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PROPOSED CAVIAR FARM

ON

LAND TO THE NORTH OF CHILTINGTON LANE

EAST CHILTINGTON BN7 3QT

FOR

THE LONDON FINE FOODS GROUP



AGRICULTURAL SUPPORTING STATEMENT AND PLANNING POLICY ANALYSIS

1.0 INTRODUCTION

1.1 This Planning Statement has been written by David Campion, a Rural Practice Chartered Surveyor (qualified 1975) and a Fellow of the British Institute of Agricultural Consultants.

1.2 My instructions from Chiltington Caviar Limited (the London Fine Foods Group) are to write a planning statement and to prepare and submit a planning application seeking planning permission to develop an otherwise redundant parcel of agricultural land in East Chiltington into a fish farm specialising in the production of caviar.

2.0 THE PROPOSAL

2.1 The planning status of the land will remain agricultural as defined under s336 of the Town and Country Planning Act 1990.

2.2 Planning permission is sought for the developments noted below:

- a) The creation of ponds (part retrospective);
- b) An outbuilding to contain the office, equipment and feed stores, open fronted vehicle store, control room, generator and staff changing room, purging tanks and caviar processing areas.
- c) Yard areas and new access track; and
- d) The stationing on the land of a mobile home as a supervisory dwelling for a period of three years.

3.0 AGRICULTURAL APPRAISAL

3.1 Chiltington Caviar forms part of The London Fine Foods Group and is based in Battersea, London. The London Fine Foods Group has traded since 2002 and has an existing farm in Devon that it has operated for the last four years through a sister business Shah



Caviar. Whilst company accounts do not accompany this application as they are strictly confidential, they will be made available to the Planning Authority to verify that this is a profitable and sustainable company. A confidential feasibility study also accompanies the application papers.

3.2 The London Fine Foods Group supplies caviar through both wholesale and retail outlets, to airlines, cruise ships, catering companies, over 400 hotels and restaurants in the UK and many thousands of private customers throughout the UK “on-line”. The farming and production of British Sturgeon caviar is undertaken by a company within the Group, Shah Caviar Ltd, from its rented fish farm in Devon. That farm has not only reached full capacity but also relies on an outdated system whereby the life of the sturgeon fish is terminated at the end of the production cycle. The system at East Chiltonington will use modern farming methods which do not harm the sturgeon: it is therefore a more compassionate system and one that accords with consumer welfare expectations. Increasing consumer demand has reached a level that cannot be met from the Devon site alone.

3.3 The site of approximately 2.4 hectares has been chosen for its natural impermeable clay soil structure which is ideally suited to water retention within the ponds. The ponds will be gravity fed from both rainfall and an existing watercourse with sufficient capacity to extract 20,000 litres per day, which combined is sufficient to maintain water levels. The Environment Agency has been involved in pre-application discussions and on 10 September 2015 advised the applicant by email as follows:

As discussed your proposal looks fine, you no longer intend to discharge from any of the ponds, you have confirmed that all water will be recirculated. You have also confirmed that you no longer intend to sink a borehole and will abstract less than 20m³ per day from the brook in the winter. CEFAS will be able to advise on the biosecurity side of the operation, it is good to see that you plan to create bunds to

contain any possible breach of the ponds due to flooding. We will of course be consulted by the local planning department when your application is submitted.

The Fish Health Inspectorate has emailed the applicant on 10 August 2016 to say that *“As far as the site is concerned, the key is that it is outside the 1 in 100 floodplain. Having had a quick peek at the area on Google and seeing that the plans are for the ponds to be bunded, I would imagine that this is not a problem. The EA will however need to advise on this aspect during the consultation. Unless the EA come back with some surprising problems I would suggest that the site is suitable for permitting under ASR”. (Alien Species Regulation).*

3.4 I need to explain the production of caviar from the proposed site. Caviar is harvested as eggs from the Siberian Sturgeon which reaches sexual maturity at around eight years of age and produces eggs every two years thereafter for up to 85 years. The volume of water within the proposed ponds allows the enterprise to hold large sexually mature female Siberian Sturgeons to produce caviar throughout their natural lives. The enterprise is thus entirely sustainable and ethical.

3.5 Each female sturgeon will be transferred from the outdoor ponds into the indoor purging pools once every two years. The water in these pools is temperature controlled to mimic natural spawning environments. The caviar (eggs) is to be milked by hand from the sturgeon in controlled conditions that are essential for the production of a premium product to be sold at a premium price. Once the eggs have been milked, the sturgeon is returned to the ponds for the two year cycle to be repeated.

3.6 Once the caviar has been extracted, it is to be washed, potted and kept in refrigerators and transported to the group’s London office for subsequent in-house packaging of the product for wholesale and retail.



3.7 This process requires the facilities outlined at 2.2 above, namely land and ponds, a serviced building with access and a supervisory dwelling. Each can be justified as under:

3.7.1 **Land and Ponds.** Preparatory work has been undertaken to establish whether the site is capable of holding water and this has now been completed with positive results. The site will be set out as per the plans which accompany this planning application and which shows existing and finished levels of the development.

3.7.2 The remaining pasture will be maintained by timely and regular mowing of all grassland paddocks and bunds. This work needs to be done “in hand” rather than reliant on contractors as it is important to keep the site in pristine condition at all times as a show case for the quality of goods produced at the farm.

3.7.3 **Service Building.** The required operational development procuring the buildings has been designed as an L shaped structure of timber clad and framed construction, part open fronted and part clad in stained timber under a pitched clay tile roof. Each component part of the outbuildings, which front a loose gravel yard area, is explanatory and justified in its own right. They comprise an office, equipment and feed store, open fronted farm vehicle store in the northern building, with the control room, generator house, staff mess room, purging pools and processing areas in the eastern building. Exact measurements are shown on the detailed plans accompanying the planning application but these areas provide a total of approximately 279 sq metres of floor space.

3.7.3 (i) The buildings have been specifically located, after consultation with the Council and neighbours, to take advantage of the topography and natural screening which combine to minimise their visual impact.

3.7.4 **Supervisory dwelling.** This is a significant enterprise where there is an essential need for a supervisory dwelling to meet the functional requirements of this financially sound

farming enterprise. It is common practice to apply the Functional and Financial tests contained in the now revoked PPG7 when examining the essential need.

3.7.5 The **Functional** requirement is based on the fact that the amount of oxygenated water within the recirculated pond water system is crucial to the life of sturgeons. This is important not only to the viability of the fish farm but also to the environment as “aeration” of the water produces nitrates that are essential to the natural filtration of the water as well as the pond life and plant growth, through an entire balanced eco system. The amount of filtrated oxygenated water in each closed pond is strictly monitored to maintain water levels which will be influenced by constant changes brought about through evaporation, rainfall and cold weather. Conditions may change significantly during, for example, hot weather, sudden downpours and thunderstorms to the detriment of the fish. This will require immediate human intervention to maintain critical water levels. Additionally, site security is an important factor as is the need to be readily available to attend to predation through herons and such vermin as rats and mink.

3.7.6 The application is therefore dependant on an on-site supervisory dwelling. On the Council’s advice, this will be provided initially by a mobile home stationed on the site. The design shows a structure measuring 128.7 square metres of timber frame construction under a synthetic tiled roof.

3.7.7 **Financially** the applicant company is sound, having traded for 14 years. The application draws upon the applicant’s successful and profitable production of caviar from a similar site in Devon where annual accounts confirm enterprise viability.

4.0 PLANNING POLICY ANALYSIS

4.1 Local Planning Policy is contained within the Saved Policies of the Lewes District Plan 2007. The Council’s assessment of the consistency of its saved policies with the National Planning Policy Framework (2012) (NPPF) suggests that the relevant saved policy **RES8 New**



Development in the Countryside is not consistent with the NPPF and that saved policy **CT1 Key Countryside Policy** is partially consistent. It follows that this application falls to be determined against the criteria contained within the NPPF.

4.2 Paragraph 14 of the NPPF carries a presumption in favour of sustainable development and requires that *“where the development plan is absent, silent or relevant policies are out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.”*

4.3 The proposal fully accords with the framework in the following respects:

4.3.1 Paragraph 28 of the NPPF deals with supporting a prosperous rural economy and requires Councils:

- a) *to support the sustainable growth and expansion of all types of business and enterprise in rural areas both through conversion of existing and well-designed new buildings; and*
- b) *to promote the development and diversification of agricultural and other land-based businesses.*

4.3.2 It is evident that the proposed development, which requires a countryside location and is to be sited within a redundant farmland paddock in an area of undesignated landscape, satisfies the requirements of Paragraph 28.

4.3.3 The supervisory dwelling satisfies the requirements of paragraph 55 of the NPPF which seeks to promote sustainable development in rural areas and permits housing in the

countryside *where there is an essential need for a rural worker to live permanently at or near their place of work.*

4.3.4 Paragraph 56 of the NPPF attaches great importance to the design of the built environment which is why care has been taken to ensure that the development is sympathetic to the character and landscape quality of the area.

4.3.5 Paragraph 109 deals with the natural environment and requires the protection of valued landscapes and soils and the remediation of derelict land. This proposal returns a derelict parcel of land to beneficial use whilst at the same time encouraging local bio-diversity.

5.0 ACCOMPANYING SURVEYS AND REPORTS

5.1 This planning application is supported by a number of technical reports which are listed below:

- a) The Applicant's **Feasibility Study** (Confidential);
- b) A **Transport Statement** prepared by GTA Civils;
- c) The Applicant's **Bio-Security Plan**;
- d) A report on the **Use of Drugs in Sturgeon** produced by Biotope, specialist veterinary consultancy;
- e) A **Site Investigation Report** prepared by Ashdown Site Investigations Ltd;
- f) An **Arboricultural Survey** prepared by PJC Consultancy;
- g) An **Arboricultural Impact Assessment** prepared by PJC Consultancy;
- h) An **Arboricultural Method Statement** prepared by PJC Consultancy;
- i) An **Archaeological Geophysical Survey** prepared by Thames Valley Archaeological Services;
- j) An **Hydrology Report** prepared by H2OGEO;
- k) A **Noise Assessment** produced by Acoustic Associates;

- l) An **Odour Assessment** produced by Air Quality Assessments Ltd;
- m) An **Aquaponics report** produced by Aquaponic Life CIC;
- n) A **Preliminary Ecological Appraisal** prepared by Phlorum Ltd;

The summaries and/or conclusions of each of these comprehensively researched appraisals are noted below:

5.2 The **Feasibility Study** explains the nature of the caviar enterprise and the rationale behind the proposal to develop the East Chiltonton site: *“Whilst the applicant’s business is successful already and growing, the applicants currently do not have competition for their UK produced product. This changed in 2016. Therefore effective measures and marketing controls, maximising efficiency of annual production and operational costs, is genuinely needed in order for the business to maintain its current competitive position”*.

5.3 The **Transport Assessment** concludes that *“The development is likely to lead to a small increase in traffic to and from the site”*.

5.4 The **Bio Security Plan** details on-site bio-security measures to address issues such as cross-contamination, escape and disease.

5.5 The report on the **Use of Drugs** confirms *“there is no ongoing hazard, even if poured into the water”*.

5.6 **Ashdown Site Investigations** in their executive summary state that *“Analysis of the stability of slopes indicated on a schematic drawing provided by the client suggest that proposed slopes are likely to be stable in the long term”*.

5.7 The **Arboricultural Survey** identifies trees on the application site and recommends an Arboricultural Impact Assessment to comply with BS 5837:2012. This advice has been followed and a summary of that assessment appears below (6.8).

5.8 The **Arboricultural Impact Assessment** concludes that *“none of the category A or B, or mature trees that surround the site will need to be felled or pruned to enable the proposed construction works. Four small sections of hedgerow will be removed but their loss will not have a significant detrimental impact on local visual amenity”*. It adds *“Based on the above assessment, trees recommended for retention in this report can be protected during the proposed construction works and successfully integrated into the site post development”*.

5.9 The **Arboricultural Method Statement** details how tree and tree root protection will be secured.

5.10 The conclusion of the **Archaeological Survey** is that *“While several magnetic anomalies were identified in both fields, none are likely to indicate the presence of buried archaeological features”*.

5.11 The **Hydrology report** provides a technical hydrogeology assessment of the application site and the wider area to confirm the suitability of the site for the intended purpose.

5.12 The **Noise Assessment** concludes that *“it is considered that noise breakout from the development will be at the “No Observed Adverse Effect Level so long as the basic mitigation measures are completed)”*.

5.13 The **Odour Assessment** concludes that *“the risk of odour effects at neighbouring sensitive receptors is negligible, and the effect will be insignificant”*.

5.14 The **Aquaponics Report** summarises the proposed development by saying: *“Aquaponics is more sustainable than standard aquaculture and provides greatly increased Biodiversity than standard aquaculture alone. Chiltington Caviar’s planned closed recirculated aquaponics system eliminates the chance of any waste water returning to the local waterways and therefore any contamination of the local ecology, native species of fish or any local water courses”*.

5.15 After an extensive study of the site, the **Ecological Appraisal** concludes that *“It is considered that with the recommended precautionary approach as well as the proposed enhancements, the proposed development will enhance biodiversity within the site and will increase opportunities for wildlife in the long term”*.

5.16 Not one of the technical appraisals of this development has concluded that the development would be harmful to the local area, highway safety or the environment. Quite the opposite: the ecological appraisal notes the resultant enhancement of biodiversity and the increasing opportunities for wildlife.

5.17 In addition to the above noted documents, PJC Consultancy have produced a Landscape General Arrangements Plan (**PJC 0620 001**); Landscape Sections (**4 sheets 0620 002-005**); and a Landscaping Plan (**4 sheets 0620 006**). These accompany the planning application.

5.18 Folkes Architects have provided plans of the proposed development namely, **1548 2.02D Site Plan; 1548 2.04E Elevations; 2.04E Floor Plans** and **2.06D Elevations of the proposed mobile home**.

6.0 SUMMARY

6.1 This is a project designed to develop a farm producing caviar using modern sustainable methods by an established and expanding company that has been in the business for 14 years.

6.2 The enterprise is based on the proven model of the applicant's current farm in Devon.

6.3 The proposal is acceptable under planning policy and the NPPF.

6.4 The supporting evidence demonstrates that the development will not give rise to any adverse environmental, ecological or highway safety harm.

6.5 These are compelling reasons to grant planning permission for this sustainable rural development and I respectfully ask the Council to look favourably upon this planning application.

David Champion

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August 2016