

## Naomi Langford

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**From:** Naomi Langford  
**Sent:** 11 July 2023 17:05  
**To:** tondra@parkerdann.co.uk  
**Cc:** Mike Hughes  
**Subject:** RE: EIA Screening Request Black Robin Farm (SDNP/22/01496/PRES)

Dear Tondra

I write in response to the EIA Screening Report prepared by Temple dated June 2023, received 23<sup>rd</sup> June.

Unfortunately, insufficient information has been provided to be able to draw a conclusion of the extent and nature of significance of the proposal in EIA terms, and whether any mitigation would be sufficient to address identified sensitivities.

The critical issue is in relation to rare bats although there are notable absences across a wide range of topic areas. Generally there is too much reliance within the report on a generic approach that mitigation can be secured through the planning process without a full understanding of the potential impacts and extent of significance in the first instance. There is then an absence of detail on the mitigation that is indicated and would potentially need to be relied upon to minimise any significant impacts. Such mitigation would then need to be embedded in the planning application and secured through any related permission to meet EIA requirements so should be precise and unambiguous. Once the extent of significance is established, either the mitigation won't be sufficient in which case EIA would be required or it would be, such that EIA may not be necessary.

You may find that an additional table in the document will help clearly set out impact, significance and the headlines of the mitigation for each topic area and ensure each one is fully dealt with.

Matters to address:

1. Protected species. The site is used by rare bats; the impact of the proposal on these are not yet fully understood. Further surveys are required as detailed in the report, which should also clarify which of the other species currently identified only by their generic group name, are present. The grey long-eared bats for example are using the original flint farm building and attached wings; currently fairly undisturbed but as proposed will be the main visitor entrance, shop and access to the food offer. Disruptive works in ecological terms are proposed. Mitigation information is insufficiently precise and comprehensive to determine the extent of significant effect on the bats and there is no information to demonstrate suitable alternative habitats and features can be provided on site that would be sufficient in exchange for the current provision.
2. Heritage considerations. An evolving draft of the heritage assessment that officers have seen earlier in the process identifies significance in some of the buildings proposed for demolition in addition to those to be converted and adapted. There is a lack of discussion about significance in the heritage section in the Screening request. For example, para 4.3.32 refers only to why the west parlour and cow shed are to be removed and para 4.3.44 deal only with setting. What is the significance of these buildings and how will removing them affect that? What would the impact be of materially changing the levels in the main flint barn, the oldest building on site and considered potentially listable by the applicant's heritage specialist?
3. The scope of the site boundaries is too small for an EIA assessment in a sensitive area. There is insufficient recognition of value of linkages and relationships to adjacent land. For example, there are extensive records for approximately 50 protected and notable bird species in the land immediately around the site which could be directly or indirectly affected by development. Neither these nor the habitat conditions that support these are recognised. Impacts on the SSSI adjacent are not considered in enough detail – the provision of a new bus stop on the boundary of/potentially within the SSSI is not taken into account. There is insufficient recognition of the sensitivities of the site and surroundings in relation to its location within the South Downs National Park and the Heritage Coast. Diagrams would help to clarify the relationship of the site to designated areas and other sensitivities that may be material.
4. The content of specialist sections do not give enough weight to interrelated impacts. For example the section on water resources does not take into account the principal aquifer and potential contamination

risks. The section on climate change doesn't consider land management. The segment on Ecology doesn't link strongly enough to transport or air quality which could have a significant impact on the SSSI as is recognised but not quantified or explained in para 4.4.3.

5. Cumulative impacts. The assessment is too narrowly focussed on proposals of a major scale currently in the planning system. It ignores existing sites and uses in the locality, forthcoming potential policy allocations etc. The cumulative impact of the environmental matters should also be considered, such as effects on the Aquifer, local habitats and species, transport etc. If the existing local context is part of the baseline, it should be better explained and how the effects will be tested against this baseline explored. For example a small increase in activity could be significant if the area is already under a lot of environmental pressure. There may be elements that will improved or impacts reduced as a result of the proposal.
6. Pollution risks should be better understood – particularly in relation to the potential SSSI impacts from the additional activity and traffic, including bus idling at the new stop particularly on the southbound side, and cumulative traffic and congestion effects which will increase as a result of the proposal notwithstanding the sustainable transport initiatives. See Transport section below. Land contamination risk is identified to be moderate yet no further assessment has yet been undertaken. Should risks be confirmed it may impact upon how much ground can be disturbed and where. The report identifies that the site is on a Principal Aquifer. Currently there is a proposal for boreholes for ground source heat and excavation to create the new gallery and parking areas. Locating and explaining potential risks is advised to be able before it may be possible to be confident at this stage that the proposed works won't cause significant effects on ground or groundwater conditions. Again a map or diagram of the areas of risk would help to clarify matters.
7. Tranquillity (visual as well as aural) should considered in more detail under the section on landscape effects. Additionally, the dark skies reserve section needs to consider changes to glazing and increased vehicular activity which may cause light spill and how to minimise that, in addition to considerations of minimal practical and sensitive external lighting.
8. How will the proposal meet the expectations of landscape-led in order to minimise landscape impacts effectively? The current wording is far to theoretical and generic. Greater recognition is needed of change of use impacts and the effect on site character. Permanent change and related activity impacts (site to evolve from farm to visitor facility for 100,000 per year) are likely to be more notable than the physical changes on site on the basis that the core of the project is conversion.
9. Mitigation. It is not known whether the proposals for mitigation and enhancement recommended for ecological interests including bats, nesting birds and great crested newts – relied upon to avoid the need for EIA in Temple's report - are compatible with the other aims and will be integrated into the scheme. If mitigation is to be relied upon to determine that the proposal is not EIA development then full details of this mitigation must be set out in the assessment and will need to be secured by any forthcoming planning permission.
10. Socio-economic impacts – the potential benefits are not detailed, these may be wide ranging due to the nature of the proposal. The impacts of the farmer relocating to more suitable modern facilities within the holding and the potential effects of the loss of the holiday accommodation in the cottages on site have not been considered.
11. Transport. Effects will change due to the change of use from a farm with assumed low levels of agricultural movements over the course of a year (to be confirmed) to a visitor attraction for up to 100,000 visitors per year. The report relies on public transport and sustainable transport measures such as bike hire and e-car charging to mitigate but this may only deal with about half the visitor capacity given there is proposed around 50 spaces for cars on site. No commitments have been set out to test the effectiveness of any sustainable travel initiatives on the likely significant effect of transport activity at the site and in the local area, including effects on other environmental considerations such as the SSSI and cumulative impacts. What about the impacts of the residual non-sustainable access modes? What is the baseline? How might this change? Vague references to discussions taking place and changes happening in the future in relation to sustainable travel are insufficient for these purposes.
12. Human health – what are the potential wellbeing and cultural enrichment benefits? Accessibility of the site? How will the proposal appeal to and make welcome people from vulnerable groups?
13. Excavation and re-use of material on site. This should be understood in more detail in relation to quantity, composition, impacts on habitats and species, material as a resource (i.e. chalk), interplay with contamination investigations etc.
14. Section 5.2 states “with the exception of built heritage, it is anticipated that the proposed development is not likely to give rise to significant adverse effects” then says the proposed development is not EIA. No conclusion is drawn separately in relation to heritage, therefore it reads as though heritage impacts are significant. Referring back to the heritage section, there is potential for significant effects due to demolition of buildings of historic interest. It is not sufficient to rely on the Built Heritage Assessment coming forward

at application stage without setting out the level of risk and significance in this assessment for consideration. No consideration is given to the rare bats using the site in the conclusion, nor the potential effects on the SSSI.

I understand that the preparations for submission of the planning application are advanced and that you are likely to have access to much of the information identified as outstanding by now. I therefore propose we agree an additional period to enable a more comprehensive screening opinion request to be submitted and assessed. Please advise how long you will need to achieve this.

If any of the above is not clear please contact me for further discussion. I'll add this to the public file for the Screening Opinion for transparency.

Kind regards,

Naomi

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*Please note that we are experiencing a temporary number of vacancies that is impacting some areas of our planning service at the South Downs National Park Authority. We are working actively to recruit new staff and are committed to filling all posts within the Planning Department. We would be grateful for your understanding and patience during this time, as we may be unable to deal with all matters within normal specified timeframes. As always, our goal is to deal with matters as efficiently as possible and we hope to be in a position to meet our normal specified timeframes within 4 to 5 months.*  
Thank you.

Read our Spring Newsletter [here](#)



**From:** Tondra Thom <Tondra@parkerdann.co.uk>

**Sent:** Friday, June 23, 2023 12:46 PM

**To:** Naomi Langford <Naomi.Langford@southdowns.gov.uk>

**Cc:** Justin Johnston <Justin.Johnston@lewes-eastbourne.gov.uk>; Seabrook, Anita <anita.seabrook@aecom.com>

**Subject:** EIA Screening Request Black Robin Farm (SDNP/22/01496/PRES)

Caution: This email originates from outside of South Downs National Park Authority and could contain malicious content. Please think very carefully before opening attachments or clicking on links.

Dear Naomi,

This email and attachment constitute a formal EIA Screening Request for the Black Robin Farm development proposals (SDNP/22/01496/PRES).

This Screening Report reflects the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) ('the EIA Regulations'), and in accordance with Regulation 6 (2) includes:

- (a) a plan sufficient to identify the land;*
- (b) a description of the development, including in particular— (i) a description of the physical characteristics of the development and, where relevant, of demolition works;*
- (ii) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;*
- (c) a description of the aspects of the environment likely to be significantly affected by the development;*
- (d) to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from— (i) the expected residues and emissions and the production of waste, where relevant; and*
- (ii) the use of natural resources, in particular soil, land, water and biodiversity; and*
- (e) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.*

I trust you have all you need to provide a screening opinion.

Thanks and kind regards,

Tondra

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