

Planning Statement

Proposed construction of landscape enhancement features using imported inert materials, together with the provision of public access and amenity; comprising revised landform and details to WSCC/029/18/SP

**in respect of Land at Knepp Castle Estate,
West Grinstead, West Sussex**

Prepared for

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Version - FINAL

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1. INTRODUCTION

- 1.1. This Planning Statement is in support of a full planning application for works to construct landscape enhancement features using imported inert materials, together with the provision of public access and amenity, on land at Knepp Castle Estate, West Grinstead.
- 1.2. This proposal comprises an amendment to a scheme that was substantively granted planning permission in October 2012 (WSCC/028/11/SP), commenced in February 2014, and the subject of a number of minor amendment applications, most recently in October 2018 (WSCC/029/18/SP).
- 1.3. The latter application approved amendments to the proposed method of dredging the Mill Pond; revisions to the location of deposition of the silt arisings from the dredging; consequential changes to the approved borrow pit and wetland habitat; importation of additional inert material in lieu of arisings from the borrow pit; and an extension of time for completion of works up to 30 April 2020.
- 1.4. This application seeks a number of changes to the approved scheme. This includes improvements in the final appearance of the landscape enhancement features comprising, amongst other things, the delivery of a Kim Wilkie designed amphitheatre; improvements in highway safety, including the closure of a direct access on to the A24 in association with the permanent retention of the temporary construction access; and enhancements in public access and amenity benefits, principally via the provision of a public car park and amended route of a new public right of way through the site.
- 1.5. The application is supported by a range of documents, comprising:
 - Application Forms;
 - Drawing 260-04-010 - Site Location Plan;
 - Drawing RCO201 - Figure 1 - Revision 05 - Landscape Masterplan;
 - Block Plan - As Existing;
 - Drawing 100 Revision Q - Block Plan as Proposed;
 - Drawing KW/Knepp/Sections - Existing and Proposed Sections;
 - Design and Access Statement;
 - Environmental Statement in Accordance with the Environmental Impact Assessment Regulations;
 - Archaeological Heritage Statement;
 - Architectural Heritage Statement;
 - Landscape and Visual Impact Assessment;
 - Viewpoint Photographs;
 - Ecological Impact Assessment;
 - Arboricultural Impact Assessment;

- Flood Risk Assessment;
- Transport Statement;
- Noise Impact Assessment;
- Soils and Agricultural Land Classification Reports;
- Dust Assessment;
- Existing Tree Schedule; and
- Drawing RCO/201/08-11 - Tree Protection Plans.

1.6. This Statement describes the site and its surroundings, summarises the evolution of the Estate, sets out relevant planning history, describes the proposed development, in particular amendments proposed to the extant scheme currently being implemented, summarises relevant planning policy, and sets out considerations, having regard to the Development Plan and other material considerations, including the National Planning Policy Framework (NPPF).

2. SITE AND SURROUNDINGS

- 2.1. Knepp Castle Estate is located approximately 1km south of Southwater, and in total extends to an area of approximately 1,400 hectares (3,500 acres). This comprises Knepp Castle, Knepp Mill Pond, parkland, woodland, areas of grassland, grazing land, farmhouses and cottages, rural offices and light industrial units, together with a polo club and polo fields. The estate is predominantly located to the west of the north-south A24, with the significant majority located south of the east-west A272.
- 2.2. The application proposal relates to land that is within that part of the estate known as Knepp Park. This covers an area of some 274 hectares (677 acres) and is located immediately west of the A24 and south of the A272.
- 2.3. Knepp Castle is located broadly centrally within Knepp Park. This is a Grade II* listed building constructed between 1800 and 1813 as a castellated gothic mansion (List Entry No: 1354214). The property is situated within a Grade II listed Park and garden that extends to some 144 hectares of parkland and incorporates the Knepp Mill Pond.
- 2.4. The application site includes a section of the listed Park and garden, comprising land to the east of the Mill Pond, around the area known as Hill House Farm.
- 2.5. To the southeast of the listed Park are the ruins of Knepp Castle. This is a Scheduled Ancient Monument (SAM) (List Entry No: 1010765) and comprises the mound and ruins of a motte castle which dates from shortly after the Norman conquest, together with its surrounding moat, outer bank and approach causeway. The ruins of the castle are separately listed Grade II and comprises the ruins of an early Norman keep (Listing Reference: 1180576).
- 2.6. Immediately to the southeast of the listed Park, and north of Knepp Castle ruins is a collection of buildings known as Floodgates Farm. This comprises existing and former agricultural buildings and residential properties. To the north of this, with access direct off the A24 is Charleston Farmhouse. This residential dwelling, is outside of the ownership of the estate. To the north and

northwest of this property is land that comprises part of the parkland and is used as polo fields (Hill House Lawn). To the north of this is a woodland, beyond which is a residential dwelling and existing and former agricultural buildings known as Hill House Farm. The dwelling is Grade II listed (List Entry No: 1026960). This is accessed direct off the A24. To the north of this is land that generally rises from a low point defined by the tributary to the Knepp Mill Pond, rising in a westerly direction. To the north of this, and immediately adjacent to the junction of the A24 with the A272 is a petrol service station and McDonald's restaurant and drive thru; and immediately to the west of this are dwellings known as Buck Barn Bungalows.

- 2.7. The application site predominantly borders the western edge of the A24, which is typically defined by indigenous hedgerows together with a number of mature tree specimens.

3. EVOLUTION OF THE KNEPP ESTATE

- 3.1. The detailed history of the evolution of the Knepp Estate is set out in the 'Knepp Castle Deer Park: Restoration Management Plan' (May 2000) prepared by Colson and Stone.
- 3.2. The original castle at Knepp was built by William de Broase, on land given to him by William the Conqueror following the Battle of Hastings in 1066. It was built as a defensive castle, and was surrounded by a deer park.
- 3.3. The castle and lands were confiscated by King John in 1208, but were returned, following his death in 1218. The property then remained in the de Broase family ownership until 1326, when through marriage and descendency, they passed to the Duke of Norfolk. The estate continued as a deer park until at least 1446, but was 'disemparked' by 1574.
- 3.4. During the 16th Century, the estate assumed importance in the iron industry. Records indicate that a furnace on the site of Floodgates Farm was being worked in 1568 by the Caryll Family, whom subsequently bought the estate from the Duke of Norfolk in 1573.
- 3.5. It has been concluded that the Knepp Mill Pond would have existed by no later than the second half of the 16th Century, as it would have been used for this iron working. The Mill Pond would have provided a head of water to drive both the 'hammer' which crushed the ore, and the bellows to fire the furnace. Records indicate that the furnace ceased operation in 1604.
- 3.6. The estate was sold to John Wicker in 1754, and in 1762 three sides of the Castle were destroyed to provide building material for works on the adjacent road (now the A24). At that time, maps show that the Mill Pond covered an area of some 80 acres, and was at its maximum, some 1954m in length. It was understood at that time, to be the largest waterbody in the south of England.
- 3.7. The Estate then passed through a number of hands until it was purchased by Sir Charles Raymond in 1787. After his death the following year, the Estate was inherited by his daughter, Sophie, wife of Sir William Burrell. The Estate has been in the ownership of the Burrell family since that date.
- 3.8. In 1796, his son, Sir Charles Merrick Burrell inherited the Estate. In 1808, he commissioned John Nash to design and build a house at Knepp, and it was completed in 1812. No records relating to

the laying out of the grounds survive, but it is likely that an area of parkland was laid out at the same time as the castle was built.

- 3.9. The Mill Pond would have been the most prominent feature of the park and Nash's design took advantage of the topography and the long views of the expanse of water. *'The new castellated mansion was sited so that in views from it, the water would appear to be part of the grand sweep of river. An important part of the illusion was that the ends of the pond were not visible from the castle, in order to trick the viewer into thinking that the river continued on, as it curved away out of sight.'*¹
- 3.10. There are no surviving records to indicate who designed the parkland around the new castle, but it is probable that Nash did it himself, to a design influenced by the 'picturesque' principles advocated by his one time partner Humphry Repton. A survey in 1825 shows that in addition to the parkland to the east of the Mill Pond (Hill House Lawns), an area of park had been laid on the western side of the pond, forming the setting to the castle.
- 3.11. In 1847, the Tithe Map for the Parish of Shipley was published. By this time, the parkland had been extended to include the West Lawn, Castle Lawn and the Hill House Lawn. Some new areas of woodland plantation were planted around the edge of the parkland. The Mill Pond had decreased in size and was then a maximum of some 1600m in length.
- 3.12. The 1st edition OS map published in 1875 details the distribution of trees and woodland on the site, providing a better impression of the irregular arrangement of the parkland trees, some of which were retained from the former hedgerows, whilst others were planted. It also shows the northern end of the Mill Pond had become silted up and was becoming overgrown with scrub. At that time, the maximum length of the pond was some 1400m.
- 3.13. In 1904, much of the south-eastern part of the castle was gutted by fire. It was rebuilt by the then owner, Sir Merrick Raymond Burrell, almost to the original design, but included an extra floor.
- 3.14. By 1911, the OS Map shows that the Mill Pond had continued to silt up, to such an extent that the northern end had become woodland.
- 3.15. In the summer of 1939 some dredging work was carried out to the Mill Pond, using traction engines. However, the outbreak of war prevented any further work. The lake was drained for the duration of the war, by order of the War Office.
- 3.16. In response to the 'Dig for Victory' campaign, many parts of the Knepp Estate that had never been utilised for growing crops, including the parkland around the castle, were ploughed for arable production. Following the war, the regime of intensive agricultural production continued.
- 3.17. This resulted in the continued siltation of the Mill Pond, and by 1996, it was a little under 29 acres, with a maximum length of 1000m. This is some 30% of the size of the pond shown to exist in 1754.
- 3.18. Much of the remaining open area of water is only few centimetres deep. As a consequence, in mid-summer algal bloom can occur across much of the open water, creating a dense covering,

¹ See page 57 - Restoration Management Plan 2000 Colson and Stone

damaging the ecological value of the water body. A trial excavation carried out in 1996 revealed that the silt was up to 2.2m deep at the southern end of the lake (close to the dam).

- 3.19. In 1999, it was decided to return the land around the castle to its former parkland appearance, reflecting the original intention for the setting of the castle. The landowners commissioned Colson and Stone to prepare a Restoration Management Plan for the restoration of the Park.
- 3.20. In 2001, in accordance with this plan, 350 acres of land around the house was taken out of agricultural production and returned to grassland. Internal fences, and gates were removed, and a deer fence erected around the perimeter. In 2002, 150 fallow deer were introduced to Knepp, and this has been followed by other species of deer and livestock.
- 3.21. This reflects the move away from intensive arable production to a pioneering approach to ecological land management, that is based on extensive livestock production on land that has been supported to 're-wild.'
- 3.22. Integral to the Restoration Management Plan is the intent to halt the siltation process of the Mill Pond and (via the removal of some of the silt) re-establish its role as the major feature within the setting of the castle and to safeguard its future as an important ecological resource and habitat.

4. PLANNING HISTORY

- 4.1. In accordance with the Restoration Management Plan, a number of planning applications have been submitted over the last 8 years, to facilitate delivery of the longterm vision for the estate.
- 4.2. There are eight planning applications that are of direct relevance to this proposal. These are:
 - **WSCC/072/10/SP** - Proposed restoration works to Knepp Mill Pond by dredging and the construction of landscape features using imported inert materials - Withdrawn prior to determination;
 - **WSCC/028/11/SP** - Restoration works to Knepp Mill Pond by dredging and the construction of landscape enhancement features using imported inert materials, together with the provision of public access and amenity - Approved 10th October 2012;
 - **WSCC/021/14/SP** - Variation of Conditions 4, 5, 7 and 41 of planning permission WSCC/028/11/SP to allow the export of clay and extension of time for restoration works to Knepp Mill Pond and the construction of landscape enhancement features - Refused planning permission in a Decision Notice dated 2nd July 2014;
 - **WSCC/073/15/SP** - Amendment of Conditions 2, 4, 5 and 7 of planning permission WSCC/028/11/SP to amend the phasing of the construction of the landscape enhancement features and the timescales associated with the progressive restoration works - Approved 23rd February 2016;

- **WSSC/064/16/SP** - Amendment of Condition 4 of planning permission WSSC/073/15/SP to allow development to continue to 31st December 2017 - Approved 17th March 2017;
- **WSSC/064/16/SP** - Condition 3 - Discharge of Condition application in relation to landscaping details - Approved 12th July 2017;
- **WSSC/064/16/SP** - Condition 25 - Discharge of Condition application in relation to topographic survey reports - Submitted 16th May 2017;
- **WSSC/037/17/SP** - Amendment of Condition 4 of planning permission WSSC/073/15/SP to allow development to continue to 31st December 2018 - Approved 17th November 2017;
- **WSSC/029/18/SP** - Restoration works to Knepp Mill Pond by dredging and construction of landscape enhancement features using imported inert materials, together with a provision of public access and amenity (amendment to WSSC/037/17/SP) - Approved 4th October 2018;
- **WSSC/029/18/SP** - Condition 18 - Discharge of Condition application in relation to an archaeological written scheme of investigation - Approved 6th February 2019; and
- **WSSC/029/18/SP** - Condition 25 - Discharge of Condition application in relation to wetland design scheme - Approved 9th April 2019.

4.3. The first two planning applications relate to the grant of planning permission for the substantive works. The third of fourth applications relate to amendments to the implementation details. The fifth and eighth applications relate to the extension of time for completing the works, initially up until 31st December 2017, and then up until 31st December 2018. The sixth and seventh applications relate to discharge of conditions in respect of a soft landscaping scheme and topographical survey report. The 9th application relates to amendments to the method of dredging the Mill Pond; revisions to the location and deposition of the silt arisings from the dredging; consequential changes to the approved borrow pit and wetland habitat; importation of additional inert material in lieu of arisings from the borrow pit and an extension of time for completion of works until 30th April 2020. The 10th and 11th applications relate to the discharge of conditions in respect of archaeology, and the design of the wetland scheme.

Scheme Approval 2012

4.4. The restoration and enhancement works, were substantively approved in October 2012, under WSSC/028/11/SP. This comprised four elements:

Restoration of Knepp Mill Pond

4.5. As a result of the natural process of siltation exacerbated by intensive farming and ploughing in the vicinity of Knepp Mill Pond after World War II and runoff from the A24 and A272, the pond has reduced to less than a third of its original size and is, in places, only a few centimetres deep. The siltation has led to the encroachment of marsh, reeds, alder and willow into open water. The

reduction in size of the pond and the encroachment of vegetation has affected the setting of, and views from and to Knepp Castle and Knepp Park.

- 4.6. The application sought to re-establish the role of Knepp Mill Pond as a major feature in the historical setting of Knepp Castle Estate, and to safeguard its future as a site of nature conservation importance. The restoration was envisaged to be achieved by a suction dredging programme to partially restore the depth of Knepp Mill Pond and discourage further encroachment by vegetation in order to enhance the scenic and historic value of the estate.
- 4.7. The lake was to be dredged to return it to a minimum water depth of 1.5m in the central section and to minimise the potential for further reductions in size due to the accumulation of silt. It was anticipated the dredging works would take 25 weeks and approximately 52,000 cubic metres of silt would be removed.

Excavation and Restoration of a Borrow Pit

- 4.8. A borrow pit was to be excavated adjacent to, and east of, Knepp Mill Pond. The dredged material from the pond was to be deposited in the borrow pit. This would partially fill the pit, which would then be restored to a wetland habitat.
- 4.9. The borrow pit would extend over an area of some 11,000 sqm and comprise the excavation of some 56,000 cubic metres of material (i.e. average depth of over 5m). The arising material was to be used to form the Floodgates Farm landscape enhancement feature and partially form the Hill House Lawn landscape enhancement feature. The borrow pit was designed to accept the dredged material from Knepp Mill Pond and to allow water from the dredged material to flow back into the pond after settlement. The creation of the borrow pit was estimated to take approximately 6.5 weeks and the dredged material would be deposited in the borrow pit over a period of approximately 25 weeks. Following completion of the dredging, the borrow pit would be filled almost to ground level (0.5m freeboard) with material dredged from the lake and would be allowed to regenerate to a low lying wetland habitat.

The Construction of Landscape Enhancement Features

- 4.10. The application approved the construction of landscape enhancement features along the eastern boundary of Knepp Park, adjacent to the A24 and the A24/A272 junction. These were to be constructed to provide a visual and acoustic screen to improve the scenic setting of Knepp Castle and Knepp Park to mitigate the effect of the dualled A24, and its junction with the A272 and the associated infrastructure around it (including service station).
- 4.11. The landscape enhancement features were to be constructed from material excavated from the borrow pit and imported inert material. This was to create, as far as is practicable, a continuous landscape feature from land immediately southwest of the A24/A272 junction and continuing south adjacent, and close, to the A24, to a point immediately to the northeast of Floodgates Farm.
- 4.12. The landscape enhancement features can be broken down into three broad geographic areas; Buck Field landscape enhancement feature at the north end; Hill House Lawn landscape enhancement feature positioned centrally; and Floodgates Farm landscape enhancement feature

at the south end. The construction of these landscape enhancement features required in part, the importation of inert material. This was approved to be delivered to the site via a new access on to the A272 at a point to the west of Buck Barn Bungalows, together with haul roads constructed, as necessary, from the south of that point.

- 4.13. The Buck Field landscape enhancement feature is located along the eastern boundary of Knepp Park, from Buck Barn Bungalows to Hill House Farm. It was to be constructed to a maximum height of 28m AOD, which is approximately 10m above the pre-existing ground levels. The landscape enhancement feature was to have a flat crest up to a maximum of 68m wide with battered slopes between 1 in 4 and 1 in 25. In totality, the Buck Field landscape enhancement feature necessitates the importation of some 222,000 cubic metres of inert material.
- 4.14. The Hill House Lawn landscape enhancement feature is located along the eastern boundary of Knepp Park from Hill House Farm to Charleston House. This was to be constructed to a maximum height of 30m AOD, which is up to some 5m above pre-existing ground level. The main body of the feature was to be constructed with a crest which falls from north to south, consistent with pre-existing ground topography. It was to have a flat crest up to 3m wide and the gradient of the western slope would be between approximately 1 in 2.5 and 1 in 20, and the gradient of the eastern slope would be approximately 1 in 3.5. The minimum width of the feature is 20m and the maximum width 115m.
- 4.15. The scheme included an access road gap in the southern part of the feature; and to the southeast of this, a small bund was to be constructed to maintain the continuous visual and acoustic screening benefits. This latter bund would be constructed to a maximum height of approximately 21.5m AOD, which is approximately 2m above pre-existing ground levels. Collectively, this feature incorporates a volume of some 91,000 cubic metres, which it was envisaged would be sourced by a mix of imported inert material and arisings from the borrow pit.
- 4.16. The Floodgates Farm landscape enhancement feature is to be constructed north of Floodgates Farm, and south of Charleston House. It was to have a maximum height of 21.6m AOD, some 3m above pre-existing ground levels. The gradient of the western slope would be some 1 in 3, and the gradient of the eastern slope some 1 in 4. This would necessitate some 13,000 cubic metres of material, which it was envisaged would be sourced from the borrow pit.
- 4.17. The landscape enhancement features were to be restored with a combination of grass, trees and shrubs to integrate with the wider Knepp Park.
- 4.18. Overall, the creation of the landscape enhancement features would necessitate the importation of approximately 270,000 cubic metres of inert material, in addition to the 56,000 cubic metres of material excavated from the borrow pit.

Public Access and Amenity

- 4.19. Integral to the provision of landscape enhancement features was to provide a route for a right of way over the land. This was to run from the existing bridleway (No: 1875) which runs in a generally east-west direction, to the south of Floodgates Farm in a generally northerly direction toward the A272. This would be available to users of the existing bridleway, together with local residents, such as those at Buck Barn Bungalows, Hill House Farm and Floodgates Farm.

- 4.20. The right of way would provide accessible viewpoints of Knepp Park, including Knepp Castle, and the restored Knepp Mill Pond. At selective viewpoints, information boards were to be installed. In addition to this, a bird hide was proposed to be constructed, adjacent to the northwest corner of the existing dam at the south end of Knepp Mill Pond. This was to be available for public use to provide a facility to view birds and the pond, and in particular the heronry on the northern bank of the eastern arm of the pond.

Initial Scheme Implementation 2012-2018

- 4.21. Following the grant of planning permission in October 2012, works commenced in February 2014. Subsequently, two applications were submitted to amend the implementation details. The second of these, was approved in February 2016 (LPA Reference: WSCC/073/15/SP). This application sought to vary conditions in relation to approved plans (Condition 2); phasing (Condition 4 and Condition 5); and backstop date for completion of operations (Condition 7).
- 4.22. This planning permission approved an amended phasing for the implementation of the works. In accordance with the original planning permission, the phasing had commenced with the deposition of material in the northeastern area of Buck Field, in order to construct the Buck Field landscape enhancement feature. This had been followed by commencement of the northern part of the Hill House Lawn landscape enhancement feature to the southeast of Hill House Farm. It was then proposed, to implement the remainder of the northern half of the Hill House Lawn landscape enhancement feature working in a generally north to south direction.
- 4.23. At that time, it was envisaged the borrow pit would be constructed in April and May 2016, and dredging operations carried out in the Summer and Autumn of 2016, over a predicted 25 week period. As part of this, the dredger would not move into the area of Knepp Mill Pond to the south of the borrow pit until after 30th June 2016, having regard to the avoidance of impacts on the heronry.
- 4.24. It was anticipated that the materials extracted from the borrow pit would be used to construct the Floodgates Farm landscape enhancement feature and residual parts of the Hill House Lawn landscape enhancement feature. Following completion of this, the scheme would complete the western part of the Buck Field landscape enhancement feature.
- 4.25. It was anticipated the works would be completed by July 2017. However, progress was slowed, principally as work on the southern part of the Hill House Lawn, and all of the Floodgates Farm Landscape Enhancement Features could only be undertaken after UKPN completed their work in under-grounding the overhead power lines that previously crossed the site. As a result, a further Section 73 application was submitted in December 2016 to extend the time limit for works by 6 months to 31st December 2017. This was approved on 17th March 2017.
- 4.26. As of September 2017, UKPN had still not undertaken the necessary works to the power lines, notwithstanding their long-standing commitment to undertake the work at their earliest available opportunity.
- 4.27. On this basis, a further Section 73 application was submitted in September 2017, to enable works to complete the development to take place up until 31st December 2018. This was to enable the works, in particular the borrow pit construction and the dredging to take place outside

of the prohibited time periods (1st January - 31st March in respect of the borrow pit; and 1st January - 30th June in respect of the southern extent of dredging). This was approved on 17th November 2017.

- 4.28. The submissions with that application made clear that the applicant was giving consideration to (i) an alternative methodology for dredging and spreading the silt from the Mill Pond; and (ii) an alternative design to the landscape enhancement features; but that this would be the subject of a separate application(s) in due course.²

Amended Scheme Implementation 2018-2019

- 4.29. As part of the ongoing implementation of the approved scheme, consideration was given to a number of amendments, arising from a review of the methodology for the extraction of silt from the Mill Pond.
- 4.30. This culminated in the submission of an application, that was approved in October 2018 (WSCC/029/18/SP). This comprised (i) amendment to the proposed methodology of dredging the Mill Pond; (ii) revisions to the location of deposition of the silt arisings from the dredging; (iii) consequential changes to the approved borrow pit and wetland habitat; (iv) importation of additional inert material in lieu of arisings from the borrow pit; and (v) extension of time for completion of the works.

Amendment to Dredging Methodology

- 4.31. The application envisaged removal of the silt via dredging, whilst the Mill Pond was drained down. Draining of the Mill Pond occurs annually as part of the management of the waterbody, in association with the fish farming that occurs; and on this basis the draining of the Mill Pond is an integral part of the annual cycle of the waterbody.
- 4.32. Once drained, it was proposed that machinery would remove the silt down to the base layer of the lake enabling machinery to dig into the central area of the Mill Pond. Machinery would then remove some 52,000m³ of silt from the pond working centrally in a broadly north-south direction. The aim was to deliver a minimum water depth of some 1.5m in the central area of the Mill Pond. Over time, and once the Mill Pond was partially refilled, the remaining silt would naturally slough to create an even layer of the remaining silt over the base layer of the Mill Pond.
- 4.33. The waterbody was drained in January 2019 and works commenced in May 2019. Works commenced by excavating a central section of the Mill Pond in a north to south direction. However, it became apparent that the bottom of the Mill Pond (and therefore the sludge) was deeper than had been indicated from bathymetric surveys. On this basis, the proposed method of dredging methodology had to be amended, given it was predicated on the ability for the machinery to dig down to the base layer and for this solid base to be used to stabilise the machinery used in the dredging works.
- 4.34. In light of the depth of the silt, a modestly revised methodology for dredging the lake was employed, comprising the partial refilling of the Mill Pond (via the closure of the sluice gates) and

² See para 1.6 and Section 5 of the Planning Statement dated September 2017

the use of floating machinery. Barges were then employed to transport the dredged material from the excavation point to the haul road extraction point.

- 4.35. This dredging methodology was employed for works taking place in a north-south direction until September 2019.

Amendment to Silt Deposition Area

- 4.36. In light of the amended best practice in dredging methodology, the proposed silt deposition area was amended from a borrow pit, to two arable field parcels, located to the east of the Mill Pond. The fields were prepared for receipt of the dredged material by the cutting of the top soil to a maximum depth of 250mm. The silt was then deposited on to the land up to a depth of not more than 500mm. This material, through drainage and evaporation would reduce by some 40% before then being cultivated and seeded. Works commenced in Spring 2019, and as of December 2019 cultivation and seeding has yet to be completed.

Amendment to Approved Borrow Pit / Wetland Habitat

- 4.37. In conjunction with the amended dredging methodology and silt deposition, the scheme no longer required the creation of a borrow pit. However, the LPA advised that the creation of the wetland habitat (which was the intended end landform of the borrow pit), was considered to be a significant material benefit to the original scheme. On this basis the proposals continued to include the creation of a wetland habitat over the same footprint area of some 11,000sqm. The design of the wetland habitat was amended to follow the best practice set out in the 'Million Ponds Project' principles. It required the removal of some 7,000m³ of material to then be used to contribute to the construction of the Floodgates Farm landscape enhancement feature.
- 4.38. The detailed design of the wetland habitat was approved via a discharge of condition application in April 2019. Works on the creation of the habitat commenced in Summer 2019.

Importation of Material in Lieu of Arisings from the Borrow Pit

- 4.39. In conjunction with the proposed changes to the dredging methodology, silt deposition and wetland habitat creation, and in particular in lieu of the creation of the approved borrow pit, the amended scheme required the importation of an additional 49,000m³ of material, in order to complete the landscape enhancement features, as originally approved.
- 4.40. This importation has been ongoing since the grant of consent.

Works Undertaken up to December 2019

- 4.41. The implementation of the initial planning permission commenced in February 2014.
- 4.42. The temporary access point on to the A272 was formed, and the temporary haul road constructed through the site, to the southern end of the Hill House Lawn landscape enhancement feature.
- 4.43. Site infrastructure was installed, in particular, wheel washing facilities, a short way to the south of the access point on to the A272.

- 4.44. The topsoil was stripped, and set aside from the footprint of the Buck Barn and Hill House Lawn landscape enhancement features.
- 4.45. Material importation commenced in 2014, as part of the works to construct both the Buck Barn and Hill House Lawn landscape enhancement features.
- 4.46. The work to construct the Buck Barn landscape enhancement feature is close to completion. It is estimated some further 5,000m³ of material is required to be imported to the site to complete the works.
- 4.47. Similarly, work to construct the Hill House Lawn landscape enhancement feature is significantly advanced. It is estimated there is a requirement to import a further 10,000m³ of material to complete the works. This material is predominantly required to complete the feature, following the under-grounding of the last remaining electric cables which crossed the route of the approved bund in a broadly east-west direction, centrally within the the overall feature. As noted above, the delays in UKPN under-grounding the cable, delayed the works in this area.
- 4.48. The works to construct the Floodgates Farm landscape enhancement feature have not yet commenced. This requires the importation of some 6,000m³ of material offsite, together with the movement of 7,000m³ of material onsite from the creation of the wetland habitat into this area.
- 4.49. The works to dredge the Mill Pond took place between May 2019 and September 2019. The silt material arising from this has been deposited into the deposition area. Work in relation to its cultivation and reseedling is ongoing.
- 4.50. Work on the creation of the wetland habitat commenced in Summer 2019 and remains ongoing.
- 4.51. The provision of the public right of way and associated interpretation boards has not yet been brought into effect, and can only occur following the completion of the works.
- 4.52. The bird hide on the southwestern edge of the Mill Pond has been installed and been in use for a number of years.

5. PROPOSED DEVELOPMENT

- 5.1. The application now submitted seeks to deliver a number of changes to the approved scheme. These would provide significant material benefits over and above the consented scheme. This relates to substantial enhancements in the final appearance of the landscape enhancement features, enabling an extension of the parkland area of the Estate to the benefit of heritage assets; improvements in highway safety, including via the closure of a direct access on to the A24; and enhancements in the public access and amenity benefits of the scheme principally via the provision of a public car park, and amended route of the Public Right of Way through the site.
- 5.2. The proposed amendments can be summarised as:
- Revised form to the Buck Barn landscape enhancement feature via the delivery of a 'Kim Wilkie' designed amphitheatre landform;

- Revised form to the Floodgates Farm landscape enhancement feature to provide enhanced landscape design over and above approved engineering bund;
- Permanent retention of existing temporary access on to A272 to provide vehicular access to buildings at Hill House Farm, enabling the associated closure of the existing direct access on to the A24, and enabling a new access to the rear of Buck Barn Bungalows which will ease difficulties that the residents of the 4 dwellings are experiencing due the congestion at MacDonalds/ the service station;
- Provision of access route from commercial yard adjacent to A24, alongside part of the Hill House Lawn landscape enhancement feature, to connect to an existing internal Estate track to provide alternative access on to the A24 via Castle Lane;
- Provision of public car park at south end of the Floodgates Farm landscape enhancement feature for use by, inter alia, the public in association with existing and proposed Public Right of Way;
- Re-routing of new Public Right of Way to provide enhanced understanding and appreciation of existing onsite heritage assets;
- Revisions to approved landscaping to provide more extensive landscape parkland associated with the biodiversity gains of the wider 'rewilding' project at Knepp Estate; and
- Extension of time of implementation of works, for an additional three years.

5.3. Each of these are now described in further detail below.

Revised Form to the Buck Barn Landscape Enhancement Feature

- 5.4. The Buck Barn landscape enhancement feature is located along the eastern boundary of the Knepp Estate, extending from Buck Barn Bungalows in the north, to Hill House Farm in the south. The land originally raised to a high point of some 26m adjacent to Hill House Farm, falling gently to the north before rising again to 26m, before falling in a generally north and west direction. In broad terms, this original landform comprised a small promontory that extended westward before falling to the course of the watercourse feeding Knepp Mill Pond.
- 5.5. The extant approved scheme comprises the provision of a landscape enhancement feature that would be constructed to a maximum height of some 28m, initially running north from Hill House Farm, before then extending north-westward, to the south of Buck Barn Bungalows.
- 5.6. It would be a maximum of some 10m above pre-existing ground levels. It would have a flat-crest of up to 68m in width with battered slopes between 1 in 4 and 1 in 25. In totality, the landscape enhancement feature necessitated the importation of some 222,000 cubic metres of inert material.
- 5.7. The landscape enhancement feature is substantively complete with a further circa 5,000 cubic metres of material remaining to be imported. Restoration via landscaping has already commenced, in particular tree planting has taken place along the eastern side of the landscape enhancement feature, bordering the A24.

- 5.8. The scheme now proposed, envisages a revision to this landform. Reflecting the English tradition of reshaping landscapes to create high quality parkland, the award winning Kim Wilkie has designed a revised ‘amphitheatre’ landform. This would create a new vista and ‘bookend’ to the originally intended northeasterly views from Knepp Castle.
- 5.9. The scheme would entail an increase in the footprint of the landform, and a revised final appearance. The ‘engineering’ style bund immediately north of Hill House Farm would be revised to soften its appearance and create a more parkland form. From this, land would fall in a generally northwesterly direction, before rising to an amphitheatre located to the southwest of the existing landscape enhancement feature. This would comprise the creation of a level, circular area of ground (set at some 22m AOD) that would contain a water feature close to its southwestern edge. From this, land would fall away to the south and west, and would rise to the east and north. The land would be formed to create a circular ‘amphitheatre’, rising to a ridgeline set at some 31m, on its northeastern edge. Land would fall from this high point along the back of the amphitheatre, in a southwest and southeast direction.
- 5.10. This landform would provide a high quality landscape feature that would deliver improved enclosure of the parkland area of the Estate and represent an extension of the Grade II listed Knepp Park which is currently contained immediately to the south and west of the landscape enhancement feature.
- 5.11. The works to this area would require the importation of some 225,000 cubic metres of material beyond that currently consented. The topography of the land would vary, but at a maximum gradient of 1 in 3.

Revised Form to Floodgates Farm Landscape Enhancement Feature

- 5.12. The Floodgates Farm landscape enhancement feature is located along the eastern boundary of the Knepp Estate, extending south from Charleston House, to the northern edge of the buildings at Floodgates Farm. The land currently falls from a high point of some 18m AOD in the north, to circa 14m in the south.
- 5.13. The currently approved scheme comprises the provision of a landscape enhancement feature that is designed as an ‘L-shaped’ engineering bund. It would have a maximum height of 21.6m AOD, some 3m above pre-existing levels. The gradient of the western slope would be some one in three, and the gradient of the eastern slope would be some one in four. In totality, this landscape enhancement feature would necessitate the importation of some 13,000m³ of material. The approved scheme envisages that some 7,000m³ of this would be sourced from the wetland habitat, currently under construction, with the residual sourced from imported material.
- 5.14. The construction of the landscape enhancement feature has yet to commence.
- 5.15. The scheme now proposed, envisages a revision to this landform. Reflecting the wider design iterations of the Kim Wilkie scheme, it is proposed to amend the approved landform to create a more natural ‘parkland’ appearance. This would comprise an increase in the footprint of the works in a westward direction to include the majority of the field parcel in which the landscape enhancement feature is located. The feature would not increase in maximum height, and its sloping

sides, particularly to the west, and south would slope more gradually to merge back into existing ground levels.

- 5.16. The landform would provide a high quality landscape feature that would be reflective of the wider works at Hill House Farm and Buck Barn.
- 5.17. The works to the area would require the importation of a total of some 20,000m³. This would comprise 7,000m³ from the approved wetland habitat, with the residual 13,000m³ comprising imported materials. This is some 7,000m³ more than the currently consented scheme.

Permanent Retention of Existing Access on to A272, and Closure of Existing Access on to A24

- 5.18. The material imported off site to contribute towards the construction of the landscape enhancement features would access the site via the A272, at a point located a short way to the west of the junction of this road with the A24. This formerly comprised an agricultural field access, that was upgraded in conjunction with the grant of planning permission for the original scheme in 2012. Since that date, the access has served the development of the site, and is subject to a condition requiring its removal upon completion of the development.
- 5.19. Separate to this, the existing cluster of buildings at Hill House Farm, which include domestic, commercial and agricultural buildings, are served by a vehicular access directly on to the northbound carriageway of the A24. This has long been considered suboptimal. In previous proposals to deliver improvements to the A24, the Highways Agency envisaged the permanent closure of this access and the delivery of an access route on Estate land to reach the public highway via a new access junction on to the road network. This series of improvements are no longer being pursued.
- 5.20. The application proposals seek to amend the existing access arrangements. It proposes the permanent retention of the temporary construction access on to the A272 and for a permanent access route from this point in a broadly south-east then southerly direction, parallel and adjacent to the A24 to reach the Hill House Farm building group. In conjunction with this, the existing direct access on to the A24 would be permanently closed.
- 5.21. This amendment would deliver significant, and material improvements in the highway safety operation of the road network.
- 5.22. In addition, the closure of the A24 enables a more comprehensive delivery of acoustic improvements to this part of the Estate. It would comprise a modest northward extension of the Hill House Lawn landscape enhancement feature, which, together with the provision of an acoustic fence (running through existing trees) would provide improved acoustic enhancements within this area.
- 5.23. The permanent retention of the temporary construction access provides the potential for this to be used to access the rear of the properties known as 1-4 Buck Barn Bungalows. These are presently accessed via a spur cul-de-sac that uses the same access point on to the A272 as that used by the service station and MacDonalDs. This regularly experiences queueing from vehicles seeking to exit on to the A272. This, in turn, can create difficulties for residents and visitors to access the Buck Barn Bungalows access.

- 5.24. The alternative of an access to the rear of Buck Barn Bungalows, will present a positive remediation of this congestion issue, to the benefit of occupiers of these dwellings, and also the wider users of the existing access point into the service station and MacDonalds.

Provision of Access Route from Commercial Yard Southward via Castle Lane to A24

- 5.25. Approximately midway between the north/south extent of the Hill House Lawn landscape enhancement feature, and on its eastern side, is an existing industrial unit that falls within the ownership of the Knepp Castle Estate. At present, this unit is solely served by a vehicular access directly on to the northbound carriageway of the A24.
- 5.26. The application proposals envisage the provision of an alternative vehicular access route to serve this business. This would extend immediately west from the existing industrial units before turning south to run along the eastern side of the Hill House lawn landscape enhancement feature, before turning southwest a short way to the north of Charleston House. It would then connect into the existing internal Estate access track that runs south to Floodgates Farm, to connect to Castle Lane. This then provides access on to the A24 both northbound, and southbound.
- 5.27. It is considered that this access route would provide enhanced highway safety over the existing access arrangements serving the industrial unit.
- 5.28. The access would predominantly use the route of the grassed access way that was approved to be provided in conjunction with the extant scheme. This was to be reserved as a long-term potential route to deliver highway improvements. It would therefore necessitate only relatively modest alterations to the approved Hill House Lawn landscape enhancement feature.

Proposed Public Car Park

- 5.29. The scheme envisages the provision of a new 12 vehicle car park area at the southern end of the Floodgates Farm landscape enhancement feature, and a short way to the north of the existing buildings at Floodgates Farm. This car park would be accessed via Castle Lane and along the existing Estate access track that runs north to serve the buildings at Floodgates Farm.
- 5.30. The car park would be available for use by, inter alia, visiting members of the public, to facilitate improved access and enhanced use of both the existing public right of way that runs from the A24 westward along Castle Lane; and the new public right of way that will run north from Floodgates Farm over the landscape enhancement features to connect to the A272 at Buck Barn.
- 5.31. Given the character and traffic volume of the dualled A24, it is considered at present that there is more limited opportunity for members of the public to benefit from the existing and proposed public right of way. Users would need to either cross the A24 from the east, or travel along the existing Public Right of Way from the west.
- 5.32. The proposed public car park will provide greater opportunity for visitors to reach the site and benefit from the public access opportunities.

Re-Routing of New Public Right of Way

- 5.33. The extant consent envisages the provision of a Public Right of Way running north from Castle Lane along the existing internal Estate access track along the Hill House Lawn landscape enhancement feature, and along the Buck Barn landscape enhancement feature to reach Buck Barn at a point adjacent to the existing, temporary construction access road.
- 5.34. Along this route would be information and interpretive boards to provide information to users of the Right of Way.
- 5.35. In conjunction with the revised scheme, this route is proposed to be modified. There would be no change to the section running parallel to Floodgates Farm landscape enhancement feature; the change would be relatively modest over the Hill House Lawn landscape enhancement feature; whilst the routing would be more significantly modified over the Buck Barn landscape enhancement feature. The change would enable the route to follow a section of the crest of the amphitheatre, before turning north to connect to the A272 at the point as currently approved. The revised alignment would provide a 360 degree panoramic view from the crest of the amphitheatre, including a vista looking southwest to Knepp Castle, over the northern edge of Knepp Mill Pond.
- 5.36. The revised alignment to the approved Right of Way would afford improved views and a greater appreciation of the heritage asset of Knepp Castle and its setting.

Revisions to Landscaping

- 5.37. The current planning permission includes proposals for planting the landscape enhancement features.³ The overarching objective is to create a parkland habitat that complements and buffers the existing parkland in line with the Estate's wider nature conservancy principles and the historic landscape. The scheme comprised new planting, together with measures to encourage areas of natural regeneration around the periphery of parts of the existing woodland, reflecting the wider 'rewilding' project elsewhere on the Estate, which has underpinned the benefits in biodiversity terms of this approach to nature conservancy.
- 5.38. The overall planting intent was to create pastureland with sporadic planting reflecting three planting regimes: scrub mix, and two woodland mixes, both comprising larger trees with smaller shrubs around the periphery.
- 5.39. The approved planting scheme is partially implemented, in particular at the northern end of the Hill House Lawn landscape enhancement feature, and along the eastern edge of the Buck Barn landscape enhancement feature.
- 5.40. As part of the amended works proposed under this application, the landscaping scheme would be amended. In particular, it would be extended to provide a greater level of planting within the Buck Barn landscape enhancement feature. It is proposed to provide additional planting along the outward facing slopes of the amphitheatre. This would provide improved habitat, and improved habitat connectivity between the existing landscaping works, and woodland. The additional landscaping areas would comprise new woodland and native tree planting, incorporating and reflecting the principles used in the delivery of the landscaping works to date.

³ Approved by decision letter dated 12 July 2017

Extension of Time for Implementation of Works

- 5.41. The works at Knepp Castle were originally approved in 2012, and commenced in early 2014. Subsequent applications have approved extensions of time for the implementation of the works, reflecting protracted timelines in securing diversion of infrastructure (in particular UKPN's undergrounding of power lines), and more recently, amendments to facilitate the revised methodology of the dredging of the Mill Pond.
- 5.42. The planning permission most recently granted in October 2018, requires completion of the works on, or before, 30th April 2020.
- 5.43. This application envisages amendments to the work which require additional time to implement. Having regard to the works proposed, and undertaken to date, it is considered that the amended scheme would take an additional three years to complete, beyond that currently approved. On this basis, this application seeks approval of the works to be undertaken up to, and including, 30th April 2023.

6. PLANNING POLICY

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.2. The relevant Development Plan for this area comprises the West Sussex Waste Local Plan 2014, The West Sussex Joint Minerals Local Plan July 2018, and the Horsham District Planning Framework 2015.
- 6.3. Material considerations include national planning policy guidance, including the National Planning Policy Framework (NPPF), National Planning Policy for Waste, and the National Planning Practice Guidance.

7. NATIONAL PLANNING POLICY FRAMEWORK

- 7.1. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It was initially published in March 2012, and was most recently updated in February 2019.
- 7.2. The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development made up of the three dimensions of economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways (Paragraph 7 and 8).
- 7.3. Paragraph 10 states that to ensure sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development.
- 7.4. Paragraph 11 sets out that for decision-taking, this means:
 - Approving development proposals that accord with an up-to-date Development Plan without delay; or

- Where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out of date, granting permission unless;
 - The application of policies in this framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - 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.

- 7.5. Chapter 8 relates to promoting health and safe communities. Paragraph 91 notes that planning policies and decisions should aim to achieve healthy, inclusive, and safe places which, amongst other things, enable and support healthy lifestyles, for example through the provision of safe and accessible green infrastructure that encourage walking.
- 7.6. Paragraph 96 notes that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.
- 7.7. Paragraph 98 notes that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including national trails.
- 7.8. Chapter 9 relates to promoting sustainable transport. Paragraph 104 notes that planning policies should, amongst other things, provide for high quality walking networks and supporting facilities.
- 7.9. Paragraph 109 notes that development shall only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.10. Chapter 12 relates to achieving well-designed places. Paragraph 124 notes that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.11. Paragraph 127 sets out a number of design requirements in relation to planning policies and decisions. It notes that schemes should function well and add to the overall quality of the area, not just for the short-term, but over the lifetime of the development; should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 7.12. Paragraph 131 notes that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings.
- 7.13. Chapter 15 relates to conserving and enhancing the natural environment. Paragraph 170 notes that planning policies and decisions should contribute to and enhance the natural and local environment, by amongst other things, protecting and enhancing valued landscapes, sites of

biodiversity or geological value and soils; recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services; and minimising impacts on and providing net gains for biodiversity.

- 7.14. Paragraph 180 notes that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects of a number of factors. It notes that in doing so, they should mitigate and reduce to a minimum, potential adverse impacts resulting from noise from new development, and identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.
- 7.15. Chapter 16 relates to conserving and enhancing the historic environment. Paragraph 184 notes that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 7.16. Paragraph 189 notes that in determining applications, LPA's should require an applicant to describe the significance of any heritage assets effected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 7.17. Paragraph 192 notes that in determining applications, LPA's should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
- 7.18. Paragraph 193 notes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
- 7.19. Paragraph 194 notes that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to, or loss of, grade II listed buildings, or grade II registered parks or gardens, should be exceptional; and the assets of the highest significance ,should be wholly exceptional.
- 7.20. Paragraph 195 notes that where a development would lead to substantial harm, LPA's should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 7.21. Paragraph 196 notes that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 7.22. Paragraph 200 states that LPA's should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

8. NATIONAL PLANNING POLICY FOR WASTE

- 8.1. The National Planning Policy for Waste was published in October 2014 and sets out detailed waste planning policies.
- 8.2. Appendix A sets out the 'Waste Hierarchy', comprising an approach to minimise waste that is sent for disposal. It makes clear that the most effective environmental solution is often to reduce the generation of waste (i.e. prevention); followed by it being checked, cleaned and/ or repaired so that it can re-used; followed by it being reprocessed for alternative re-use (recycling); followed by serving a useful purpose by replacing materials that would otherwise have been used (i.e. other recovery).

It notes that the least desirable solution, where none of the above options is appropriate is disposal.

- 8.3. Paragraph 7 states when determining waste planning applications, waste planning authorities should, amongst other things, consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B.
- 8.4. Appendix B sets out the locational criteria for testing the suitability of sites. This comprises (a) the protection of water quality and resources and flood risk management; (b) land instability; (c) landscape and visual impacts; (d) nature conservation; (e) conserving the historic environment; (f) traffic and access; (g) air emissions, including dust; (h) odours; (i) vermin and birds; (j) noise, light and vibration; (k) litter; and (l) potential land use conflict.

9. NATIONAL PLANNING POLICY GUIDANCE - WASTE

- 9.1. The National Planning Policy Guidance (NPPG) for Waste was published in October 2015. It provides further information in support of the implementation of waste planning policy.
- 9.2. This notes that driving waste up the Waste Hierarchy is an integral part of the National Waste Management Plan for England and National Planning Policy for Waste. ⁴
- 9.3. The guidance notes that waste planning authorities should plan for the sustainable management of waste, including construction/demolition waste. ⁵

10. WEST SUSSEX JOINT MINERALS LOCAL PLAN

- 10.1. Working with the South Downs National Park Authority, West Sussex County Council have produced the West Sussex Joint Minerals Local Plan. This was adopted by both Authorities in July 2018. The Plan seeks to cover the period up to 2033 and is the basis for making decisions about applications for mineral activities in West Sussex at this time.

⁴ See paragraph reference ID: 28-008-20141016

⁵ See paragraph reference ID: 28-013-20141016

- 10.2. It sets out four key areas to help shape the future of mineral activities in West Sussex comprising a vision and strategic objective for sustainable mineral developments; policies to achieve strategic objectives for minerals development (Policies M1-M10); development management policies to ensure no unacceptable harm to the environment, economy or communities of West Sussex (Policies 12-26); and a site allocation to help meet the need for brick clay making (Policy M11).

11. WEST SUSSEX WASTE LOCAL PLAN

- 11.1. The West Sussex Waste Local Plan was adopted in April 2014, and covers the period up to 2031. The Plan sets out 4 key areas to shape the future of waste management in West Sussex. This comprises a vision and strategic objectives for sustainable waste management; policies to achieve the strategic objectives for the management of different waste types; development management policies to ensure no unacceptable harm to the environment, economy or communities of West Sussex; and 6 site allocations to meet the need for new facilities.
- 11.2. The Plan notes that there are many types of waste streams in West Sussex. This includes 'construction, demolition and excavation waste'; 75% of which is inert material such as soils. It notes that this accounts for about 48% (949,00 tonnes) of all waste generated in West Sussex (2010/11).
- 11.3. Paragraph 2.7 sets out types of waste management, and notes that this includes 'other recovery.' This includes the 're-use of inert waste' and it is noted that much inert material is re-used for beneficial purposes, such as in engineering projects (such as golf courses) and that this is preferable to sending the material for disposal to land.
- 11.4. Paragraph 2.10.13 sets out that the aspiration is that West Sussex has 'zero waste to landfill' by 2031.
- 11.5. Paragraph 6.9.2 states that in accordance with this zero waste to landfill by 2031 in West Sussex, the strategy is to encourage the recycling of inert waste and to use criteria to assess any proposals that come forward for recovery operations involving the deposit of inert waste material to land.
- 11.6. Having regard to this, Policy W8 states that proposals for recovery operations involving the deposition of inert waste to land (including for the continuation in duration, or the physical extension, of existing operations) will be permitted provided that:
- a) The proposal results in clear benefits for the site and, where possible, the wider area;
 - b) The material to be used is only residual waste following recycling and/or recovery or it is a waste that cannot be recycled or treated;
 - c) There is a genuine need to use the waste material as a substitute for a non-waste material that would otherwise have to be used;
 - d) The material to be reused is suitable for its intended use;

- e) The amount of waste material to be used is no more than is necessary to deliver the benefits identified under a);
 - f) There will be no unacceptable impact on natural resources and other environmental constraints;
 - g) The proposal accords with Policy W13 (in relation to protected landscapes);
 - h) Any important mineral reserves would not be sterilised; and
 - i) Restoration of the site to a high quality standard would take place in accordance with Policy W20.
- 11.7. Paragraph 6.9.4 states that in considering a proposal for inert waste to land, an important consideration is whether the the proposal amounts to a ‘recovery’ operation. Given that recovery is higher up the waste hierarchy, genuine proposals for the beneficial re-use of inert material would, in principle, be considered favourably.
- 11.8. Paragraph 6.9.5 notes that there should be clear benefit(s) from the proposed development. This should be a benefit to the site itself (e.g. an engineering operation); and given the likely disturbance to local communities and the local environment, e.g. due to movement of HGV’s, there should be benefits for the wider area, e.g. through environmental improvement or the creation of new rights of way.
- 11.9. Paragraph 6.9.6 notes that there should be a genuine need to use the proposed waste material (e.g. bunds for visual screening); that is, it should be a suitable alternative for non-waste materials that could meet that need. In addition, the waste material to be used should have the right properties for the intended purpose and it should only be the minimum amount required to deliver the intended outcome of the project.
- 11.10. Paragraph 6.9.9 notes that proposals to extend the end date for the completion of the permitted operations would, in principle, be considered favourably unless there have been material changes since the grant of planning permission which suggest that there should be no continuation of recovery operations at the site.
- 11.11. Policy W11 seeks to ensure proposals for waste development do not have an unacceptable impact on the character, distinctiveness, and sense of place of the different areas of the County; and the separate identity of settlements and the distinctive character of towns and villages and development would not lead to their actual or perceived coalescence.
- 11.12. Policy W12 states that proposals for waste development will be permitted, provided that they are of high quality and, where appropriate, the scale, form, and design (including landscaping) take into account the need to:
- (a) integrate with and, where possible, enhance adjoining land-uses and minimise potential conflicts between land-uses and activities;
 - (b) have regard to the local context including:

- i. the varied traditions and character of the different parts of West Sussex;
 - ii. the characteristics of the site in terms of topography, and natural and man-made features;
 - iii. the topography, landscape, townscape, streetscape and skyline of the surrounding area;
 - iv. views into and out of the site; and
 - v. the use of materials and building styles;
- (c) includes measures to maximise water efficiency;
 - (d) include measures to minimise greenhouse gas emissions, to minimise the use of non-renewable energy, and to maximise the use of lower-carbon energy generation (including heat recovery and the recovery of energy from gas); and
 - (e) include measures to ensure resilience and enable adaptation to a changing climate.
- 11.13. Policy W14 seeks to ensure proposals for waste development do not adversely impact biodiversity and geodiversity.
- 11.14. Policy W15 states that waste development will be permitted provided that historic environments are conserved and, where possible, enhanced, unless there are no alternative solutions and there are overriding reasons which outweigh the need to safeguard the value of sites or features. Furthermore, it requires the scheme to not adversely affect currently unknown heritage assets with significant archaeological interest; and where appropriate, the further investigation and recording of any heritage assets to be lost is undertaken and the results made publicly available.
- 11.15. Policy W16 states that waste development proposals will be acceptable providing, amongst other things there is no unacceptable impact on the intrinsic quality of, and where appropriate the quantity of, air, soil and water resources; there are no unacceptable impacts on the management and protection of such resources; the quality of rivers and other watercourses is protected; and they are not located in areas subject to land instability, unless problems can be satisfactorily resolved.
- 11.16. Policy W18 requires waste development to have an acceptable impact on transport. Where the need for road transport can be demonstrated, the materials must be capable of being transported using the Lorry Route Network with minimal use of local roads unless special justification exists; vehicle movements must not have an unacceptable impact on the capacity of the highway network; there is safe and adequate means of access to the highway network and will not adversely impact on the safety of road users; there is satisfactory provision for vehicle turning and parking, manoeuvring, loading and, where appropriate wheel cleaning facilities; and vehicle movements are minimised by the optimal use of the vehicle fleet.
- 11.17. Policy W19 requires waste development proposals to have an acceptable impact on public health and amenity, including in relation to lighting, noise, dust, odours and other emissions, including those arising from traffic; routes and amenities of Public Rights of Way are safeguarded or where

temporary or permanent re-routing can be justified, replacement routes are of comparable or enhanced amenity value.

- 11.18. Policy W20 requires temporary waste development to be accompanied by comprehensive restoration and aftercare including maximising benefits taking into account local landscape character, the historic environment, biodiversity, and wider environmental objectives; maximising public amenity benefits, including reinstatement of and, where possible, improvement of Public Rights of Way; provide for the removal of all buildings plant and machinery when they are no longer required in connection with the principal use; and ensure the land is restored at the earliest opportunity including, where appropriate, phased, or progressive restoration.

12. HORSHAM DISTRICT PLANNING FRAMEWORK

- 12.1. The Horsham District Planning Framework (HDPF) was adopted in November 2015 and seeks to guide development in the Plan period up to 2031.
- 12.2. Policy 1 states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.
- 12.3. Policy 11 states that measures which promote tourism and enhance local cultural facilities, including recreation-based rural diversification will be encouraged. It notes any development should be of a scale and type appropriate to the location and should increase the range or improve the quality or attractiveness or experiences for tourists, day visitors, business visitors, and residents in the district. It notes in particular, support will be afforded to proposals which reinforce local distinctiveness and improve existing facilities and develop opportunities associated with rural diversification and rural development initiatives.
- 12.4. Policy 24 states that the high quality of the District's environment will be protected through the planning process. This is supported by Policy 25 which states that the natural environment and landscape character of the District including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development.
- 12.5. Policy 25 states that the natural environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The policy notes support will be offered to proposals which protect, conserve and enhance the landscape and townscape character, taking into account areas identified as being of landscape importance; and maintain and enhance the existing network of biodiversity, including ensuring no net loss of wider biodiversity and providing net gains in biodiversity where possible.
- 12.6. Policy 26 states that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. It notes that any proposal must be essential to its countryside location and in addition (amongst other things) 'enable the extraction of minerals or the deposit of waste.'
- 12.7. Furthermore, it notes that it must be of a scale appropriate to its countryside character and location. It notes that development will be considered acceptable, where, amongst other things, it

protects and/or conserves, and/or enhances the key features and characteristics of the landscape character area in which it is located. This includes by reference to its historical and ecological qualities; tranquility; sensitivity to change; pattern of woodlands, fields, hedgerows, waterbodies and other features, and the landform of the area.

- 12.8. Policy 31 states that development will be supported where it can be demonstrated that it maintains or enhances the existing network of green infrastructure, and will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.
- 12.9. It notes that where development is anticipated to have a direct or indirect adverse impact on sites or features of biodiversity, developments will be refused unless it can be demonstrated that the reason for the development clearly outweighs the need to protect the value of the site; and appropriate mitigation and compensation measures are provided.
- 12.10. Policy 32 seeks to ensure a satisfactory quality of new development and requires schemes to amongst other things, complement locally distinctive characters and heritage of the District, and contribute a sense of place in the buildings and spaces themselves and the way in which they integrate with their surroundings and the historic landscape in which they sit.
- 12.11. Policy 33 seeks for all development to comply with a number of development principles, including avoiding unacceptable harm to the amenity of occupiers/users of nearby property and land. It notes that there is a presumption in favour of the retention of existing important landscape and natural features, including for example, trees and watercourses.
- 12.12. Policy 34 states that the Council recognises that heritage assets are an irreplaceable resource, and as such the Council will sustain and enhance its historic environment through positive management and development affecting heritage assets. It notes that proposed development should make a positive contribution to the character and distinctiveness of the area; secure the viable and sustainable future of heritage assets; and retain and improve the setting of heritage assets, including views, public rights of way, trees and landscape features.
- 12.13. Policy 40 states there is a commitment to develop an integrated community connected by a sustainable transport system. It notes development will be supported if it complies with a number of criteria, including that it is integrated with the wider network of routes, including public rights of way and provides safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and delivery of goods.
- 12.14. Policy 43 states that the provision of new or improved community facilities or services will be supported, including where this contributes to the provision of green infrastructure.

13. CONSIDERATIONS

- 13.1. This application comprises proposals for amendments to a part implemented, extant planning permission for restoration works to Knepp Mill Pond by dredging and construction of landscape enhancement features using imported inert materials, together with the provision of public access and amenity.

- 13.2. A description of the original scheme, substantively approved under WSCC/028/11/SP, and as subsequently amended by a series of planning applications, most recently under application WSCC/029/18/SP, in 2018, is detailed at Section 4 (Planning History) of this report. This sets out the four main elements of the scheme comprise:
- Restoration of Knepp Mill Pond;
 - Excavation and restoration of a borrow pit;
 - The construction of landscape enhancement features; and
 - Public access and amenity.
- 13.3. Section 4 also details the extent of implementation of this scheme up to December 2019.
- 13.4. Section 5 of the report sets out the amendments proposed, under this application. This includes a reduction in the application site area, given that a number of elements of the scheme are to be completed under the extant consent and therefore do require amendment under this revised scheme. These elements principally relate to the dredging of the Knepp Mill Pond, which was undertaken May - September 2019.
- 13.5. The changes envisaged under the current application comprise:
- Amendment to the landform of the landscape enhancement features and associated revisions to associated landscaping;
 - Permanent retention of existing temporary access on to the A272, to provide vehicular access to buildings at Hill House Farm and Buck Barn Bungalows, enabling closure of the existing direct access on to the A24;
 - Provision of access route from commercial yard adjacent to A24, to provide alternative vehicular access via Castle Lane;
 - Provision of public car park at at Floodgates Farm for use in association with access to existing and proposed Public Rights of Way;
 - Amendment to route of new Right of Way, to enable enhanced amenity; and
 - Extension of time for completion of works.
- 13.6. Having regard to the planning history of the site, and the extent of the changes proposed under this application, it is submitted that the main issues are:
1. Principle of Development;
 2. Landscape and Heritage Assets;
 3. Ecology, Arboriculture and the Water Environment;

4. Traffic and Highway Safety;
5. Amenity and Public Benefits; and
6. Whether the Scheme represents Sustainable Development.

13.7. Each are now considered in turn.

14. PRINCIPLE OF DEVELOPMENT

14.1. The application comprises proposed amendments to a scheme substantively approved in October 2012 (WSCC/028/11/SP) (hereafter referred to as the “original scheme”). In the Officer’s consideration of that scheme, the report to Members set out that:

“... it is considered that the development is a genuine ‘recovery’ operation and that the use of inert waste to bring it forward accords with PPS10’s aim to move the management of waste up the waste hierarchy. There is a demonstrated need for the recovery of inert waste in the County over the period of the development so it is considered to accord with the relevant waste policy.”⁶

- 14.2. Officer’s concluded that there was a need for the development; there were clear benefits; materials were suitable for the intended use; the amount of material proposed was the minimum necessary to achieve the intended benefit; the material was a substitute for non-waste material; it would be completed to an appropriate standard; and there was need for additional recovery capacity.⁷
- 14.3. More recently, an amendment application was approved in October 2018 (WSCC/029/18/SP). In consideration of the amendments under that proposal, the Case Officer’s delegated report confirmed that the changes were considered acceptable.⁸
- 14.4. Relevant Development Plan policies are little changed since the determination of that application. The NPPF was modestly updated in February 2019, but key policies relevant to the determination of this application have not substantively changed. The Waste Local Plan, remains that adopted in April 2014, and covers the period up to 2031.
- 14.5. The principle of development falls to be determined having regard to the differences between the extant, part implemented scheme, and this application proposal, having regard to amongst other things, Policy W8 of the WSWLP. This states that proposals for recovery operations involving the deposition of inert waste to land will be permitted providing a number of criteria are met. These are now considered in turn.
- 14.6. In the interests of clarity, the assessment of the compliance of the scheme against the terms of this policy are solely focussed on the differences between the extant scheme and that now proposed. Benefits that are attributable to the completion of the extant scheme, are not

⁶ See paragraph 9.19 of Officer’s Report in respect of WSCC/028/11/SP

⁷ See paragraphs 9.2 - 9.19 of Officer’s Report for WSCC/028/11/SP

⁸ See Officer’s Report dated 4th October 2018

presented as benefits of this current application, given that they can be delivered in accordance with the extant consent. However, these benefits continue to represent positive benefits to the development in its wider totality.

W8(a): The proposals result in clear benefits for the site and, where possible, the wider area

14.6. The benefits arising from the scheme, over and above the extant consent are:

- Enhancement to designated heritage assets and their setting, including Grade II* Knepp Castle, Grade II Knepp Park, and Grade II Hill House Farmhouse;
- Enhancement in landscape character and biodiversity, arising from amendments to the landform of the landscape enhancement features and associated landscaping proposals;
- Enhancement in highway safety by virtue of a revised access to Hill House Farm buildings and commercial unit adjacent to A24; and
- Enhancement in public amenity benefits arising from the provision of a public car park onsite, and an amended route of the approved Public Right of Way.

14.7. These benefits are individually and cumulatively, significant. They represent material considerations which will result in clear benefits for the site and the wider area. Further details in relation to each beneficial aspect of the scheme are considered in subsequent chapters of this Planning Statement.

W8(b): The material to be used is only residual waste following recycling and/or recovery or it is a waste that cannot be recycled or treated

14.8. The material being imported to the site in implementation of the scheme comprises inert waste ,principally arising from construction and demolition waste activities within the local area, and cannot be recycled or treated.

14.9. These are sourced from local sites, typically those that are subject of residential development, such as in Southwater, Horsham and Billingshurst, etc.

14.10. The material is residual waste and cannot be recycled or used further up the Waste Hierarchy.

14.11. The additional material proposed to be imported to complete the development, as amended, is of the same form and type, as that used in the implementation of the extant scheme to date.

W8(c): There is a genuine need to use the waste material as a substitute for a non-waste material which would otherwise have to be used

14.12. In consideration of the original scheme, it was acknowledged that alternative methods of achieving the visual and acoustic benefits of the proposal were either not practical, or not appropriate. On this basis, the only realistic alternative to the use of inert waste material would be ‘virgin’ minerals. The Officer’s Report acknowledged that this would not be sustainable or supportable in policy terms.⁹

14.13. This application envisages a revised landform requiring the importation of additional quantum of material. It would be comprised of the same material used in the implementation of the extant scheme.

⁹ See paragraph 9.13 of the Officer’s Report for WSCC/028/11/SP

14.14. On this basis, it is submitted that the compliance with respect to this criterion in relation to the revised scheme applies with equal validity as to the conclusions in relation to the original scheme, most recently amended in October 2018.

W8(d): The material to be used is suitable for its intended use

14.15. The substantive use of inert waste material for the creation of the landscape enhancement features was considered acceptable in conjunction with the determination of the original scheme. The Officer's Report acknowledged that if the material were not used in association with the development, it would either be disposed of to landfill or be used in other similar engineering operations.¹⁰

14.16. These conclusions were reaffirmed by the Officer in the determination of the most recent amendments to the extant scheme, in October 2018.

14.17. The extant scheme is substantively implemented, and phased restoration has taken place in a number of areas. This has demonstrated that the material is suitable for its intended purpose.

14.18. Whilst the landform is proposed to be changed under this application, the overall use of material to create high quality landscape enhancement features which positively contribute to the character of the area remains. The height, topography and purpose of the landform remains comparable to the extant scheme.

W8(e): The amount of waste material to be used is no more than is necessary to deliver the benefits identified under W8(a)

14.19. The Officer's Report for the original scheme acknowledged that the scale and design of the landform, equating to the requirement for some 326,000 cubic metres of material, was the minimum necessary to achieve the benefits of the scheme, in particular visual and acoustic. Of this, some 270,000 cubic metres was originally to have comprised imported inert material, with a further 56,000 cubic metres to be sourced from the onsite borrow pit. The balance of this was amended under the most recent planning permission in October 2018, when the contribution of onsite won minerals was reduced to 7,000 cubic metres, with the residual (i.e. an additional 49,000 cubic metres) required to be imported.

14.20. This application envisages the importation of a further 250,000 cubic metres of material above and beyond that currently consented. The majority of this would be required to create the revised Buck Barn landscape enhancement feature, with more modest material required to deliver the amendments to the Hill House Lawn landscape enhancement feature and the Floodgates Farm landscape enhancement feature.

14.21. The additional material would all be imported from offsite. This is the minimum necessary to deliver the identified scheme benefits. As detailed in the Design & Access Statement, the Landscape Architect, Kim Wilkie was instructed in 2016 to review the original scheme and assess the proposals against the intended aims for the project, as set out in the Colson and Stone Knepp Park Restoration Management Plan. The overarching intent was to restore the Park in accordance with its historic and intended purpose, and provide ecological benefits. The latter is associated with the

¹⁰ See paragraph 9.9 of Officer's Report for WSCC/028/11/SP

rewilding of large areas of the Knepp Estate; recognised as an international leading example of the ecological benefits of rewilding.

- 14.22. The review of the approved scheme confirmed that whilst much of the visual and acoustic benefits screening sections of the Park from the A24 have been successful, it has not fully delivered the original aim. In particular, the scheme, as approved, has failed to deliver the heritage asset benefits that were intended, ie. delivering a 21st century extension to the historic Repton inspired Nash parkland. As approved, the scheme fails to extend the 'parkland' style landscape, fails to provide the northeast vista 'eye-catcher' intended in the original design of Knepp Castle, that relied on Knepp Mill Pond prior to its reduction in size from siltation; and fails to future proof the potential development intrusion of the Park from works in and around the A272/A24 junction.
- 14.23. The revised scheme, through the use of additional material, in the landform designed by Kim Wilkie, would deliver significant material benefits. It is considered that any diminution in the quantum of material proposed to be imported would fail to fully achieve these positive benefits, reflecting the way the existing approved scheme, has fallen short in achieving these aims.

W8(f): There will be no unacceptable impact on natural resources and other environmental constraints

- 14.24. As detailed above, subsequently in this report and in supporting statements, the scheme will not result in any undue impact on natural resources and environmental constraints, including in relation to ecology, arboriculture and water quality.

W8(g): The proposal accords with Policy W13 (in relation to protected landscapes)

- 14.25. Policy W13 of the WSWLP relates to statutorily designated landscapes, protected for their natural beauty, comprising the High Weald AONB and South Downs National Park. The site is not within, nor in immediate proximity to, these protected landscapes. The scheme nonetheless has significant benefits in landscape character terms, and in particular on the historic parkland landscape of Knepp Castle.

W8(h): Any important mineral reserves would not be sterilised

- 14.26. The site is not designated for, nor is considered to hold, important mineral reserves.

W8(i): Restoration of the site to a high quality would take place in accordance with Policy W20

- 14.27. The scheme is subject to comprehensive restoration and aftercare proposals which seek to maximise the benefits of the scheme having regard to its impact on the historic environment, biodiversity and other wider environmental objectives, together with the provision of public amenity benefits, including the provision of a car park and revised Public Right of Way.
- 14.28. The revised landform would represent a significant material enhancement in the heritage and landscape quality of the scheme and would have a positive impact on the character of the area.
- 14.29. The additional public amenity benefits will encourage greater numbers of visiting members of the public, and will enable such visitors to experience greater understanding and enjoyment of the site and the setting of the Right of Way in proximity to, and views of, the designated heritage assets which are within and adjoin the site.

14.30. Having regard to the requirements of Policy W8 of the WSWLP, it is submitted that the principle of development, previously confirmed to be acceptable in conjunction with the approval of the original scheme, and as amended most recently in October 2018, continues to be acceptable under this revised application proposal. The scheme will deliver significant material benefits over and above the extant scheme, and on this basis, it is considered that the principle of development is acceptable.

15. LANDSCAPE AND HERITAGE ASSETS

15.1. This application is accompanied by a Cultural Heritage Statement in respect of architectural heritage assets, a Heritage Statement with respect to archeological heritage assets, and a Landscape and Visual Impact Assessment.

15.2. In consideration of the original scheme, the Officer's Report concluded in respect of landscape that:

*"... upon completion, the new landscape form would be in keeping with the surrounding area, and would strengthen the existing mature screening provided along the A24 corridor. Important mature trees within the site would be retained, while considerable volumes of native planting/seeding and a new wetland habitat would be introduced. It is therefore considered that the development would be acceptable in landscape terms."*¹¹

15.3. In respect of impact on the historic environment, it concluded that:

*"... subject to conditions to ensure further archeological investigation during construction, it is considered that the development would enhance the Listed Historic Park and the setting of Knepp Castle, and so would have a positive impact on the historic environment, albeit with temporary negative impact during the construction period."*¹²

15.4. The design intent of this application is set out in detail in the accompanying Design & Access Statement. It sets out that the application has been designed by the award winning Kim Wilkie following a review of the approved scheme in light of concerns it would fail to deliver the benefits being sought in the original Restoration Management Plan, with respect to the character and setting of the heritage assets of Knepp Castle and its associated parkland.

15.5. The approved scheme would deliver much of the acoustic and visual benefits intended by the Restoration Management Plan intent, but fall short in respect of heritage and landscape benefits.

15.6. As set out in Section 3 of this Statement, Knepp Castle was designed and built according to a design by John Nash. This took advantage of the topography and long views of the expanse of water of the Mill Pond, and sought to deliver views from the Castle over water, that would appear to be part of a grand sweep of river. This was in part achieved by the ends of the Mill Pond being away from view as they curved out of sight. It is believed that Knepp Park (Grade II) was designed by Nash to a design influenced by the principals advocated by his one-time partner Humphrey Repton.

15.7. The design reflects and is evocative of the principles of the English landscape movement, initially advanced by Capability Brown, and subsequently by Humphrey Repton. Evidence of these

¹¹ See paragraph 9.44 of Officer's Report for WSCC/028/11/SP

¹² See paragraph 9.67 of Officer's Report for WSCC/028/11/SP

principles and characteristic design features are reflected in the parkland; the drive curving across the Mill Pond toward the house; the house itself with key views to and from the Park; the use of the Mill Pond as an apparent river waterbody; the ha-has giving uninterrupted views over the Park; single trees and clumps of trees; both native and exotic; the use of woodland as a belt around Estate boundaries; eye-catchers to draw the eye to longer views; and parkland features.

- 15.8. Integral to the setting of Knepp Castle was its position relative to the (then much larger) Mill Pond together with three key views to and from the house. These were southeast toward the Knepp Castle ruins; east over the Hill House Lawns; and northeast toward the head of the Mill Pond, and the countryside beyond.
- 15.9. The extant scheme secured much of the desired visual and acoustic benefits, insofar as it screened the A24 from much of the views from the Estate.
- 15.10. However, this application envisages delivery of the wider landscape and heritage benefits that were originally envisaged under the Restoration Management Plan.
- 15.11. In particular, the scheme seeks to deliver a large scale extension to the heritage asset of Knepp Park. It would deliver a significant re-delineation of the land falling within the Park by the reworking of the Buck Barn landscape enhancement feature. This would provide an enclosure of the Park, which together with the 'amphitheatre' landform, provides a 21st century interpretation of the traditional concept of an 'eye-catcher' to deliver the northeast vista and bookend to and from Knepp Castle.
- 15.12. The design of this feature is wholly reflective of the English Landscape Movement, which is itself reflective of the design of the listed Knepp Park. The use of an amphitheatre as an eye-catcher is reflective of other historic parks and gardens, perhaps most notably at Claremont Lake in Surrey (owned by the National Trust) which is part of a Grade I listed Park. This concept of a man-made landform as an 'eye-catcher' has been interpreted and reimagined by Kim Wilkie as evidenced in his work at other listed parks, such as Boughton Park in Northamptonshire, Great Fosters in Surrey, and Heveningham Hall in Suffolk.
- 15.13. The proposed design of the revised landscape enhancement feature of Buck Barn, together with that of Floodgates Farm collectively deliver revised landscape enhancement features which deliver significant material benefits in the landscape character of the area, and the heritage asset and their settings of Knepp Castle, Knepp Park, and Hill House Farmhouse.
- 15.14. As detailed in the supporting Architectural Heritage Appraisal, and Landscape Visual Impact Assessment, the proposals represent a significant material enhancement over the consented scheme. These will deliver substantial long term benefits in heritage and landscape terms. These will have significant beneficial effects including for the wider public in conjunction with the wider amenity benefit changes that will facilitate improved access by the public and improved views of and over the landscape of the area and heritage assets including the Park and Knepp Castle.
- 15.15. The application is accompanied by a Heritage Impact Statement in respect of matters of archaeology.

- 15.16. The appraisal, principally focusses on the effect of the increased footprint of the Buck Barn landscape enhancement feature. This would cover an area that has previously been identified as having the potential for archaeological interest; in respect of an Iron Age/Romano-British farmstead.
- 15.17. In conjunction with discussions with WSCC, the Heritage Appraisal has included the undertaking of additional trial trenching within this area. It has enabled clarification over the extent of this feature, and its probable form. It has also enabled a refined series of mitigation steps to ensure the revised works will have no undue impact on this, or other, archaeological features.
- 15.18. Having regard to the guidance in Section 16 of the NPPF, it is considered that the scheme will conserve and enhance the historic environment. It is in accordance with Policy W11, W12 and W15 of the WSWLP, and Policy 24, 25, 26, 32 and 34 of the HDPF.

16. ECOLOGY, ARBORICULTURE AND THE WATER ENVIRONMENT

- 16.1. This application is accompanied by an Ecological Impact Assessment, and a Flood Risk Assessment.
- 16.2. In consideration of the original scheme, the Officer's Report concluded that the scheme would have an acceptable impact on ecology and the local water environment.¹³
- 16.3. It was concluded, with respect to the impact on ecology, that:

“As a result of the development, a new wetland area would be created, and the pond's life extended, securing longterm ecological improvement by providing new and improved habitats for plants and invertebrates, increasing nesting sites for birds, and providing new feeding areas for many species including bats. Although there may be some ecological impacts during the construction period, this will be temporary, and would not have longterm effects. Upon completion, the proposed development would secure the retention of Knepp Mill Pond, a designated SNCI as well as substantial native planting, and will provide a range of improved habitats and improved future ecological management.”¹⁴

- 16.4. This application delivers overall net benefits in biodiversity and arboriculture, including benefits over and above the extant scheme. Knepp Estate is a world pioneer of 'rewilding.' This form of land management delivers significant benefits in the quality and diversity of biodiversity within and around the Estate. It is recognised as a leading example of delivering long term, sustainable benefits in the management of land to the benefit of the locality.
- 16.5. The proposed scheme, by virtue of the expansion of Knepp Park, and the revisions to the associated landscaping of the landscape enhancement features will directly and positively contribute to the conservation principles of rewilding.
- 16.6. Whilst the scheme will have some impacts, in particular via the expansion of the footprint of the landform, which necessarily entails the removal of a small number of trees, overall the proposals will deliver clear net gains in biodiversity and arboriculture.

¹³ See paragraphs 9.45 - 9.60 of Officer's Report for WSCC/028/11/SP

¹⁴ See paragraph 9.53 of Officer's Report for WSCC/028/11/SP

- 16.7. In particular the revised landscaping will deliver significant additional planting, which will be of a type that is specifically seeking to encourage the rare purple emperor butterfly, which is now known to breed on the Knepp Estate, following the rewilding landscape management approach.
- 16.8. This application does not include works to the Knepp Mill Pond, given this is being undertaken and completed under the extant consent. Nonetheless, the application is accompanied by a Flood Risk Assessment. This confirms that subject to the mitigatory measures of the use of ditches and drainage ponds, the scheme will have no undue impact on flood risk, or the water quality of the local area.
- 16.9. Having regard to the above, the application is in accordance with Chapter 15 of the NPPF, Policy W14 and W16 of the WSWLP, and Policy 24, 25, 26 and 31 of the HDPF.

17. TRAFFIC AND HIGHWAY SAFETY

- 17.1. This application is accompanied by a Transport Statement.
- 17.2. In consideration of the original scheme, it was noted that the importation of inert material would result in approximately 58 HGV trips (29 arrivals and 29 departures) during an average working day. This was subsequently controlled by planning condition, most recently via Condition 22 of planning permission WSCC/029/18/SP, which states that:

“The daily average of 29 HGVs entering the site and 29 HGVs leaving the site during permitted operating hours shall not be exceeded by more than 40% in any calendar month, or by more than 10% in any calendar year ...”

- 17.3. These traffic movements to access the site via a temporary access directly from the A272, some 200 metres west of the A272/A24 signal junction. It was concluded that with respect to the impact on a highway capacity and road safety, that:

“... the temporary access to the site from the A272 would be safe and appropriate. Despite the development resulting in some 29 HGVs accessing the site each day, this does not represent a significant increase in vehicles on the effected highway network. The site’s proximity to identified lorry routes, particularly the A24, means that this level can be managed safely and sustainably ...”¹⁵

- 17.4. This application envisages the permanent retention of the existing temporary construction access on to the A272. It would be used for the construction phase of this amended scheme, and would thereafter be used as the permanent means of vehicular access to the group of buildings at Hill House Farm, and Buck Barn Bungalows. In association with this, the existing direct access from Hill House Farm on to the A24 would be permanently closed.
- 17.5. The use of the temporary access during the construction phase would be at an intensity that is in accordance with the use of this since its creation in 2014, and within the terms of the current planning permission.
- 17.6. The proposed permanent access arrangement reflects the layout proposed by the Highway Authority in conjunction with previous proposals to create a grade separated junction of the A272/

¹⁵ See paragraph 9.36 of Officer’s Report for WSCC/028/11/SP

A24. As part of this, it envisaged closing the Hill House Lawn direct access on to the A24, and providing a new accessway broadly following the route proposed under this application.

- 17.7. The Transport Statement confirms that this new layout will deliver a material improvement in highway safety.
- 17.8. This application also envisages the provision of an alternative vehicular access route for an industrial unit that is located immediately to the east of Hill House Lawns and currently has sole direct access on to the northbound carriageway of the A24. The application envisages provision of an alternative access route running parallel to the A24 over Estate land to Castle Lane. This will also represent a material improvement in highway safety.
- 17.9. This application also envisages benefits in public access, via the provision of a publicly available car park for users of the existing and proposed new Public Right of Way within Knepp Park. The amenity benefits of this are considered below. In highway safety terms, the provision of a car park represents a material improvement in highway safety; through the ability for pedestrians to access the Public Rights of Way without being required to cross the dualled A24 on foot.
- 17.10. Overall, the scheme would deliver net benefits in highway safety terms, and the application is thus in accordance with Chapter 9 of the NPPF, Policy W18 and W19 of the WSWLP, and Policy 40 of the HDPF.

18. AMENITY AND PUBLIC BENEFITS

- 18.1. This application envisages enhancements in public amenity benefits over the extant scheme. This arises primarily from the provision of a car park for use by members of the public at Floodgates Farm, and amendments in the route of the approved Public Right of Way that runs north-south over the landscape enhancement features.
- 18.2. These amendments to the extant approved scheme will deliver significant net material benefits in public access and amenity beyond the extant scheme.
- 18.3. The provision of a car park available to members of the public will facilitate access to the site by walkers seeking to make use of both the existing Public Right of Way that travels east-west initially along Castle Lane, and the new Public Right of Way that runs north-south over the landscape enhancement features. At present, accessing the existing Public Right of Way from the east requires crossing of the dualled A24. The provision of a public car park, formalises the opportunity for greater ease of access to the existing/proposed Right of Way.
- 18.4. This application also envisages an amendment to the approved Public Right of Way over the landscape enhancement features. This amendment, in particular, alters the route over the Buck Barn landscape enhancement feature, so that it follows the crest of the new amphitheatre. This change would provide a 360 degree vista of the local area, including a view southwest toward Knepp Castle. This improvement in views, coupled with the extension of the parkland character of the Knepp Estate enhances the understanding and appreciation of local heritage assets.
- 18.5. This application is accompanied by a Noise Impact Assessment, and an assessment of the impact of dust generated by the proposed works. In consideration of the original scheme the potential impact on local amenity was considered to principally arise from noise and/or from

potential dust. In respect of both matters, it was concluded that with adequate controls, mitigation measures and good practice, the impact on local amenity would be acceptable. ¹⁶

- 18.6. The development has been in its implementation phase for some five years. Over this period, it is submitted that the impact of the works by reasons of noise and dust have not generated undue impact on local amenity. It is noted that in the Case Officer's Delegated Report that considered application WSCC/029/18/SP dated October 2018, that "... *there have been no complaints from neighbouring residents for four years, with dust and noise emissions managed through schemes approved by condition.*"
- 18.7. The amendments would result in the importation of additional material to the site via the construction access, and for the construction phase to take place for an additional three year period. The majority of the additional material imported will be deposited in the Buck Barn landscape enhancement feature.
- 18.8. The extension of the construction phase will result in increased lorry movements, and additional construction works beyond that permitted under the existing consent. However, the construction works to date, have been acknowledged to have taken place without undue impact on local residential amenity. The additional works in respect of Buck Barn, are predominantly not closer to, and further away than, the approved works. On this basis, the impact of the construction phase on local residential amenity would be less than has occurred to date.
- 18.9. There will be additional material deposited at the Floodgates Farm landscape enhancement feature. However, this should not significantly increase the duration of these works. Furthermore, the material is being located further away from Charleston House, than the extant scheme.
- 18.10. It is considered that the works of the additional construction phase will not have undue impact on local residential amenity.
- 18.11. In the operational phase, the changes to the scheme will result in alternative means of vehicular access to the site, principally via the permanent retention of the temporary construction access. This would serve a small number of properties and buildings, comprising Buck Barn Bungalows, and the buildings at Hill House Farm. Having regard to the generally limited quantum of traffic that will use this route, it is submitted that this will not give rise to any undue impact on local amenity.
- 18.12. Similar conclusions are reached in respect of the changes to the alternative access route to the industrial building to the east of Hill House Lawn landscape enhancement feature. This will result in a relatively modest increase in traffic, but will be separated from Charleston House by a mix of landscape enhancement features and acoustic fencing that is approved/proposed.
- 18.13. Overall, it is considered that the revised works will not impact on local residential amenity either in the extended construction phase, or subsequent revised completion phase of the scheme.

¹⁶ See paragraphs 9.12 - 9.29 of Officer's Report for WSCC/028/11/SP

- 18.14. On this basis, the works are in accordance with Policy W19 of the WSWLP and Policy 33 of the HDPF.

19. WHETHER THE SCHEME REPRESENTS SUSTAINABLE DEVELOPMENT

- 19.1. Paragraph 10 of the NPPF confirms that the underlying principle of the planning system is the presumption in favour of sustainable development. This is made up of the three dimensions of economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. This approach is embodied within the Development Plan through Policy 1 of the HDPF.
- 19.2. Having regard to this guidance, it is considered that the application, represents sustainable development on the following basis:

Environmental Sustainable Development

- 19.3. The LPA's approval of the original scheme confirmed the works would deliver a range of environmental benefits. The amendments proposed under this application represent further net environmental benefits beyond that consent. In particular, the scheme would deliver enhanced benefits to the landscape character and heritage assets of the area, and the revised landscaping proposals would deliver overall greater net gains in biodiversity including contribution to the internationally recognised rewilding project at the Knepp Estate.

Social Sustainable Development

- 19.4. The NPPF makes clear that conserving and enhancing heritage assets can make a positive contribution to sustainable communities. The proposed scheme will deliver net benefit gains in heritage terms.
- 19.5. In addition to this, this proposal envisages a number of net gains in public amenity benefit, via the provision of a publicly available car park for use of visitors/walkers to the site, and enhancements in the approved Public Right of Way. With regard to the latter this includes improved, panoramic 360 degree views from the Buck Barn landscape enhancement feature, importantly to include the vista towards Knepp Castle. Overall, the changes to the scheme will enhance the understanding and appreciation of heritage assets in the area.

Economic Sustainable Development

- 19.6. The scheme seeks to fulfil the long term aspirations set out in the Knepp Park Restoration Management Plan to deliver an improved and extended parkland that is reflective of the original Nash design, via the pioneering ecological management philosophy of rewilding. This helps to underpin the long term management of the Estate.
- 19.7. The delivery of improved access points to the existing commercial buildings on the Estate will help to underpin the viability of these businesses by improving net gains in highway safety for employees, customers and visitors.
- 19.8. In the short term, during the construction phase, the works will provide employment for the local construction industry; and this in turn has wider supply chain spin-off benefits.

20. SUMMARY

- 20.1. This Planning Statement is in support of a full application that proposes amendments to works at Knepp Castle Estate. These were substantively approved in 2012, and are the subject of approved amendment, most recently in October 2018. Overall, the works approve restoration of Knepp Mill Pond by dredging, construction of landscape enhancement features using imported inert material, and the provision of public access and amenity.
- 20.2. This application comprises an amendment to that consent. This will deliver material benefits beyond the extant scheme comprising:
- Enhancement to the heritage assets and their setting;
 - Enhancements in landscape character and biodiversity;
 - Enhancements in highway safety; and
 - Enhancements in public amenity benefits.
- 20.3. The proposal represents an iteration of the approved scheme, designed by the award winning Kim Wilkie. It seeks to secure the material added benefits that were originally envisaged under the proposal as set out in the Knepp Park Restoration Management Plan, but have not been achieved via the extant scheme. These importantly, include an extension of Knepp Park, comprising an extension to the listed grounds of the Estate; together with providing an important vista to the originally designed northeast view from Knepp Castle.
- 20.4. The amended scheme will deliver significant material enhancements in the quality of the heritage asset onsite and in the local area, and enhancements in landscape character.
- 20.5. Associated with the changes will be enhancements in the biodiversity and arboricultural interest in the site. These will reflect and follow the successful rewilding conservation practices employed elsewhere on the Estate.
- 20.6. The changes will deliver significant net gains in highway safety including via the closure of an existing direct access on to the A24. This is achieved via the proposed permanent retention of the existing temporary construction access following the completion of the construction phase of the development.
- 20.7. The scheme will deliver public benefits through the amended Public Right of Way over the landscape enhancement features providing improved vistas and viewpoints, and via the provision of a publicly accessible car park on the site to facilitate use of this new Public Right of Way, and existing Public Right of Way that runs east-west along Castle Lane.
- 20.8. The additional construction works can be delivered without undue impact on local residential amenity.
- 20.9. Overall, the application will deliver significant material net gain benefits over and above the extant scheme. The proposed quantum of material importation is the minimum necessary to achieve the totality of these benefits.

- 20.10. The scheme is wholly justified, and comprises sustainable development in each of its limbs. The scheme is in accordance with the relevant policies of the Development Plan, in particular those contained within the West Sussex Waste Local Plan and Horsham District Planning Framework.
- 20.11. It is submitted that there are no material considerations that weigh against the scheme, and as such planning permission should be granted.