

Application LW/16/0695 by Mr Kenneth Benning, London Fine Foods Group, for the creation of a fish (sturgeon) farm producing caviar on land north of Chiltington Lane, East Chiltington

Comments by Dr John Kay

made on behalf of CPRE Sussex (Lewes District branch), c/o Brownings Farm, Blackboys, East Sussex
TN22 5HG

16 September 2016

CPRE Sussex supports the creation of a living, working countryside and supports appropriate farm diversification schemes. However, we have some serious concerns about this proposal and recommend that it should not be approved unless the Planning Applications Committee is certain that all the concerns below are met.

- 1. The application proposes the creation of a caviar farm that is unique in the UK.** We are able to identify, from the application and other research, only one other sturgeon farm producing caviar in the England. That is the Devon farm whose caviar the applicant is currently marketing. That farm is completely different in its proposed operation from the present proposal, in that it is located immediately adjacent to a fast-flowing river from which water can be abstracted and into which appropriately processed waste can safely be discharged and diluted. That farm is operated by a family who have decades of experience farming freshwater fish. In complete contrast the present proposal is for an essentially closed water-recirculating system. No evidence is provided that the applicants have the necessary scientific background to manage the proposed farm safely or that they have access to the necessary expertise, which may well not exist currently in the UK. This lack of the necessary scientific expertise creates an unacceptably high risk that is not evidently mitigated in the present application.
- 2. Environmental risk.** The application site is bounded by the Romans Winterbourne, a chalk stream identified by the Ouse and Adur Rivers Trust (OART) as important for the reproduction of sea trout accessing it via the Ouse and its tributary the Bevern Stream. The Bevern Stream enters the Ouse immediately upstream of the principal water abstraction point of the Barcombe Mills water treatment works, from which South East Water supply drinking water to a wide area of the South East.

The original application proposed to abstract water from this chalk stream (which has significant flows only in wet seasons) and to discharge into it waste including fish faeces and food residues purified by a reed bed system. CPRE Sussex agrees with OART that this would be completely unacceptable on environmental grounds. We note, however, that the applicants state that they have now modified the application so that there will now be an entirely closed aquaculture system, without abstraction of water or discharge of waste into the Romans Winterbourne. We note the Aquaponics statement included in the application. However, this is a high-level document on the entirely admirable principles and objectives of aquaponics, focusing on much large scale, scientifically monitored, operations in other countries. It is completely lacking in necessary detail about the scientific monitoring and operation systems that would be necessary for its implementation at this relatively small scale site in the UK. As the business case is confidential, we cannot determine whether or not the expensive and highly technical processes necessary for its effective operation are correctly budgeted for.

A reed bed system adequate for reduction of organic waste products to a level at which they can be dispersed safely by a fast-flowing river will certainly not be sufficient to remove all the waste products from a closed system. Phosphates are likely to be a particular problem.

- 3. Harm to the setting of heritage assets.** The application site is in immediate or close proximity to a number of residential properties along Chiltington Lane, including at least four listed houses (Kemps,

Upper Burrells, Rafters and Lower Burrells). It should be noted that the Historic England list for Lewes District has not been systematically reviewed for over 50 years, so that it omits many qualifying structures, incorrectly assesses others and must be considered out-of-date. A clear case in point is the exceptional medieval house at Lower Burrells whose Historic England listing description is clearly wrong [crown post roofs in the Sussex Weald date from the 15th century not the 17th] and which should be graded at least II*. The substantial earth-moving operations and re-landscaping proposed in this application appear likely to have a substantial impact on the settings of these heritage assets, especially on Upper Burrells, which is surrounded on two sides by the application site. CPRE Sussex endorses the concerns of local residents about this aspect of the application.

4. **Access via Chiltington Lane.** The only access to the site is by the narrow Chiltington Lane. CPRE does not consider that such activities as the import of fish, export of caviar or daily movement of staff would have a significant impact, given the existing use of the lane. The movement to and from the site of construction and landscaping equipment would probably be comparable in scale to seasonal agricultural operations using the lane. However, the lane is entirely unsuitable for any large scale operations such as import or export of large volumes of clay or tankering away of waste, and it would not be possible for very large equipment, such as heavy cranes, to access the site. If permission for this application were to be given, the use of the lane for construction, re-landscaping would need to be controlled by condition and other activities requiring large scale HGV movements should be banned.
5. **Staff accommodation.** The application proposes the provision on site of a 130 m² temporary residence for a staff member, for an initial period of 3 years. This residence is approximately twice the size of the mobile home that would typically be provided for a new agricultural operation justifying on-site staff. A prefabricated unit of this size could not be brought to the site along Chiltington Lane so it would have to be constructed on site (as appears to be proposed) and then demolished if the venture proved unsuccessful. The large size of this unit is not justified, and would set an undesirable precedent. The proposal appears in effect to be to create a permanent residence from the start.

There is in any case no justification for the construction of the proposed residence in the near future and no detailed evidence that its provision at this isolated countryside location meets the requirements of NPPF paragraph 55. The construction phase of the overall operation, including the creation of an effective reed bed, will take a minimum of two seasons (probably longer), so there would be no opportunity to establish the viability of the business within the three year period proposed. It is also completely unclear from the information provided in the public application whether the nature and modest scale of the operation (harvesting 100 fish per year) would justify a 365-day staff presence on site. Any fluctuations in water quality are likely to be gradual rather than sudden, and in the 21st century such changes can in any case be monitored remotely. Security is unlikely to be an issue as the caviar-poaching industry has not yet developed in the UK, and the site is inherently secure because the only access is via Chiltington Lane, lined by a number of residential properties.

If a business case can be made for continuous on-site staff presence once farming activities have commenced, provision of a appropriately-sized temporary residence should either be the subject of a separate application once the site is ready to start operations, or controlled by condition to ensure that it is not provided or occupied until farming operations start.