improvements are now needed along Footpath 564 and Byway 3519. This development and the associated development which includes residential dwellings will result in increased use in all PRow however and Restricted Byway 639 going north from this site, in particular, will require mitigating improvements via a S106 financial contribution.

*Comments dated 15 September 2022:*

Bridleway 643 - widening of BW643 is welcomed. Whilst predicted traffic volumes are low, all reasonable measures to ensure the safety of Public Right of Way users should be indicated.

Vehicular use of Restricted Byway 633 - As previously stated, private access rights must exist before vehicular use of PRow633 is permitted by either the landowner or their guests. When exercising private rights on a Public Right of Way, it must be noted that public users have precedence over any permitted private use, therefore, the exercise of private rights must not make it inconvenient for public right. This should be demonstrated.

Footpath 564 – the intention install stiles where it is not possible to remove fencing is noted. The permission of WSCC RoW is required before installing any furniture.

Permissive path south of Middleground Copse - the making of this permissive path permanent is welcomed. Should it become so, appropriate improvements will be necessary as agreed with West Sussex County Council Public Rights of Way team.

*Comments dated 23 August 2022:*

The following elements outlined in the Proposed Public Access Strategy for PRow are welcomed

- reinstatement of Footpath 564 and Byway 3519
- the widening of Bridleway 643
- maintenance / patch repair of PRow surfaces
- the provision of permissive paths

Regards proposed improvements to the surface of 'Footpath 633/2' any such improvements must be in accordance with approved WSCC PRow Bridleway specifications.

Restricted Byway 633 is to be used to access the Glamping site / redeveloped barn. As a Restricted Byway, no vehicular use is permitted unless there are private access rights. Where these exist, WSCC PRow team will maintain the PRow to its permitted status but any damage caused by private access, above that granted by its PRow status, will be the responsibility of the landowner exercising those rights. In light of the increased usage it will see as a result of this and other developments that permission has been applied for in the vicinity of the farm, mitigation measures should be sought in the form of either surface improvement works carried out under Section 278 of the Highways Act 1980 or a financial contribution.

## **15. WSCC Minerals and Waste**

Summary of comments:

A Minerals Resource Assessment (MRA) has been submitted alongside this application. This discusses the potential for prior extraction at the site, but ultimately concedes that the proposed development would sterilise the underlying deposits of Brick Clay (and other resources, including limestone) given the environmental constraints and lack of demand for the resource from local operators. Further, it is concluded that the overriding need for the development would outweigh the safeguarding of the mineral.

WSCC MWPA is of the opinion that the priority of the safeguarded resource in this instance is considered "low". Therefore, we would offer no objection to the proposed development, subject to the Local Planning Authority being satisfied that the need for the non-mineral development outweighs the safeguarding of the resource.

## **16. West Sussex Fire and Rescue**

Having viewed the plans for this regeneration of Crouchlands Farm, evidence is required to show that all properties on site are within the required distance from a fire hydrant in accordance with the requirements of Approved Document B (AD-B) volume 2 2019 edition B5 Section 16. Any new build properties with a compartment area more than 280m<sup>2</sup> and erected more than 100m away from the nearest fire hydrant additional fire hydrants will be required within 90m of an entrance to the building and a maximum of 90m apart. If an alternative supply of water for firefighting is to be considered it will need to conform with AD-B vol 2 B5 section 16.

Evidence will also be required that Fire Service vehicle access meets with the requirements identified in Approved Document B Volume 2 2019 Edition: B5 Section 15

## **17. CDC Landscape Architecture Consultant**

The Terra Firma Consultancy was appointed in October 2022 to provide landscape architectural services to Chichester District Council in response to the full planning application, 22/01735/FULEIA for regeneration of Crouchlands Farm.

Conclusions of critical appraisal of the Landscape and Visual Impact Assessment (LVIA):

### Landscape effects

It is considered there will be a substantial adverse localised effect on the landscape character of the site and its immediate surroundings as a result of the proposed development.

Although the landscape effects of the proposed development will be reduced by the presence of the existing farm complex, including buildings to the north of, and previously developed land to the south of, the existing farm access from Rickman's Lane, it is anticipated that activity within the site will substantially increase due to the proposals.

The proposed farm hub, rural enterprise and education centre, rural food and retail development and cookery school, equestrian centre, glamping and associated access and parking will collectively result in a heavily manicured or managed landscape within the site. The existing farmland character of both the site and its immediate surroundings will be significantly altered by the extensive nature of the proposed development. {i [Officer comment: cookery school and equestrian centre since removed from proposals]}.

Despite the presence of the existing farm development and former biogas plant within the site, the immediate and surrounding landscape has an intrinsic character described in the North Western Low Weald landscape character area (LW2), in the West Sussex Landscape Character Assessment. The applicant's LVIA notes that the land management guidelines in the adopted LCA begin with a principal objective to conserve the existing tranquil rural and predominantly wooded character of the area.

The proposals are considered to be contrary to paragraph 174 (b) of NPPF 2021, which states 'Planning policies and decisions should contribute to and enhance the natural and local environment by: b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland'.

The proposals which include a rural enterprise and education centre, rural food and retail development, glamping fields, equestrian centre and associated parking, will be wide ranging, resulting in substantial cumulative landscape effects, within the boundary of the site.

Although there will be restricted or filtered views to the proposed development from the listed 'Lanelands', it is considered that the perception of development on the previously undeveloped field to the south of the residential property, and relative increase in activity within the site will have an effect on the setting of this listed building. The effect on the setting of Crouchlands will be less pronounced, due to

surrounding screening vegetation and the proximity of the existing farm complex and access road.

### Visual effects

It is considered there will be substantial adverse localised visual effects as a result of the proposed development.

Although the site is well contained within the wider landscape, with limited opportunities for visual effects outside of the area immediately surrounding the site, there will be significant effects on views to the proposed development gained from public rights of way, both crossing, and immediately adjoining the site. Although the most immediate effects will be experienced as a result of the proposed indoor equestrian centre, the associated stables and trailer parking, proposed redevelopment of the existing farm complex, glamping sites and associated parking will cover an expansive area, resulting in wide ranging visual effects.

Proposed glamping and associated parking, along with additional parking for special and equestrian events, although temporary and / or occasional, is out of character in this landscape, and will have an adverse visual effect.

## **18. CDC Landscape Officer**

Comments below relate to the Revised Landscape and Visual Impact Assessment (LVIA) submitted along with application no. 22/01735/FULEIA and the critical appraisal undertaken by Terra Firma on the previously submitted LVIA. Comments below should be read in conjunction with the landscape response submitted for application number 22/03131/OUTEIA as the LVIA is based on the same application site.

### The LVIA and proposal – Impact on the landscape

The proposal constitutes a farm hub, a rural enterprise centre, a rural food and retail centre and glamping site. There are 191 proposed parking spaces within the proposed development. The LVIA also mentions a Nereda foul water treatment Plant that will be located to the east of the pond which is essentially a wetland depression.

There is no supporting Annex containing representative viewpoint photography along with the revised LVIA, hence, to better understand the context of the site the previously submitted viewpoint photographs are referred to.

Page 15 of the revised LVIA mentions a proposed cookery school – this appears to be an inconsistency as the cookery school was removed as part of the new proposals. The proposed cookery school is also mentioned further along within the LVIA, for instance the predicted visual effects for Representative Viewpoint 6 mention that at *‘Completion the new woodland understory and tree planting along the western boundary of the Cookery School site would filter views, but would not provide a visual screen’* Discrepancies like these within the LVIA have made it difficult to evaluate the predicted visual effects and to comprehend the overall impact of the proposal. Similarly, the proposed cookery school is mentioned in the



predicted visual effects for Viewpoint 14 this again appears to be an erroneous statement and it is hard to assess the overall visual effects with such discrepancies within the LVIA.

Within the predicted visual effects section Representative viewpoints 9, 10, 11, 15 etc the new Nereda foul water treatment plant is mentioned. However, in the absence of any photomontages or verified visuals it is hard to assess the overall impact of the foul water treatment plant on the surrounding landscape. If this structure is above ground and of a considerable size as shown within the detail drawings it is most likely going to be visually detrimental to the landscape and its surroundings.

Points raised within Terra Firma's critical appraisal that have not been addressed in the revised LVIA –

The critical appraisal mentions that the LVIA makes no discussion towards '*the design development*' within the LVIA. Although, there are sections within the LVIA that address the predicted visual effects from the varied viewpoints in elaborate text format, there is no semblance or inclusion of verified wireframe or photomontages.

It is acknowledged within the critical appraisal that *the significance of landscape effect after 15 years would be less favourable than that attributed in the LVIA*. The critical appraisal also mentions '*that judgements within the LVIA on ancient woodlands, the network of mature woodlands and hedgerows, and time depth of landscape, are overly reliant on the benefits of mitigation.*' I agree with both observations and there are no amendments provided within the revised LVIA regarding this.

Both the northern and southern glamping fields are described to have been carefully sited to avoid damage to the adjacent Ancient Woodland and to minimise adverse landscape and visual effects. In absence of any wireframes or verified visuals it is difficult to assess the visual impact of the glamping pods over the wider area and from Representative Viewpoints 7 and 8. It also appears that the value of the view from viewpoints 7 and 8 has been wrongly assessed as Low and requires revisiting.

The activity associated with glamping will also bring about a change that will be out of character in this landscape and will result in adverse visual effect.

Within the LVIA the value assigned to the views from the identified representative viewpoints is assessed to be low/moderate. Several times the value of the landscape view in question is judged to be low due to lack of any planning designations. A clear explanation of a list of factors to be considered when determining the value of landscapes is offered within TGN | 02/21 Assessing landscape value outside national designations.

Some of the factors listed within the TGN and that relate closely to the application sites' landscape characteristics include:

1. Cultural - landscape which offers a dimension of time depth, including presence of relic farmstead, ruins, historic field patterns, historic rights of way (e.g. drove roads, salt ways, tracks associated with past industrial activity).

2. Perceptual - Presence of natural lines in the landscape (e.g. natural ridgelines, woodland edges, river corridors, coastal edges)
3. Perceptual - High levels of tranquility or perceptions of tranquility, including perceived links to nature, dark skies, presence of wildlife/birdsong and relative peace and quiet.

The list of factors presented above is not exhaustive and the LVIA assessment has not taken into consideration any of these whilst evaluating the value of the landscape from the varied viewpoints. Hence, arriving at incorrect judgements about the significance of visual effects.

### Conclusion

Overall, it is considered that although a Landscape and Visual Impact Assessment has been submitted, it does not contain enough information to make a fair assessment on the predicted visual effects amongst other factors. Proposed elements such as the Foul Water Treatment Plan, associated parking, glamping pods and associated activity will bring about a change that will result in significant alteration to the experience of the landscape character for the users of the PROW and other sensitive receptors and will be detrimental to the visual amenity of the site.

## **19. CDC Conservation and Design**

Glamping – more of a landscape issue so very limited design comments to be made. One aspect is not clear on materiality of part of underground accommodation that project above ground level as this would have an impact on resulting appearance. The other potential issue to flag is would protection be required to the edges / around the underground units due to flues which could get very hot essentially projecting up into the open field. If this will be cordoned off there is a potential for visual impact of the fencing or barrier.

Hardnips barn - NDHA confirmed by score of 8. Summary from assessment is:

- Hardnips Barn is a historic timber framed barn dating prior to 1875 which contributes to the understanding of the local agricultural history of the surrounding area. Whilst it has suffered unfortunate alteration that has harmed its significance and character its appearance is still recognisable as a timber framed barn. It is also understood from planning documents that at the time of its residential conversion the historic timber frame was retained.
- Extension of historic form not appropriate in form, relates poorly to the historic structure it attaches to. Sits uncomfortably exceeding the eaves height of the attached historic structure. Not of a quality and detailing that should be expected. Historic mapping indicates the existing building may have had a wing projecting West historically creating a courtyard open to the West end if more space is required this would be a more suitable solution to explore.
- Extension of link building – The proposed form here does not respect the character of the building. Flat roof projections sit uncomfortably with the central pitched roof and relate poorly to the historic barn and agricultural character. Not of a quality that should be expected and detrimental to the agricultural and historic character of the NDHA.

- External walkways and staircases – completely inappropriate for the character of the NDHA. Erodes agricultural, historic and rural character.
- Fenestration / glazing – The design and access statement shows a significant number of rooflights being proposed however proposed drawings show less? Rooflights ideally should be kept limited in number so as to retain the agricultural character of the roof slopes. The amount shown on the proposed drawings (not as shown in the D&A) is considered an acceptable approach as is the use of conservation style rooflights indicated. The re glazing of the former barn door opens is welcomed however in combination with the existing doors this results in an uncharacteristic amount and positioning of openings on the principal façade of the barn facing the courtyard. The approach should be revised and glazed openings kept to a minimum and restricted in scale where not infilling the former double door openings. The reintroduction of timber barn doors would be beneficial even if these were to be left open either side of glazing.
- Surfaces and landscaping – Limited information on landscaping however the drawing is labelled with the use of small unit paving over a large area and with a defined area of soft landscaping. This looks to have the potential to result in an overly urban appearance which would not be appropriate for the agricultural character of the NDHA or the rural area more widely.
- Outbuilding Hardnips Barn – Previous appeal dismissed for similar building in similar location due to being outside of residential curtilage. In terms of design the appearance is agricultural so subject to wider planning considerations and landscape impact this element is not a cause for concern in terms of design.

Para 209 of NPPF - The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The harm resulting to the NDHA would further the existing harm and more greatly erode the agriculture and rural character of the barn and the setting. Much of this harm looks to be avoidable in the provision of the intended use and therefore it is recommended that this aspect is not supported. Should future proposals be made for the site it is considered that it would be beneficial to review the history of the site and use this to inform the positioning of extensions. The current approach fails to align with Policy 47.

Farm Hub – if understood correctly, nothing is happening here currently. No comments.

Rural Enterprise & Education (buildings B-F) - There are some fairly large expanses of glazing proposed however these are mostly inward looking over the courtyard and therefore represent less of a concern in terms of impact. The buildings would retain a contemporary agricultural built form and proportion which would limited the impact of the alteration. The proposed material palettes particularly the use of timber cladding are considered appropriate subject to details being provided by condition.

Rural food and retail - The approach to this aspect of the proposals is clearly more traditional in its design taking cues from traditional farmsteads. In principle taking a

traditional approach could be acceptable. However it is not considered that the traditional approach to design has been carried through the whole approach with the approach to proportions and massing of the building being at odds with historic farmsteads. The resulting forms are considered to appear unconvincing and in places have roof slopes that are overly tall in relation to the rest of the building. The lengths of joined up form are considerable and also not locally characteristic in historic farmsteads or rural buildings. The variation in heights is not of concern in general as this is a characteristic found in historic farmsteads but rather that the ridge to eaves height is overly large and not in keeping with roof slopes found locally and especially for buildings of relatively low eaves height.

The courtyard arrangement proposed would have benefits in terms of managing light spill and the spill of non characteristic paraphernalia. However the benefit of this is eroded by the fenestration and spill of the café / restaurant area out into the landscaping on the South / South West side. The opportunity has also not been taken to use the courtyard arrangement or built form to mitigate the visibility of the large area of car parking.

For the above reasons it is considered that the building would fail to respect distinctive local character and sensitively contribute to creating places of a high architectural and built quality. Fails to align with Policy 47.

The proposed materials are considered to be acceptable subject to the black weatherboarding listed being black stained timber (this is not currently clear from the drawings only black weatherboarding listed which could be an artificial boarding product). The rest of the materials appear to be taking the right approach and the details for these could therefore be secured by condition.

It is very difficult to assess the surfacing proposed as the plan key is difficult to read with many tones used that are very close in colour. It is believed that there is a substantial amount of small unit paving proposed in a number of areas in the farm regeneration scheme. Whilst the exact product is unknown the use of small unit paving can be very urban / sub-urban in character and is therefore a cause for concern in this rural location and would erode the current informal rural and agricultural character. For other areas of hard surfacing it is not clear what materials are proposed where. Self binding gravel is mentioned on the key list and could be appropriate in some locations. Surfacing amount, type and appearance such as kerb details will be very important to understand in terms of protecting the rural character of the area and farm currently there is insufficient / unclear information on this aspect so it cannot be fully assessed.

Heritage assets - There are several nearby heritage assets, comprising several Grade II listed buildings and Plaistow Conservation Area, more distant from the site at 0.7km. The intervisibility between the heritage assets and the various areas of development is very low due to intervening landscape and vegetation. The Plaistow Conservation Area itself is sufficiently far away that its rural setting is not directly affected by the proposals. The listed buildings comprise rural cottages and former farmhouses that are set within open or wooded countryside. With the exception of Crouchlands itself the proposals will have no direct impact on the setting of these listed buildings.

Crouchlands - Grade II listed Crouchlands is the closest designated heritage asset to the proposed development. An existing undeveloped field to the east of Crouchlands will be developed into housing. There is a reasonable level of intervisibility between the house, its garden and the development site. As a result, the listed building will be able to be viewed from and in conjunction with new suburban type residential housing development where previously the rural setting for the former farmhouse was comprised of open fields. This will undoubtedly cause less than substantial harm to the setting of the heritage asset.

There are some mitigating circumstances, primarily due to the separation of the former farmhouse from its farmed hinterlands prior to listing. Ever since the late 1960's the former farmhouse has acquired more of a domestic type feel, with a manicured garden and a large domestic garden wall. In character terms these are quite alien features which separate the current building from its character as a working farmhouse.

## **20. CDC Archaeology**

No objection subject to condition requiring a written scheme of investigation.

## **21. CDC Environmental Protection**

### *Pollution from Lagoon 3*

The following comments are solely with regard to the aspects of the application which relate to the potential risk posed to human health by the adjacent Lagoon 3 (L3):

The expertise to assess the acute-risk to human health from L3 is beyond the normal remit and expertise of the Council and the following comments are offered in that context.

L3, which is not part of the development site, is a bunded and covered structure which remains as a legacy from a previous anaerobic digester plant at Crouchlands Farm. The structural details for L3 are not entirely known. It contains an estimated 53,000m<sup>3</sup> of liquid digestate. The structure features a (mostly) sealed to atmosphere cover system which contains an estimated 6,483m<sup>3</sup> of anaerobic gases. No adequately detailed chemical analysis of the liquid or gases contained by L3 is available, however, as the site has stood in its current state since 2017 it is thought probable that the gases contained by the cover system include carbon dioxide (CO<sub>2</sub>) and hydrogen sulphide (H<sub>2</sub>S) both of which are denser than air and pose a theoretical risk of asphyxiation if they were to escape.

There is currently no plan or timeline that the Council is aware of for the clean-up of L3 that would remedy the risks described here. The site was subject to a consultant engineer's (Atkins, September 2018) report. The report made the following recommendations (and other recommendations not reproduced here as they are less relevant to the matter under consideration):

Recommendations as to measures to be taken in the interests of safety  
I recommend the following measures to be taken as soon as practicable:

1. Either properly designed stabilising measures to be installed, or the lagoon be emptied.
2. The lagoon shall be placed in a condition such that it cannot store any liquid above the lowest level of the surrounding ground.

Neither of the two measures above have been implemented and there is no plan to implement them in as far as the Council is currently aware. Furthermore inspections of L3 by the Environment Agency note rotational slips of the external wall of the bund and there is a history of escapes of liquid from the structure. It has recently been reported that liquid might be passing through the bund wall on the north face of the structure where a large diameter pipe exits the structure. The liquid is reported to be passing on the outside of the pipe which is in any case plugged and sealed. It is likely that as time passes the structural integrity of the bund will reduce and the likelihood of structural failure increases. A further 'technical note' appended to the Atkins report notes 'the embankments around the lagoon remain in an unsatisfactory condition. Sudden further movement, with the potential to release part of the contents of the lagoon cannot be ruled out etc'.

Were the bund and/or its cover system to fail then it is possible that the gases trapped under the cover will be released to atmosphere. Given that CO<sub>2</sub> and H<sub>2</sub>S are more dense than air then it is possible that they will affect the local atmosphere at ground level and, depending on the meteorological conditions at that time, could create an acute risk to human health for persons in the vicinity. The land to the North East of L3 falls away which assists in making the pathway a viable one for humans situated in that direction to be exposed to the escaped gases.

The applicant proposes 'glamping' 140m from L3 to the North and North-East of the structure. As such the applicant submitted a human health risk assessment which is part of the 'Environmental Impact Assessment Report, 06-05-2022' (Royal Haskoning DHV). There is no standardised approach for the consideration of acute risk from air quality as a planning matter. As such the assessment uses a proprietary air quality model to model concentrations of asphyxiant gases and adopts pre-existing environmental and health protection standards to assess the risk to human health. Whilst air quality modelling is commonly used to inform planning related decisions it is usually the case that the modelling considers chronic long-term risk to human health through comparison of modelled pollutant concentrations with National Air Quality Standards (NAQS). This approach is not applicable to the situation at Crouchlands where a failure in the structure of L3 could result in a release of gas which might pose an acute risk to human health by asphyxiant gases. CO<sub>2</sub> and H<sub>2</sub>S are not included in the NAQS. The modelling is therefore a bespoke method unusual in the context of a planning decision.

L3 is inspected at regular intervals and also inspected when there are suspected liquid escapes from the structure. The EA carry out the inspections which continue to find further degradation to parts of the structure. Liquid escapes from L3 have happened on a number of occasions in the last year. There are no exact time estimates for how long L3 will remain integral and there is no imminent resolution which would result in L3's cover being removed (such that the gases were released 'harmlessly to atmosphere) and the liquid being removed. Nevertheless it appears that the risk of failure of containment is rising with time as the bund continues to be eroded. A planning permission could therefore allow glamping in perpetuity 140m adjacent to L3 with a rising risk over time of the potential for impact on the human

health of the glampers. It is our belief that glampers are more vulnerable to significant escapes of gas because they will spend part of their time asleep in this location.

Air quality modelling provides some insight into airborne concentrations of pollutants away from a pollution source. Model selection, set up and input data are important factors that influence a model's outputs. Commentary on the modelling follows:

The liquid contained in L3 has not been extensively chemically characterised and to the Council's knowledge no sampling and analysis of the gas has been undertaken. As such the gas mixture contained under the cover, used as a model input, is assumed from literature sources.

The model does not model for gases denser than atmosphere. The model considers the asphyxiant gases separately whereas in reality the hazard is from both simultaneously. Concentrations are predicted for a height of 1.5m where, at night, glampers' breathing zones might be at ground level.

There is no suggestion as to what the 'error-bar' might be around the predicted concentrations, neither whether that is more of a consideration for the model's outputs operating in the nearfield (140m) and for temporarily such .

Whilst the modelling includes some conservative considerations (scenarios 2 & 3 consider a 5m x 5m hole in the cover and a 'major leak plus failure of bund) modelling attempts to recreate complex real-world situations and so should not be considered as an absolute truth but more a tool for considering potential risk.

The modelling output concentrations are compared to environmental quality standards applied at receptor locations as close as 140m (where the glamping is proposed). There are no exceedances predicted of the Work Exposure Limit for CO<sub>2</sub> but for H<sub>2</sub>S the maximum exceedance for the 1 hour Health Criteria Value is exceeded by over two orders of magnitude. Exceedances for all 10 modelled receptor locations are modelled for between 6% and 20% of hours between 2016 and 2020.

Whilst we do not believe that it is appropriate to site the glamping adjacent to L3 the applicants risk assessment nevertheless includes the mitigation measure of 'continuous monitoring of CO<sub>2</sub>, CH<sub>4</sub> and H<sub>2</sub>S to provide an early warning system to indicate possible failures in the containment system' and a 'response plan in the event of pollutants which includes the person(s) responsible for .... the potential evacuation of the site.' As the use sought is glamping then glampers would need to be made aware of the legacy industrial structure on their arrival at the site and be given a briefing about what to do should the alarm system sound. The response plan would need to make allowance for persons with a disability such as deafness, wheelchair users and potentially those incapacitated by alcohol. The site management would need to be able to successfully evacuate the glamping site during the night too. As the health and safety at such a site would fall to the Council to enforce then I have consulted a colleague and attach her comments for your information.

The applicant's modelling quotes the now updated Joint Incident Response Plan for Crouchlands conclusion that the risk of failure to harm existing human receptors is

considered to be unlikely. Nevertheless that assessment was made in absence of nearby glampers (as there are none) which change the human health risk considerations of this location.

The EA also inform the Council that where liquid has escaped from the north and east side of L3 then it has run down the ditch system to the North East of L3 south of and adjacent to the proposed glamping site.

There are uncertainties around the modelling which is our tool for assessing the acute risk of asphyxiation from L3 emissions. From an environmental health perspective acute risk is an unusual consideration for planning consultations. Acute risk arises from landfill gas and is dealt with via well established guidance and approach. The risk assessment approach for L3 is therefore bespoke and beyond the usual realms of EH consultation comments. Nevertheless, given that there is no remedy at hand for L3, that some modelling inputs are assumed, that L3 is likely to become more likely to fail with time, that modelling for H<sub>2</sub>S exceeds the applicant's assessment criteria in the more extreme scenarios and that a planning permission would grant a use class adjacent to this legacy industrial structure in perpetuity and that it might be possible to position the glamping further away from L3, then it seems appropriate to resist permission at this proximity and/or until L3 is remedied.

### Health and Safety

I agree that the lagoon poses a potential hazard to proposed nearby land users, both from gases given off by the digestate and from the potential for unauthorised access to the lagoon.

The operators of the proposed glamping site will have a duty under the Health and Safety at Work etc. Act 1974 for the health and safety of any employees, contractors, and visitors to the site. They must identify any health and safety hazards and ensure they have adequate controls in place to mitigate them.

With regard to the potential for asphyxiation from gases given off by the lagoon should the containment system fail the applicants have provided some limited information on a proposed alarm system but there is insufficient detail on exactly how this will work in reality. For example, how will the alarm system be maintained and who will be responsible for this, how will the alarm system be managed, how will people be moved or evacuated from the site should the alarm be activated. As a glamping site there may be potential sources of ignition from campfires, BBQs etc. Have the applicants considered this with the close proximity of the lagoon and potential escape of flammable gases?

In addition, the applicants must ensure that the lagoon is secured to prevent all unauthorised access. I understand that currently there is a fence and gate but this must be sufficient to prevent access by those visiting the site or living or working in the newly proposed uses on the application site.

If the applicant wishes to develop close to lagoon 3 they must demonstrate that all associated hazards have been identified and suitable control measures can be put in place both now and in the future. The information currently supplied does not give sufficient reassurance that the hazards can be adequately controlled and as such



development so close to the site of L3 poses risks to potential users and visitors of the proposed development.

### *Other Environmental Protection considerations*

#### Summary

Views have no materials changed since comments of 9 September 2022 but recommends conditions to secure the following:

- land contamination report to confirm whether any remediation is required
- ground gas risk assessment
- Travel plan including a Monitoring and Evaluation Plan
- CEMP including a Dust Management Plan
- Air Quality Mitigation Statement
- Details of road surfaced to reduce noise
- Noise Impact Assessment
- Noise Management Plan
- Details of extraction equipment
- Site Management Plan (for glamping use)
- Lighting scheme to be approved

{i Comments dated 9 September 2022}

- Conditions required to ensure that the recommendation of the submitted land quality study/risk assessment are followed.
- Submitted air quality assessment follows accepted methodologies. CEMP should be secured via condition to address construction phase issues. Operational phase mitigation measures set out in the assessment should be secured by conditions and/or incorporated into the proposals. Air quality assessment should be extended to cover potential pollution from glamping areas. Emissions from Enterprise Centre should be controlled by relevant conditions relating to plant/equipment and extraction. Potential impacts of Lagoon 3 are dealt with in a separate response.
- Noise: Construction Phase noise should be addressed by CEMP secured by condition. In terms of operational noise, an additional assessment in respect of Hardnips Farm should be undertaken. Submitted assessment's conclusions and recommendations in respect of plant and road noise are accepted and should be followed. Subject to the receipt of an appropriate additional assessment for Hardnips Farm, various conditions would be required in order to satisfactorily address noise generated by the proposed development.
- Lighting: submitted assessment has been prepared in accordance with relevant guidelines.

## **22. CDC Drainage**

Due to the scale of the development, West Sussex County Council, as the Lead Local Flood Authority, should be consulted regarding surface water drainage and flood risk.

## **23. CDC Environmental Strategy**

Water Neutrality - Following submission of the Water Neutrality Report (Nov 2023) it has been proposed (excluding any housing and school as also included within the water neutrality report) this will cause an increase in water consumption of 27,008 l/day above the existing water demand of 10,254 l/day. To reduce the increased water consumption level as stated in the report it is proposed that the following will be incorporated into the proposal;

- Rain water harvesting ( 9,526 l/day reduction)
- Water Saving Measures (15,312 l/day reduction)
- Grey water recycling (4,967 l/day reduction)
- Total reduction of 29,805 l/day

Though in principle the mitigation proposed above would be suitable, please can we have more information on how the rain-water harvesting figures have been calculated as these need to be calculated using the average rainfall data for the area and allow for seasonal variations.

Sparrwood Hanger & Roundwyke Complex Woodland and Meadows LWS - As detailed within the Phase one habitat survey (July 2019) updated June 2020 and Feb 2021 the Sparrwood Hanger & Roundwyke Complex Woodland and Meadows LWS would potentially be negatively impacted due to the proposal through the creation of dust which then may be blown into the LWS and settle within the woodland damaging the ground flora. Due to this we require that a management plan is recreated to protect this Local wildlife site from harm during and post construction. We also require that a Habitat and visitor management plan for Sparrwood hanger and Round Wyke complex woodland and meadows is created to help manage the new recreational pressures. This should include control measures just as fencing and soft barriers and signage to help educate visitors.

Hedgerows and woodland - As detailed within the Phase one habitat survey (July 2019) updated June 2020 and Feb 2021 there are 115m of priority hedgerow onsite which needs to be protected against damage and degradation. This must include a 15m buffer between any development works and the woodland within the site and boundary. We are pleased to see that the loss of 115m of hedgerow which would be lost will be replaced with 400m of new hedgerow planting. This should include the use of established native species and be incorporated into the landscaping plan.

We are also concerned about the Impact that increased human activity will have on the site including the degradation of lowland mixed deciduous woodland, damage to vegetation, soil compaction, nutrient enrichment, disturbance to wildlife and litter. We require that a management plan is put together for the site detailing how the site will be protected from these recreational pressures and a monitoring system for this will also be required.

Bats - As detailed within the Phase one habitat survey (July 2019) updated June 2020 and Feb 2021 there are 25 trees and one building (Hardnip Barn) which have been identified as having potential for bats onsite. Within the further survey work including trapping survey it was determined that the Barbastelle roost found within a tree onsite was of national importance being located 2.6km from the SAC.

As detailed within the plans to date no trees that have been identified as having any bat potential will be removed, we are however concerned that any removal of trees

or hedgerows onsite will harm the connectivity of the site for bats. This is of particular importance due to the high level of Barbastelle activity across the site which shows the site is significant for foraging and commuting as well as roosting.

Following submission of the Bat Mitigation Strategy (March 2023) we are satisfied that the mitigation proposed is suitable and a condition should be used to ensure this takes place.

The Phase one habitat survey (July 2019) updated June 2020 and Feb 2021 states that a sensitive lighting scheme will be required and external light avoided, directional away from any roosts. There will also be a dark corridor along the northern and eastern boundary locations (lighting below 1lux in this area) and no lighting on the Hardnips barn glamping site. Following submission of the External Lighting Strategy & Detailed Lighting Design (March 2023) we are satisfied that lighting proposal is suitable and a condition should be used to ensure this takes place.

Great Crested Newts - As detailed within the Phase one habitat survey (July 2019) updated June 2020 and Feb 2021 ponds 1, 2, 3, 5, 7 have evidence of Great Crested Newts and they have been found to be breeding in pond 8. There is also suitable terrestrial habitat at the Rural Food & Retail & Equestrian Centre site. Due to this a mitigation strategy will be required and a Protected Species License obtained from Natural England. Following submission of the Biodiversity Enhancement Strategy (April 2022) we are satisfied that the mitigation provided is suitable and a condition should be used to ensure this takes place.

Dormice - Following submission of the Dormouse and Reptile Survey Report (Dec 2022) we note that the dormice surveys which took place were done in 2018. These are now over 5 years old so there has sufficient time following the survey work for conditions and species on site to have changed. Please can we have an updated review from the ecologist relating to potential for dormice to now be present on site.

Reptiles - Following submission of the Dormouse and Reptile Survey Report (Dec 2022) we note that the dormice surveys which took place were done in 2018. These are now over 5 years old so there has sufficient time following the survey work for conditions and species on site to have changed. Please can we have an updated review from the ecologist relating to potential for reptiles to now be present on site.

Badgers - Prior to start on site a badger survey should be undertaken to ensure badgers are not using the site. If a badger sett is found onsite, Natural England should be consulted and a mitigation strategy produced.

Nesting Birds - Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

#### Biodiversity Net Gain

We are pleased to see that a number of enhancements have been proposed within the Biodiversity Enhancement Strategy (Feb 2023) as detailed below, however this does not include any details regarding biodiversity net gain. We require that along

with details of how biodiversity net gain will be achieved the biodiversity matrix is also completed and submitted.

- Wildlife Meadow creation and management plan
- Pond creation and management plan
- Wet grassland creation and management plan
- Boundary Woodland planting and management plan
- Tree planting
- 30 bat boxes mounted on trees
- 20 insect houses
- 40 bird boxes
- 4 Sparrow terraces
- 7 swallow nest cups
- 2 barn owl boxes

We would also like to see the following included within the enhancement plan:

- Any trees removed should be replace at a ratio of 2:1
- Filling any gaps in tree lines or hedgerows with native species
- We require that gaps are included at the bottom of the fences to allow movement of small mammals across the site
- Hedgehog boxes installed across the site

Full details on how the habitats and enhancements onsite will be managed during the construction phase and post construction will need to be included within the Construction Environmental Management Plan (CEMP) and Landscape and Management Plan (LEMP) as part of a reserve matters application.

Policy 40 - Though a summary of the proposals for Policy 40 have been included within the Sustainable Design and Construction Statement (June 2022) there is not enough detail for us to be satisfied that the proposal will meet the requirements of Policy 40. We require that further information is submitted detailing how carbon emissions will be reduced through a fabric first approach and through the use of renewable technologies. We require that calculations are included to demonstrate the percentage reduce in CO2 emissions. We also require further information is submitted detailing the number of electric car charging points which will be available across the site.

## **24. Third Party Representations**

92 letters of objection on the following grounds:

- Overdevelopment of the site;
- Strain on Local, Community and Supporting Infrastructure;
- History of non-compliance with planning;
- Unresolved and unlawful use of biogas plant;
- Within an Area of Outstanding Natural Beauty;
- Increased vehicular movements, in particular large vehicles;
- Excessive footprint, form and scale ;

- Developer seeking to recuperate money from previous developments;
- Does not meet the small scale, local need policy requirements;
- Inadequate local highway network;
- Dismissed appeal for Biogas site;
- Recognised as a tranquil and quiet area;
- Harm to wildlife, biodiversity and ecology of the site and surroundings;
- Harm to Red-Listed Birds present on the site;
- Harm to protected species using the site;
- Boundary Treatments;
- Public and Highway Safety concerns;
- Dangerous point of Access;
- Lack of sustainable travel infrastructure;
- Water Neutrality;
- Increased noise, dust, odour and poor air quality resulting in a negative impact on residents health;
- Uncertainty regarding sewage and drainage for the site;
- Harm to the dark skies from lighting;
- Adverse Impact on Public Rights of Way and users of PROWs;
- Contamination from Lagoon 3;
- Should preserve farmland and green belt;
- Neighbouring development providing similar amenities/activities;
- Inadequate local, community and supporting infrastructure;
- Disruption and harmful impacts to local residents;
- Unsustainable development and location;
- Harmful to the rural and tranquil character and appearance of the site and surroundings;
- Inadequate Waster Water disposal infrastructure;
- Concern for viability of equestrian business and cookery school;
- Late and anti-social business/opening hours of development;
- Development result in a reduction in farm working capacity and food security;
- Detrimental impact to established local businesses;
- Emergency Vehicle Access;
- Does not benefit or improve local community;
- Owner Financial Gain/Developer Greed;
- Proximity to Plaistow Conservation Area and Designated Heritage Assets;
- Adversely harmful to the setting and appearance of designated heritage assets;
- Insufficient supply of goods to farm shop;
- Cumulative impact of the developments on Crouchlands Farm and surrounding area;
- Insufficient data and evidence to support Transport Assessment;
- Footpath stile should be replaced with gates to maintain accessibility;
- Majority of proposals for the site are non-agricultural;
- Development is not-innkeeping;
- Limited to no local employment opportunities;
- Adverse impact on the setting of designated countryside;
- WSCC have stated this area should be protected;
- Impact on Climate Change;
- Lack of consideration or assessment of the developments carbon footprint;

- Unmaintained country lanes/rural roads;
- Cannot recreate a habitat or area once it has been destroyed;
- Site should be maintained as a farm;
- Lack of consideration of the mechanics of running a equestrian centre e.g. numbers, parking, food, portable toilets etc;
- Location cannot accommodate facility;
- Within the setting of the South Downs National Park;
- Sets a precedent for/motivates other landowners to develop their land;
- Errors within EIA;
- Enforcement of noise levels from glamping site;
- Harm to protected habitats e.g. ancient woodland;
- Concern for incorrect/misleading transport assessment;
- Visually intrusive and harmful to the visual amenity;
- Application seeks a Change of Use;
- Contributes to harm caused by loss of habitats;
- Taking sizeable farmland out of production;
- Misleading and confusing information within the masterplan and planning statement;
- No justification for equine centre, cookery school or associated live/work accommodation in this location;
- Increased pollution from increased vehicular movements;
- Would not create local employment opportunities;
- Lack of communication and stakeholder engagement;
- Results in urbanisation and urban sprawl;
- Lack of evidence to support that the resultant farm could supply the farm shop with produce;
- Will be dependent on business coming from outside of the local area;
- Fails to comply with planning policies and the development plan;
- Does not comply with DEFRA's 25 year plan for the environment;
- Lack of evidence which suggests that farming on the site is an unviable operation or that rural diversification is needed;
- Scale and type of proposal is comparable to a commercial, educational, leisure and tourism activity centre;
- Lack of sequential test for new Class E units;
- Proposal location is isolated from existing settlements where development should be directed to;
- Result in visual harm from public vantage points;
- Located within the Low Weald National Character Area;
- Inappropriate use of infiltration SUDs;
- Farming activities are subservient to non-farming activities;
- Previously dismissed appeals within the local area;
- References within documentation to development not included within description e.g. cross country course;
- Provide unnecessary competition to other equine centre in West Sussex;
- Groundwater Concerns;
- Lack of understanding from the developer regarding the community or area;
- Increases to population

1 letter neither objecting nor supporting on the following grounds:

- Limit accessibility for those with disabilities or mobility issues to countryside;
- Stiles are Old-Fashioned.

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