

PLANNING APPLICATION REPORT

REF NO: WA/65/24/PL

LOCATION: Lower Farm
Yapton Lane
Walberton
BN18 0AS

PROPOSAL: Addition of 3 No 5ha glasshouses, ancillary structures and reservoir to existing permission for 1 x 5ha glasshouse and reservoir. This application is in CIL Zone 3 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct 3 x 5ha of glasshouses, ancillary structures and a reservoir. There will also be construction of an access road. This is in addition to an existing 1 x 5ha glasshouse and reservoir which was approved under WA/123/23/PL.
SITE AREA	25 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	There is a group of trees located to the entrance and three of these will be removed to enable the access road.
BOUNDARY TREATMENT	Trees, fencing, and hedging to field boundaries.
SITE CHARACTERISTICS	An agricultural site within a rural context to the north of Yapton Lane. There are agricultural fields to the north, east, and south of the site just beyond the railway line. The western boundary runs alongside Yapton Lane (B2132) which has some residential dwellings, predominantly along its western side, but primarily, beyond Yapton Lane to the west and adjacent of the proposals are a number of existing horticultural sites.
CHARACTER OF LOCALITY	A rural and predominantly agricultural and horticultural area with sporadic commercial uses interspersed on farms and in agricultural buildings. There are a small number of residential dwellings within the area.

RELEVANT SITE HISTORY

WA/123/23/PL	The construction of 5 hectares of glasshouses, a service area and a reservoir on agricultural land to grow long season strawberries. This application is in CIL Zone 3 (Zero Rated) as other development.	ApproveConditionally 10-04-24
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WA/29/22/PL	Variation of condition following WA/62/20/PL relating to condition 2- plans condition to change orientation from east/west to north/south and change location of some water tanks.	ApproveConditionally 08-07-22
WA/23/22/AG	Prior approval under Schedule 2 Part 6 for the erection of free standing barn clad with fibre reinforced cement corrugated sheeting to provide additional crop storage.	No Objection 18-03-22
WA/81/21/AG	Prior approval under Schedule 2 Part 6 for a proposed new reservoir on farm to hold harvest rain water to irrigate horticultural crops.	No Objection 24-09-21
WA/62/20/PL	Construction of 5 hectares of glasshouses, a service area & a reservoir on agricultural land. This site is in CIL Zone 3 (Zero Rated) as other development.	ApproveConditionally 29-01-21

WA/123/23/PL approved one glasshouse and a reservoir but this permission has not yet been implemented. This was a resubmission of WA/62/20/PL (as varied by WA/29/22/PL) for the same development and was never commenced.

REPRESENTATIONS

Walberton Parish Council supported the application.

- The potential provision of increased employment, including a number of skilled jobs is welcomed.
- It is consistent with the Local Plan, policy HOR DM1(horticulture) and Walberton neighbourhood Plan policy VE (horticultural development)
- The use of the reservoir to catch and store water is consistent with policy W DM1 and may potentially reduce flood risk in the area.
- Request a condition to ensure discharge of water from the access yard is filtered to remove pollutants before it enters the watercourse.

2 letters of objection from nearby occupiers.

- It is the last bit of unspoilt countryside.
- The site borders rare fenland habitat.
- They have not included Great Crested Newt information.
- Light pollution.
- More traffic on congested roads.
- Loss of views and decrease in local house prices.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in the conclusion. With regards to Great Crested Newts, the ecology report states it unlikely they are present on site. It also does not identify any fenland habitat. The content of the representation also appears to refer to a different site under ref Y/33/20/PL which is further south

than the proposal. The protection of a residential view is not a material planning consideration and the impact on house prices is not capable of being a material consideration.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Natural England - No objection.

South Down National Park Authority - Neutral response. It is noted the submission of automated black out blinds are proposed where crop lighting may be required. This provision and its operational use should be conditioned to mitigate dark night skies impact.

National Highways - No objection.

Active Travel England - No objection. Have issued Standing Advice.

ADC Ecology - No objection subject to conditions.

WSCC Minerals and Waste - Holding Objection. Further information is required to evidence the extent of the mineral sterilisation that would occur and the extent to which prior is practicable or feasible.

WSCC Surface Water Drainage - No objection subject to conditions.

Sussex Police - Make no comment.

WSCC Highways - No objection subject to conditions.

Environmental Health - No objection subject to conditions.

Archaeology Advisor - No objection subject to conditions.

Economic Regeneration - Supports the application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Additional information has been provided to overcome the concerns from WSCC Minerals & Waste and further comments are awaited which will be reported to members by an update.

POLICY CONTEXT

Outside the Built-Up Area Boundary
Area of Special Advert Control
Groundwater Sharp Sand and Gravel Consultation Area.
Partly within a Biodiversity Opportunity Area
Potentially Prone to Groundwater Flooding.
Partly at Low, Medium & High Risk of Surface Water Flooding.
Partly within the Lidsey Treatment Catchment Area.
Partly within the Arun Valley Impact Risk Zone.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
LANDM1	LAN DM1 Protection of landscape character
DDM1	D DM1 Aspects of form and design quality
HORDM1	HOR DM1 Horticulture
WSP1	W SP1 Water
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
EMPDM1	EMP DM1 Employment Land: Development Management
WDM3	W DM3 Sustainable Urban Drainage Systems

Joint Minerals Local Plan 2018:

Joint West Sussex M9 Safeguarding Minerals

Walberton Neighbourhood Plan Policy 2019-2031

Businesses

CL1Walberton Neighbourhood Plan Policy 2019-2031
GA5

Traffic Management

Walberton Neighbourhood Plan Policy 2019-2031
VE13

Distinct views and vistas

Walberton Neighbourhood Plan Policy 2019-2031
VE2

Horticultural Development

Walberton Neighbourhood Plan Policy 2019-2031
VE3

Protection of Trees and Hedgerows

Walberton Neighbourhood Plan Policy 2019-2031
VE7

Surface Water Management

Walberton Neighbourhood Plan Policy 2019-2031
VE8

'Unlit village' status

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11 Arun Parking Standards 2020

SPD13 Arun District Design Guide (SPD) January 2021

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. All relevant policies within the Walberton Neighbourhood Development Plan have been considered.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal complies with relevant Development Plan policies in that it is an appropriate form of development outside of the Built-up Area Boundary that does not result in an unacceptable impact on the character or landscape of the area and serves as a significant economic stimulus for the rural economy.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is liable for Biodiversity Net Gain (BNG) and the following on-site BNG is proposed:

- 10.02% Habitat units
- 10.68% Hedgerow units

CONCLUSIONS

PRINCIPLE

The site is located outside of the Built-Up Area Boundary on arable land and the proposed development would facilitate production of soft fruit. In principle, it would therefore accord with Arun Local Plan (ALP) policy C SP1(d) in that it constitutes diversification of the rural economy and provided it is in accordance with policy HOR DM1, it would meet the requirements of C SP1(f). It would also comply with policy CL1 of the Walberton Neighbourhood Plan (WNP) which supports proposals to upgrade or extend existing employment sites provided that the impact on the amenities of surrounding properties is acceptable (this impact is discussed elsewhere and found to be acceptable).

The NPPF under paragraph 88 states that Planning policies should enable: "The sustainable growth and expansion of all types of business and enterprise in rural areas... and the development and diversification of agricultural and other land-based rural businesses;".

Policy HOR DM1 requires glasshouse development to accord with varying criteria. The proposal accords with this policy in that:

a) Height and bulk would not significantly damage the landscape.

The height and bulk would have some impact on the landscape although as per the Landscape and Visual Assessment, this would not significantly damage the landscape.

b) It relates sympathetically to the natural, built and historic environment.

The development is sympathetic to the wider area and does not result in adverse harm upon the natural, built or historic environment.

c) Pollution from soils, water and air is within regulated limits.

The development will have a reservoir with underground pipes to ensure that water is reused. Irrigation will also be controlled via computers and will not result in any pollutant runoff.

d) Long public views are retained.

Some long public views will be impacted due to the consistent mass of the glasshouses, although as per the Landscape and Visual Appraisal, these would be minor adverse reducing to neutral and negligible as vegetation matures around the site.

e) Adequate water resources are available.

The development will construct a reservoir to provide sufficient water supply for the glasshouses. Rainfall that lands on the proposed glasshouses is to be diverted to the proposed reservoir for storage and subsequent irrigation of the crops. Irrigation of the crops is a closed system, so no water/fertilizers run to waste.

f) Adequate surface water drainage capacity.

A drainage strategy has been submitted which will use SuDS. The Lead Local Flood Authority have no objection to the drainage strategy provided.

g) Adequate vehicle access from the site and capacity for vehicle movements in the surrounds roads.

WSCC Highways have no objection to the scheme. A new track will be constructed to enable sufficient space for two passing HGVs.

h) Minimal impact on health and amenity resulting from artificial light.

Crop lighting will be used and blackout screens will be installed to prevent artificial light spill. A condition relating to the provision of a bat friendly lighting scheme will also be included.

i) Noise levels would not disturb nearby occupants.

Due to the type of development which will be fruit production, noise levels would not disturb nearby occupants. Environmental Health have no objections.

j) Redundant glasshouses/machinery would be removed.

Removal of redundant structures will be conditioned should the development no longer be required.

k) Proposals include full details of landscaping.

A plan has been submitted to provide details of additional planting that will be planted on site. This details the species mix, quantities, size at time of planting and locations and are shown in plan form. The Council's Parks and Landscape officer has no objection the proposal.

l) The applicant has submitted sustainability and options appraisals, mitigation measures, and a soil

resources plan for the development site.

A sustainability and options appraisal has been submitted. A soil resources plan has also been provided to demonstrate how soils will be used on site. The top soil will be preserved under a thin layer of woven ground cover material. This ensures the soil is protected for future use should the glasshouses become redundant.

The development is in accordance with ALP policy C SP1(d) by virtue of being in accordance with Policy HOR DM1.

The principle of the proposed development in this location is therefore acceptable and the application will be assessed against key Development Plan policies from the Arun Local Plan 2011-2031 (ALP), the Walberton Neighbourhood Development Plan 2019-2031 (WNP), and relevant paragraphs of the NPPF.

DESIGN/LANDSCAPE/VISUAL AMENITY

ALP Policy D SP1 "Design" requires development to make efficient use of land and reflect local character. Policy D DM1 of the Arun Local Plan requires the Council seek to make the best possible use of land by reflecting or improving on the character of the site and the surrounding area.

The proposal seeks to construct 15 hectares of glasshouses which will be laid out as 3 separate blocks, essentially positioned on three quarters of a field. A glasshouse (5ha in size) has already been approved on the fourth quarter under ref WA/123/23/PL (but has not yet been implemented). Should this permission be granted then the result would be four glasshouse buildings occupying all 4 quarters of the field.

The three new glasshouses would match in appearance with the approved glasshouse. They would comprise steel beams clad with horticultural glass supported in aluminium glazing bars and gutters. The development would be pitched with a maximum ridge height of 6.8m and eaves/gutters to 6m. The glasshouses will have service zones between them for a length of approximately 50m extending east to west through the site. These areas will service aspects such as welfare, cold store, pick and pack, loading, energy and irrigation control. The height of the service zones will match that of the glasshouses in such that it appears as a continuous elevation. The glasshouses will have opaque panels to the bottom section elevations, with the service zones located centrally being fully opaque screened. The service zone roof will include PV panels.

There will also be 14 water tanks located along the perimeter of the two glasshouses, adjacent to Yapton Lane and another 14 to the opposite elevation between the glasshouses and the service road.

The proposal together with the approved glasshouse would give the overall appearance of one large unit with an elevational width of 430m. It would have a length of 550m which would run adjacent to Yapton Lane when viewed from the west. When viewed from the north or south, there would be service road which runs between the glasshouse blocks which provides some minor separation between the units to break up the development, although this would not be visible from Yapton Lane where it would form one continuous elevation along the majority of the roadside.

To the east of the development, a reservoir will be constructed. This runs alongside the glasshouses and will also encompass floating PV panels. Further parts of the site will be maintained for biodiversity net gain with additional planting. The reservoir would be enclosed with a bund, which would be raised some 3m above ground level. This is set back a considerable distance from Yapton Lane and set behind the glasshouses and would not be visible to the wider area.

The access to the site from Yapton Lane would remain as existing although a new track would be constructed which extends the access to south, around existing agricultural buildings. This would likely

be visible from Yapton Lane and would require some tree removal to construct however the visual changes would be minor to enable this element of the proposal.

The proposal seeks a large amount of development. The main viewpoints would be from Yapton Lane which runs along the development to the west. The glasshouses are set slightly back from the Yapton Lane with a separation of between 10-30m. There is some existing planting/hedging along the boundary with screening more dense in some places than others. Whilst this would help to screen the view, due to the extent of the development and its height it would be highly visible from the area.

The Arun Landscape Study assesses the landscape capacity, sensitivity and value of the wider area. The landscape capacity is defined as the extent to which a particular area or type of landscape is able to accommodate change without significant effects on character; or overall change in landscape type. The study states Walberton has low capacity for development with substantial sensitivity and a moderate value.

A Landscape and Visual Appraisal was submitted by the applicant. This sought to assess the impact that the development would have upon the landscape. The assessment concludes that there would be an overall moderate/adverse effect on the contribution of the field to the surrounding open arable fields. As the vegetation surrounding the site matures, the impact would reduce to an overall minor adverse to neutral effect on the character and appearance of the surrounding area.

It is acknowledged that Policy VE13 and Schedule 7 of the WNP identify and seek to protect important views/vistas and that one such view/vista emanates from Walberton Nursery, facing outwards and east over Yapton Lane to the arable land of Lower Farm. The proposed glasshouses will occupy a significant section of this viewpoint and result in a loss of this view that is enjoyed incidentally members of the public when visiting this site. Whilst the development will result in a substantial change to the appearance of the site due to the extent of the glasshouses proposed, the harm upon the landscape character would reduce over time as surrounding vegetation matures.

Whilst the scale of the development is large, the overall design of the glasshouses and its impact upon the character of the area is acceptable and would comply with relevant policies of the Arun Local Plan and Walberton Neighbourhood Plan.

RESIDENTIAL AMENITY

Arun Local Plan Policy D DM1(3) indicates planning permission will only be granted where it has minimal impact on the users or occupiers of nearby land. This would be by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. Policy QE SP1 requires the development to contribute positively to the environment and ensures the development does not have a significantly negative impact upon residential amenity.

The ADG states development should 'protect residential amenity including access to outdoor space, privacy, and freedom from unacceptable levels of noise and overshadowing'.

Due to the location of the development, the proposal is separated from the majority of residential properties by Yapton Lane and as a result, it is unlikely to give rise to significant overbearing or overshadowing, although the proposal would result in the loss of views across the Lower Farm landscape which are enjoyed primarily from dwellings along the west side of Yapton Lane.

There are three dwellings at Lower Farm Cottages located towards the south western corner of the site, near the entrance, off Yapton Lane. The glasshouses are located approximately 30m from their boundary and would be highly visible from these properties although, by reason of the separation and the design which allows views through the structure, it would not give rise to adverse overbearing or overshadowing.

A new access track will be constructed which extends south of these dwellings. The relocation of the access track would result in the access to the site extending away from the existing nearby residents and helps to reduce potential vehicular noise and disturbance.

Walberton Farm is also located to the north of the site and likely to be most affected by the development with the glasshouse located around 10m from their boundary. Walberton Farm would have significant views across much of the site due to its position, accessed via a farm track toward the centre of the adjoining fields.

Whilst the development would give rise to some harm as a result of the scale and proximity to the dwellings at Lower Farm Cottages and Walberton Farm, by reason of the type of development that is proposed, that is horticultural in nature and which would consist of glazed elevations, the impact would not be significant in which a refusal is justified. No representations have been received by these occupiers.

The development would give rise to additional vehicular movements which would likely give rise to additional noise and disturbance by way of coming and goings however Environmental Health have assessed the application and have no concerns regarding the proposal.

The development would not result in significant harm upon neighbouring amenity by way of overbearing, overshadowing, overlooking or disturbance and is in accordance with the relevant policies of the Arun Local Plan.

HIGHWAY SAFETY

Policy T SP1 of the ALP supports development which incorporates appropriate levels of parking in line with the West Sussex County Council guidance on parking provision.

Regard should be had to para 116 of the NPPF which states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios'.

The existing access from Yapton Lane will be utilised and an additional track will be constructed. This proposed service road will run adjacent between the permitted reservoir to the south (permitted under WA/123/23/PL) and around existing agricultural buildings, bypassing the existing farm track. This does not form part of the public highway. WSCC Highways advise this track should be created prior to any works (including demolition/construction) commencing. This is because the existing access track, at 3.5m, is not wide enough to accommodate two passing HGV's. This will be conditioned.

The development would result in a large number of additional trips to and from the site. This comprises HGV's and employee movements and would result in a total net increase of around 32 two way trips per day (65 daily trips) to the site. The additional trips would however occur outside of the traditional AM/PM peak hours with the working hours proposed to start at 6am and finish at 3pm. Whilst the development will result in additional trips, WSCC highways confirm this would not cause any severe highway issues.

With regards to parking at the site, there are no specific requirements set out within the Arun Parking Standards to specify the amount of spaces that would be required for this type of development. The development will provide a total of 55 parking spaces. Of these, 46 will be for cars including 3 disabled spaces, 5 for light goods vehicles and minibus parking. A number of minibuses are also to be managed by the development and are proposed to transport staff with a capacity of 15 passenger per bus and a total of 10 arrival and departures per day which will help to reduce the number of individual vehicular movements to the site from staff.

Three covered cycle storages are proposed which would provide parking for 10 cycles and will encourage sustainable measures although these are not shown on the plans and a condition will be included for this to be provided. There will be four loading bays for HGV's which are located towards the centre of the site to enable packing/unpacking within the service zones. There is also room for the parking of additional HGV's should it be required. The amount of parking provided appears appropriate for the development.

The applicant has also committed to producing a travel plan statement as part of the site's development and has provided a framework plan. The main objective of the travel plan is to reduce single occupancy car use to the site. Staff will be provided an information pack to encourage sustainable transport choices. The applicant will also undertake a survey to understand how they can assist in helping people travel in more sustainable ways. WSCC are satisfied with the submitted travel plan statement. This will be subject to a S106 agreement.

Policy GA5 of the WNP states 'proposals that significantly increase the level of traffic within the villages will be resisted particularly in the case of HGV movements'. The applicant has measures in place to reduce the level of traffic that would attend the site and it would comply with this policy.

The information submitted satisfactorily demonstrates that the use of the site can be undertaken without adversely impacting on highway safety. The proposal therefore accords with policy T SP1 of the ALP and policy GA5 of the WNP.

FLOOD RISK

ALP policy W DM2 refers to the sequential and exceptions tests, need for a Flood Risk Assessment (FRA) and mitigation. Policy ECC SP1 states development must be located & appropriately designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding. Arun's flood risk map data contained within its Strategic Flood Risk Assessment (SFRA) indicates the site may be subject to groundwater flooding. Data was produced to annotate indicative flood risk areas where geological and hydrogeological conditions show that ground water might occur. It does not show the likelihood of flooding occurring. It further states that data should only be in combination with other information. It should not be used as sole evidence or for decisions at any scale. The data can help to identify areas for assessment where a finer data set is available. EA mapping suggests the site has low likelihood of groundwater flooding risk.

The proposal is supported by a Flood Risk Assessment which identifies the site as falling within Flood Zone 1 and is not at risk of flooding from rivers or the sea other than small sections being prone to a 1:1,000 year flood event. There would be no change in the flood vulnerability classification of the site as a result of this development and the site would comply with relevant policies.

FOUL AND SURFACE WATER DRAINAGE

ALP policy W DM3 requires new development make appropriate provision for accommodating the surface water arising from the development including through the use of sustainable urban drainage systems (SuDS). Policy W SP1 refers to water efficiency. Policy VE7 of the WNP refers to surface water.

Ground investigations were undertaken to determine the viability of discharging surface water by infiltration to ground but poor infiltration rates and shallow groundwater levels preclude this as a suitable method of discharging surface water. The site will therefore drain using SuDS and it will incorporate a total of six independent sustainable drainage systems across the site.

It is proposed that rainwater from the glasshouse and pack house roof will be collected and discharged to the proposed irrigation reservoir and under normal circumstances will provide 100% rainwater recycling

for irrigation. The proposed reservoir has been sized with sufficient storage beyond the normal irrigation requirement and can accommodate a 1:100 year storm event including an additional 45% to account for the predicted effects of future climate change.

Surface water collected from the access road, service yard, parking areas and other external works will be collected and discharged to the onsite ordinary watercourse which discharges to Little Tortington Stream to the east of the site. Prior to its discharge it is to be collected within a subbase beneath the yard in channel drains, which transfers the water via distribution tanks to voided stone beneath the concrete surface. This will pass through a treatment device which will provide water quality improvement prior to it being discharged in the watercourse. Surface water from the gravel perimeter track surrounding the western two glasshouses and the silos will be collected within the permeable construction perimeter track.

Foul drainage will be discharged to the existing public foul sewer located beneath the B2132 Yapton Lane to the southwest of the site.

The Lead Local Flood Authority have no objections to the proposed surface water drainage strategy subject to conditions which have been agreed. A SuDS drainage system is proposed which accords with the requirements of national and local policy and will be primarily focused on 100% reused of rainwater captured from the glasshouse roofs for irrigation. The proposal has demonstrated it will comply with relevant policies.

MINERAL SAFEGUARDING

The site lies within the Sharp Sand and Gravel Mineral consultation area as defined by the West Sussex Joint Minerals Local Plan (2018). Policy M9 (b) of this document states that proposals for non-mineral development within the Minerals Safeguarded Areas will not be permitted unless: (i) mineral sterilisation will not occur; or (ii) it is appropriate and practicable to extract the mineral prior to the development taking place, or (iii) the overriding need for the development outweighs the safeguarding of the mineral and it has been demonstrated that prior extraction is not practicable or environmentally feasible.

The development is in a mineral safeguarding area for sharp sand and gravel and a sand and gravel deposit is mapped as being present on the site. As a result of the development on the land, it is assumed that mineral sterilisation would occur with the development, as the proposed greenhouses cover the majority of the site.

A mineral assessment was undertaken which included obtaining samples to determine the nature of the mineral and whether prior extraction was practical. None of the materials encountered on site appear to represent "clean sorted gravels". Of 30no. samples tested, only four were well graded sand and gravel. Whilst the well graded sand and gravel samples might be considered for washing and supply as ballast, the materials were only identified in the north western corner, and the volume was limited. The deeper fine sand might be viable as fine aggregate material. However, the material is generally deep and below 1-3m of overburden, which makes extraction less viable. Furthermore, for the most part, the materials are below the water table. Extraction of wet fine-grained materials would cause significant ground instability problems.

The mineral assessment concluded that the materials identified in the investigation do not represent sharp sand and gravel as defined in the safeguarding zone. The materials did not represent a consistent material that could readily be extracted and processed for supply as an economically viable product to the aggregate industry. Whilst the deeper materials might have some strategic value the volume of material, overburden and water table are such that this is uneconomical.

Further comments from WSCC Minerals and Waste are awaited, however with the minerals of limited

value and extraction unfeasible due to groundwater levels and material variability across the site, the proposal would comply with policy M9 of the Joint Minerals Local Plan as it complies with criteria (iii) of the policy.

ECOLOGY/BIODIVERSITY

To comply with Policy ENV DM5, biodiversity net gain (BNG) should be demonstrated on site, this can be achieved through the installation of features such as green roofs, bird/bat boxes or the provision of new habitat on site. Recent changes to the Environment Act came into force on 2 April 2024 and require a 'measurable' 10% net gain to be achieved.

The site currently comprises a large arable field, partially bisected by a dry ditch and bound by hedgerows and mature linear scrub. There are hedgerows to the southern, eastern and western boundaries and are species rich although poorer value to the east. At the northern end of the western boundary there are some trees including sycamore, oak, ash and maple with hedgerows beneath.

The development would be required to deliver 10% biodiversity net gain. To achieve this, the development will plant extensive areas of mixed native scrub and trees around the glasshouses and a species rich grassland will be planted around the bund and embankment of the reservoir. New species rich hedgerows habitat will connect up with existing hedgerows to the northern boundary. The submitted details state that 10.02% will be created and 10.68% of hedgerows. This complies with policy.

The proposal has also been supported by a Preliminary Ecological Appraisal (PEA) which identifies various biodiversity mitigation and enhancement measures which will be implemented on the site. The PEA has been assessed as acceptable by the Council's Ecologist and conditions are included. The PEA does not identify any protected species on the site. Owing to the land use, there are only limited opportunities for foraging bats on site. Five waterbodies are located within 250m of the site boundary, although are all on the opposite side of Yapton Road which form a significant barrier to dispersal and there is no evidence they are present on the site.

Enhancements will be made to the site featuring the addition of bat and bird boxes to the mature retained boundary trees for nesting opportunities, hedgehog shelters around the edge of the development and log piles created along the edge for beetles.

Three trees are proposed for removal for enable the new access track to be constructed. The trees are not protected nor in a conservation area and do not require permission for removal. There are number of trees being retained and significant planting proposed across the site which is a positive and will mitigate any loss.

The proposed reservoir is partially located within the Arun Valley Special Protection Area (SPA) Impact Risk Zone (IRZ). This IRZ identifies foraging areas for Bewick Swans. Natural England have agreed with the LPA's assessment, that there would be no adverse effect on site integrity provided that the mitigation measures are secured by condition. This was as a result of there being no evidence to suggest the site is currently used by the Swans and it is unlikely be used, following the change. The reservoir is also only part within the IRZ and may benefit the Swans by providing an additional water resource.

The submitted details demonstrate the site would deliver biodiversity net gain and comply with ENV DM5 of the Arun Local Plan and the NPPF.

SUSTAINABILITY AND ECONOMIC BENEFITS

Policy HOR DM1 requires a sustainability appraisal be submitted. Policy ECC SP1 requires development to demonstrate how it achieve energy efficient measures. The proposal is for horticultural development which is able to grow produce for extended seasons during the year. It would be an upgrade and

modernisation of the existing agricultural practice of the site. The forecast annual output would be 10 times greater than that of traditional open field strawberry production. The development would result in a significant economic benefit for its locality by generating 200 new jobs which would consist of a variety of jobs such as from construction and in areas such as production and engineering which would be of high skilled workers.

The proposal also contributes towards sustainability featuring;

- The environment within the glasshouse will be managed through the use of an environmental computer controlling temperature, humidity and carbon dioxide levels.
- Bumble bees will be introduced to pollinate and control pests.
- Rainwater will be harvested. A reservoir will be constructed which will have an underground pipe to carry water back to the greenhouses to irrigate the crops therefore storing and reusing water supply.
- The irrigation system will be controlled by an irrigation computer. This will operate a closed system so that no water or fertilisers drain into the local environment or to waste.
- A floating solar farm will be located within the reservoir.

All of the above will contribute towards energy efficiency on site and the sustainability of the development in accordance with relevant policies.

LOCAL BUSINESS DEVELOPMENT

Policy EMP DM1 refers to employment within the District and lists criteria that should be complied with for rural enterprises within established agricultural holdings. The proposal is for horticultural development which is able to extend the growing season. It would be an upgrade and modernisation of the existing agricultural practice on the site. The development would result in a significant economic benefit for its locality in terms of the jobs it creates and product it will produce. Further, the visual impact of the proposal on the wider area can acceptably mitigated. The proposal would not result in any unacceptable levels of vehicular traffic within the area and WSCC Highways have raised no concerns relating to highway safety as a result of the development.

The proposal is supported by, and in accordance with, Policy EMP DM1 of the ALP, and CL1 of the WNP.

ARCHAEOLOGY

The applicant has submitted an Archaeological Impact Assessment alongside this application. The assessment was found to be acceptable. A condition requiring the site to be investigated for potential deposits of interest and evaluated prior to development is required and conditioned.

The proposal is in accordance with Policy HER DM6 of the ALP.

SOUTH DOWNS NATIONAL PARK (SDNP)

Policy QE DM2 of the Arun Local Plan and VE8 of the WNP refers to lighting.

The site is not in the South Downs National Park (SDNP) however, this development would fall in the setting of the National Park. Paragraph 189 of the NPPF is relevant and great weight should be given to conserving and enhancing landscape and scenic beauty of the National Park and that the development should be sensitively located and designed to void or minimise the adverse impacts of the designated areas. The Local Planning Authority has a duty to seek to comply with the statutory purposes of Protected Landscapes. This includes avoiding harm and contributing to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes such as the SDNP.

The purpose of the SDNP is to conserve and enhance the natural beauty, promote opportunities of

understanding of the qualities of the park and to foster economic and social wellbeing. The South Downs National Park Authority state that based on the location, scale and nature, direct and indirect visual impact upon the setting of the park during daylight hours will be limited. It may have a greater impact at night as a result of light pollution. Provision for black out blinds when crop lighting is required to mitigate dark night skies impact. These measures contribute to the conservation and enhancement of the dark night skies and align with the purpose and the objectives of the SDNP.

Due to the site's location and the scale of the development, the use of crop lighting does have the potential to create light pollution where there currently is none. A condition will be included to ensure this is controlled and as a result the development would not result in adverse harm upon the setting of the South Downs National Park.

SUMMARY

Whilst the proposal will result in some loss of the character of the landscape by developing an area of otherwise open arable land that is viewable from an identified public vista, the type of development is appropriate for the area and its impacts on the overall landscape can be acceptably mitigated such that the benefits of the scheme would outweigh the harms. In all other respects, the proposal is in accordance with relevant Development Plan policies.

The recommendation is that the Planning Committee delegate the decision to the Group Head of Planning, in consultation with the Chairman or Vice Chairman, with authority to:

Grant permission subject to the conditions and informatives as set out in the report (including in respect of any changes by way of a report update or additional conditions voted for inclusion by the Committee), and subject to the satisfactory completion of a section 106 Agreement to secure a Travel Plan, the terms of which are substantially in accordance with those set out in this report (as may be amended by report update), with any minor amendments authorised by the Group Head of Planning.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

SECTION 106 DETAILS

This decision will be subject to a s106 legal agreement to secure a Travel Plan.

CIL DETAILS

The application is not CIL liable.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved documents:

1. Location Plan Phase 2 - PA01 Rev 3
2. Glasshouse Full Block Plan - PA03 Rev 4
3. Part Block Plan Sheet 1 - PA04 Rev 3
4. Part Block Plan Sheet 2 - PA05 Rev 4
5. Part Block Plan Sheet 3 - PA06 Rev 4
6. Part Block Plan - Sheet 4 - PA07 Rev 4
7. Glasshouse Proposed Elevations - PA08 Rev 03
8. Floor Plan and Elevations for Office, Substations, PV and Battery Container - PA09 Rev 01
9. Glasshouse Bay Elevations, Lagoon Bund and Floating PV Profile - PA10 Rev 03
10. Planting Schedule - 331-02-02
11. Planting Plan - PA11 Rev 1
12. Sustainability and Soils Statement (October 2024)
13. Preliminary Ecological Appraisal (July 2024)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1.

- 3 Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA and Drainage Statement (Drainage Statement, version 1.0, CEP, December 2024) and Drawings and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and safe for the lifetime of the development in accordance with NPPF and Arun Local Plan policies W SP1, W DM1, W DM2 and W DM3. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 No development, including preparatory works, shall commence until details and method statement of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. This should include the maintenance proposals during construction. The site works and construction phases shall thereafter be carried out in accordance with approved method statement, and the approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence for the relevant phase.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Arun Local Plan policies W SP1, W DM1, W DM2 and W DM3. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 5 Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 3. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and safe for the lifetime of the development in accordance with NPPF and Arun Local Plan policies W SP1, W DM1, W DM2 and W DM3. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 6 No development shall take place, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with WSCC Highways and the council's Environmental Health Officer). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. This shall require the applicant and contractors to minimise disturbance during demolition and construction and will include (but not be limited to) details of the following information for approval:

1. The phased programme of construction works.
2. The anticipated, number, frequency, types, and timing of vehicles used during construction (construction vehicles should avoid the strategic road network during the peak hours of 0800-0900 and 1700-1800 where practicable).
3. The preferred road routing for all construction traffic associated with the development.
4. Provision of wheel washing facilities (details of their operation & location) and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders).
5. Details of street sweeping.
6. Details of a means of suppressing dust & dirt arising from the development.
8. Details of all proposed external lighting to be used during construction (including location, height, type & direction of light sources and intensity of illumination).
9. Details of areas for the loading, unloading, parking, and turning of vehicles associated with

the construction of the development.

10. Details of areas to be used for the storage of plant and materials associated with the development.

11. Details of the temporary construction site enclosure to be used throughout the course of construction (including access gates, decorative displays & facilities for public viewing, where appropriate).

12. Contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details).

13. Details of the arrangements for public engagement/consultation both prior to and continued liaison during the construction works.

14. Details of any temporary traffic management that may be required to facilitate the development including chapter 8 traffic signage.

15. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, the careful selection of plant and machinery and use of noise mitigation barrier(s).

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work on Sunday or Bank/Public Holidays.

Reason: In the interests of the safety/amenity of nearby residents & occupiers of any nearby noise sensitive premises, the safety & general amenities of the area, and in the interests of highway safety in accordance with Arun Local Plan policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 and the NPPF. This is required to be a pre-commencement condition because it is necessary to have the construction site set-up agreed prior to access by construction staff.

- 7 No future crop lighting shall be installed unless and until, a detailed Lighting Plan has been submitted to and approved in writing by the Local Planning Authority. The Lighting Plan must include, but is not limited to, details of the type, outputs, positions and angles of the proposed lighting, and details for the prevention, mitigation, and restriction of light spill.

This lighting should be bat friendly. The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white with a clear view, no UV, a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

Reason: In order to prevent the installation of lighting that would be detrimental to the character of the landscape in accordance with Arun Local Plan policies D DM1 & QE DM2, and to allow the Local Planning Authority to uphold its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species) and Arun Local Plan policy ENV DM5.

- 8 No crop lighting shall be operated until details of the provision and operational use of the black out blinds used to prevent artificial light spill into dark skies has been submitted to and approved by the Local Planning Authority.

Reasons: In order to prevent the installation of lighting that would be detrimental to the character of the landscape in accordance Arun Local Plan policy QE DM2.

- 9 The approved details of the landscaping as shown on 'Planting Plan PA11 Rev 01' and 'Planting Schedule 331-02-02' shall be carried out in the first planting and seeding season, following the completion of the development, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with Arun Local Plan policy D DM1.

- 10 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reasons: To identify deposits meriting preservation through further investigation, recording and dissemination of the results, and evaluation in accordance with Arun Local Plan policy HER DM6.

- 11 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 12 No part of the development serving the glasshouses shall be commenced until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled 'Glasshouse phase 2, proposed block plan GA' and numbered 2415 PA03 Rev 03.

Reason: In the interests of road safety and Arun Local Plan policy T SP1. This is required to be a pre-commencement condition because it is necessary to have the service road completed prior to the glasshouses construction.

- 13 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative sustainable travel options to the use of the car in accordance Arun Local Plan policy T SP1.

- 14 1. Prior to the commencement of development but after the approval of the Biodiversity Net Gain Plan a 30-year Habitat Management and Monitoring Plan (HMMP) for the provision of a

minimum 10% Biodiversity Net Gain (BNG) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall be based upon Natural England's Habitat Management and Monitoring Plan Template and shall include the HMMPT Companion Document and a list of what will form part of the Habitat Management and Monitoring Reports submitted for Part B) of this condition.

2. From the date of last occupation, or the date that the BNG creation and enhancement works have been completed, whichever is the earliest, a BNG Habitat Management and Monitoring Report must be submitted to and approved in writing by the Local Planning Authority.

The development shall proceed on the basis of all approved documents and timings as approved under A) and B) for the duration of the HMMP.

Reason: To ensure measurable net gains to biodiversity and in accordance with the Environment Act 2021 and Arun Local Plan policies ENV SP1 and ENV DM5. This must be a pre-commencement condition because it relates to the creation and retention of biodiversity net gain in accordance with schedule 7A to the Town and Country Planning Act 1990.

15 No development shall take place, (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP (Biodiversity) shall include the following.

1. Risk assessment of construction activities potentially damaging to biodiversity.
2. Identification of "biodiversity protection zones".
3. Practical measures (both physical measures and sensitive working practices) to avoid or reduce ecological impacts during construction (may be provided as a set of method statements).
4. The location and timing of sensitive works to avoid harm to biodiversity features.
5. The times during construction when specialist ecologists need to be present on site to oversee works.
6. Responsible persons and lines of communication.
7. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
8. Use of protective fences, exclusion barriers and warning signs.
9. Containment, control, and removal of any invasive non-native species present on site.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species), and Arun Local Plan policy ENV DM5. This is required to be a pre-commencement condition as otherwise there would be a risk of harm to protected species and their habitat.

16 In the event of the glasshouses and associated development for which permission is hereby granted ceasing to be used for agriculture or horticultural purposes, as defined by Section 336(1) of the Town and Country Planning Act 1990, they shall all be demolished and removed

from the site and the land restored to pasture or arable cultivation within 12 months of the cessation of such use or within such extended time as may be agreed in writing with the Local Planning Authority.

Reason: The site lies in a rural area where development unrelated to the essential needs of agriculture would not normally be permitted in accordance with Arun Local Plan policies SD SP2 and C SP1.

17 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

18 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact the Area Highway Manager (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

19 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information, please contact the Environmental Health Team: pollution@arun.gov.uk, 01903 737555.

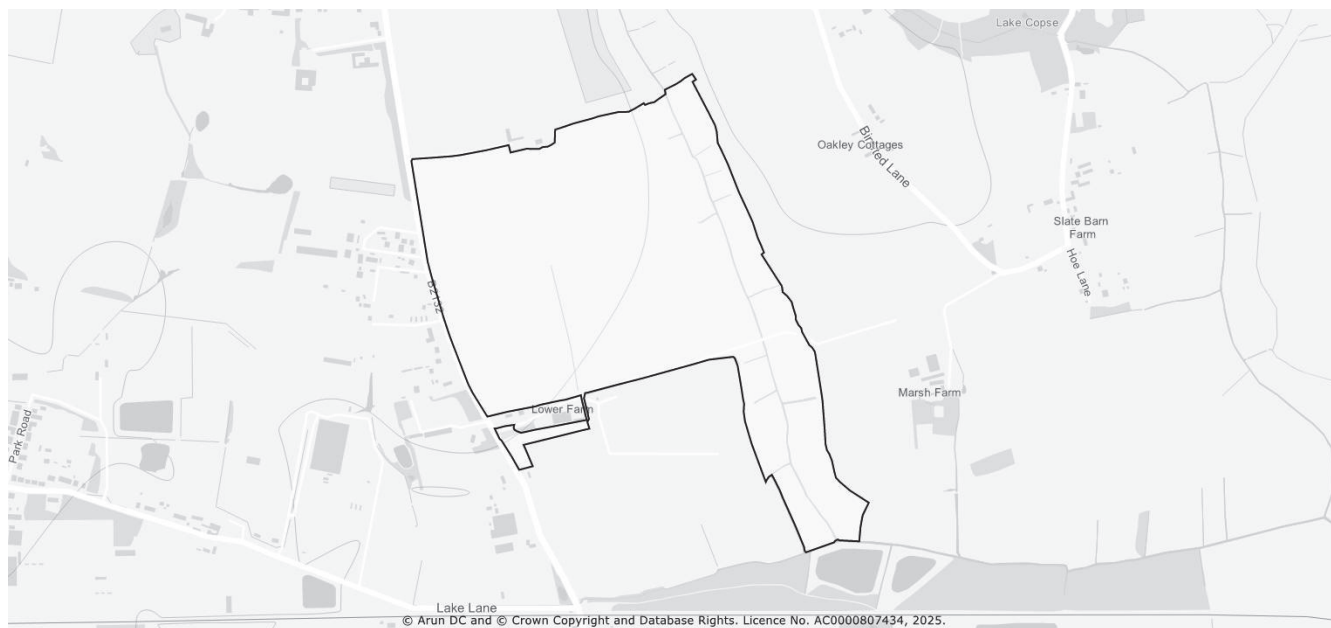
20 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

21 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

WA/65/24/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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