



Working in Partnership



To all Members of the Planning Applications Committee

A meeting of the **Planning Applications Committee** will be held in the **Council Chamber, County Hall, St Annes Crescent, Lewes BN7 1UE** on **Wednesday, 15 March 2017** at **17:00** which you are requested to attend.

Please note the venue for this meeting which is wheelchair accessible and has an induction loop to help people who are hearing impaired.

This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

07/03/2017

Catherine Knight
Assistant Director of Legal and Democratic Services

Agenda

- 1 Minutes**
To approve the Minutes of the meeting held on 22 February 2017 (copy previously circulated).
- 2 Apologies for Absence/Declaration of Substitute Members**
- 3 Declarations of Interest**
Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.
- 4 Urgent Items**
Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972. A Supplementary Report will be circulated at the meeting to update the main Reports with any late information.

- 5 Petitions**
To receive petitions from councillors or members of the public in accordance with Council Procedure Rule 13 (Page D9 of the Constitution).

Planning Applications OUTSIDE the South Downs National Park

- 6 LW/16/0841 - Peacehaven Police Station (and Adjacent Buildings) 264-268 South Coast Road, Peacehaven, East Sussex BN10 7PD (page 5)**
- 7 LW/16/0775 - East Sussex Gliding Club, Kitsons Field, The Broyle, Ringmer, East Sussex, BN8 5AP (page 18)**
- 8 LW/17/0064 - Street Record, The Holt, Seaford, East Sussex (page 33)**
- 9 LW/16/1026 - 1 - 17 Munster Green, Barcombe, East Sussex, BN8 5BN (page 41)**
- 10 LW/14/0924 - Cricketfield Smallholding, Cricketfield, Newick, East Sussex (page 45)**

Planning Applications WITHIN the South Downs National Park

- 11 SDNP/17/00182/FUL - The Top Yard, The Street, Kingston, East Sussex (page 50)**
- 12 SDNP/17/00397/LIS - 7 - 8 Offham Cottages, The Street, Offham, Lewes, East Sussex BN7 3QA (page 64)**

Non-Planning Application Related Items

- 13 Outcome of Appeal Decisions from 30 January – 27th February 2017 (page 71)**
To receive the Report of the Director of Service Delivery (Report No 56/17 herewith).
- 14 Written Questions**
To deal with written questions from councillors pursuant to Council Procedure Rule 12.3 (page D8 of the Constitution).

15 Date of Next Meeting

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 15 March 2017 in the Council Chamber, County Hall, St Annes Crescent, Lewes, commencing at 5:00pm.

For further information about items appearing on this Agenda, please contact Jen Suh at Southover House, Southover Road, Lewes, East Sussex BN7 1AB (Tel: 01273 471600) or email jen.suh@lewes.gov.uk

Distribution: Councillor S Davy (Chair), G Amy, S Catlin, P Gardiner, T Jones, D Neave, V lent, T Rowell, J Sheppard, R Turner and L Wallraven

NOTES

If Members have any questions or wish to discuss aspects of an application prior to the meeting they are requested to contact the Case Officer. Applications, including plans and letters of representation, will be available for Members' inspection on the day of the meeting from 4.30pm in the Council Chamber, County Hall, Lewes.

There will be an opportunity for members of the public to speak on the application on this agenda where they have registered their interest by 12noon on the day before the meeting.

Planning Applications OUTSIDE the South Downs National Park

Section 2 of each report identifies policies which have a particular relevance to the application in question. Other more general policies may be of equal or greater importance. In order to avoid unnecessary duplication general policies are not specifically identified in Section 2. The fact that a policy is not specifically referred to in this section does not mean that it has not been taken into consideration or that it is of less weight than the policies which are referred to.

Planning Applications WITHIN the South Downs National Park

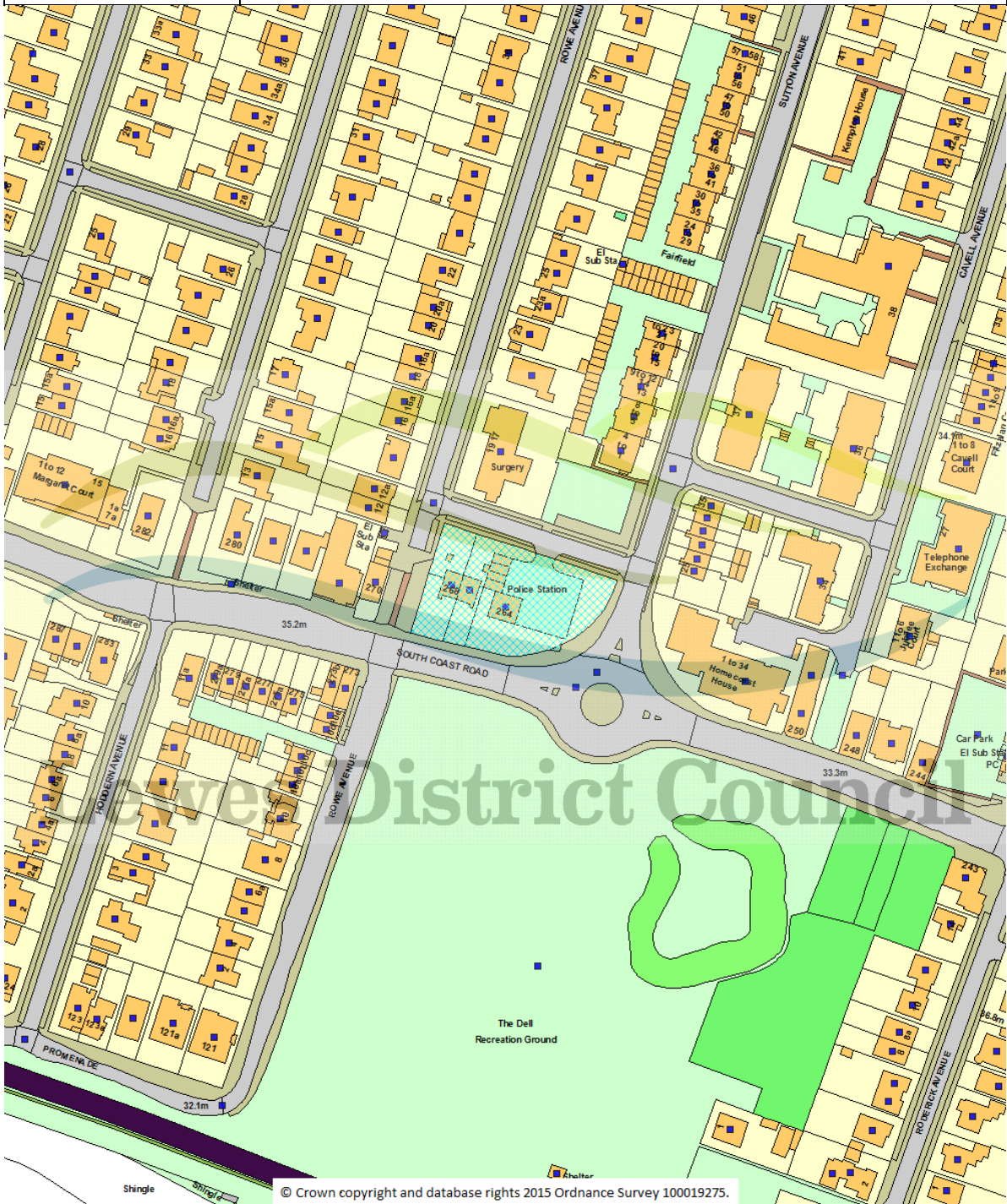
The two statutory purposes of the South Downs National Park designations are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local

community in pursuit of these purposes. Government policy relating to national parks set out in National Planning Policy Framework and Circular 20/10 is that they have the highest status of protection in relation to natural beauty, wildlife and cultural heritage and their conservation and enhancement must, therefore, be given great weight in development control decisions.

APPLICATION NUMBER:	LW/16/0841	ITEM NUMBER:	6
APPLICANTS NAME(S):	Churchill Retirement Living	PARISH / WARD:	Peacehaven / Peacehaven West
PROPOSAL:	Planning Application for Demolition of existing buildings and redevelopment to form 31 one and two bedroom sheltered apartments for the elderly including communal facilities, access, car parking and landscaping		
SITE ADDRESS:	Peacehaven Police Station (and Adjacent Buildings) 264-268 South Coast Road Peacehaven East Sussex BN10 7PD		
GRID REF:	TQ 40 01		



1. SITE DESCRIPTION / PROPOSAL

1.1 The site is located at the corner of South Coast Road and Sutton Avenue, and comprises Peacehaven Police Station and two houses (264 and 268 South Coast Road). To the east is Sutton Avenue, and on the opposite corner are three-storey flats (Homecoast House) and, further up Sutton Avenue, two-storey houses. To the north of the site is Rowe Avenue, beyond which is a car park serving two-storey flats (Fairfield Court), and the single storey Rowe Avenue surgery (17-19 Rowe Avenue). To the west is the grass area which links Rowe Avenue with the South Coast Road, beyond which are two-storey houses and bungalows fronting Rowe Avenue. To the south is the South Coast Road, beyond which is The Dell Recreation Ground.

1.2 The proposal is to demolish all buildings on the site and to erect a three-storey building of 31 sheltered apartments for the elderly, including communal facilities, access, car parking and landscaping. The building would front onto South Coast Road and Sutton Avenue, with its main entrance to the rear from an on-site car park, off Rowe Avenue, with 10 spaces. The car park would be accessed from Rowe Avenue.

1.3 The building would be a single block, with a number of projecting gables facing forward, a staggered building line, and facing materials including two red bricks, through colour render, weatherboarding and a grey tile roof. The windows would be white framed and steel balconies would have glass panelling. At the South Coast Road/Sutton Avenue corner, would be a flat roofed, curved white section of the building with balconies. The Design and Access Statement indicates that this *"is a building of its time that takes reference from its immediate context and uses a harmonious palette of traditional and modern materials"*.

1.4 'Elderly' is said in the application to be persons of 60 years or over, or those over this age with a partner of at least 55 (this age restriction is a requirement of the lease). However, the application also indicates that the average age of the applicant's accommodation elsewhere is 79, the majority of which are single female households.

1.5 The development would have a 'lodge manager' on duty, to provide any help with minor day to day problems and to provide peace of mind for the owners. A guest suite would be included for visitors. An 'owners' lounge would be provided for the use of all residents and their guests, which is also used for coffee mornings, fish and chip suppers, bridge evenings, special events and residents meetings. A communal landscaped garden area would be provided, on which the application comments... *"the quality of landscaping is very high, which has been evidenced at other schemes which have won awards for the landscaping provision"*.

1.6 The applicants Planning Statement explains the need for sheltered housing for the elderly, that Churchill are committed to the principle of sustainable development, that an online public exhibition and meeting with Peacehaven TC took place before the application was submitted, explains the planning policy framework applicable to the proposal and includes a 'Planning Analysis' of the application. The Statement concludes that the balance of material considerations is unequivocally in favour of the development and that it is respectfully requested that permission is granted.

1.7 A range of other documents have been submitted with the application, including a Stakeholder Engagement Statement, Affordable Housing Statement, Arboricultural Impact Appraisal and Method Statement, Drainage Assessment, Transport Statement, Ecology Phase 1 Report, Landscaping Strategy and Image Sheet and Archaeological Assessment.

2. RELEVANT POLICIES

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP1 – Affordable Housing

LDLP: – CP2 - Housing Type, Mix and Density

LDLP: – CP13 - Sustainable Travel

3. PLANNING HISTORY

E/67/0376 - Change of use of land to site for Police Station. ESCC raises no observations.
- **No Objection**

E/69/0036 - Planning and Building Regulations Applications for Police Section Station, two Police houses and four garages. Building Regulations Approved. Completed. - **Approved**

E/71/0745 - Vehicular access to Police Section Station. - **Refused**

LW/84/0033 - Change of Use of Police Houses to office use. Expires 28/02/89. - **Approved**

LW/00/0009 - Temporary single storey surgery for one year - **Approved**

LW/06/0843 - Section 73A Retrospective application for the retention of a rear conservatory - **Approved**

LW/12/0936 - Erection of a two storey side extension with a single storey rear extension - **Approved**

LW/13/0747 - Construction of part two and three storey building incorporating a replacement police station and 9 no. flats – **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 British Telecom – Advise that BT have not been able to identify any land or buildings owned or occupied by BT within the site.

4.2 Environmental Health – Given the proximity of the site to the A259, we consider that a noise impact assessment is required on site to ensure that both the internal and external noise levels that future residents are exposed to are acceptable.

4.3 Also, to limit any potential impacts on nearby residents during both the demolition and the construction phase, we would recommend a Construction Environmental Management Plan (CEMP) be required and limitations on working hours during construction.

4.4 I am satisfied there are no significant contamination risks with regards to the proposal. To account for any unexpected olfactory or visual signs of contamination during the development, it is recommended that an 'unsuspected contamination' condition be imposed.

4.5 ESCC Highways – The HA has no highway objection to the proposal and recommend highway conditions and off site highway works [footway along southern side of the Link Road UC5914, widened to 2m together with dropped kerbs/tactile paving] all to be secured through a section 106/278 Agreement.

4.6 The HA comment that, "Given the existing use of the site as two dwellings and a Police Station and the associated daily vehicular trips it is considered that this proposal would generate similar/slightly less traffic and therefore there is no highway objection in principle to the proposed development".

4.7 A Transport Statement has been submitted as part of the application and its contents and conclusions are acceptable.

4.8 Further commentary on the HA's position is given in Section 6 of this report.

4.9 Natural England – Is satisfied that the proposed development will not damage or destroy the interest features for which the Brighton to Newhaven SSI has been notified.

4.10 Care Quality Commission – The CQC is the independent regulator for all health and social care services in England, whether they are provided by the NHS, local authorities or voluntary organisations. The CQC advise that they do not have any involvement in planning applications.

4.11 Southern Gas Networks – SGN has no comment on this application. The applicant must comply with CDM Regulations and HSG47 guidance at the appropriate stage in their construction planning.

4.12 Sussex Police – Is satisfied that all appropriate measures for the safety and security of the facility and its residents have been considered. The Design and Access Statement provides further evidence of physical security measures to be adopted, including boundary treatment, CCTV, surveillance and access control.

4.13 Southern Water Plc – Should the Local Planning Authority be minded to approve the application, Southern Water would like the following condition to be attached to any permission. *"Development shall not commence until a drainage strategy detailing the proposed means of foul water disposal and a implementation timetable, has been submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable."*

4.14 We suggest the following informative: *"The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure"*.

4.15 Main Town Or Parish Council – Refusal Recommended due to:-

- Development too large for site, density of layout & over development

- Loss of Police accommodation
- Lack of outside space and parking for residents, visitors and care workers
- Inadequate local infrastructure - impact on local GP's and NHS services
- Exacerbate existing parking problems - impact on Rowe Avenue Surgery as parking is already difficult for staff and patients
- Increase of traffic & congestion - impact on Rowe Avenue residents due to increasing traffic movements and parking issues
- Blind or blocking corners with such a large development - hazard to drivers and pedestrians, health and safety issues.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Telscombe Residents Association objects on the following grounds:

- Overdevelopment. There are already two large sheltered housing developments adjacent to the proposed development.
- The pressure on doctors' surgeries in the area, particularly Rowe Avenue Surgery, which, together with the only other surgery in the area, Meridian Surgery, have recently had to take on a very large number of extra patients due to the closure of two doctors' surgeries in the area. Most of the residents of the proposed sheltered apartments will be elderly, and will likely need more medical attention. Rowe Avenue Surgery can barely manage even now, let alone with extra patients.
- A lack of infrastructure - the Sutton Avenue roundabout will soon need improvement, due to the traffic congestion on the A259. This proposed development could affect any proposed improvement to this roundabout.
- The lack of parking - only 9 spaces for 31 flats? This is not enough for the residents and visitors, who will try to park in Rowe Avenue. It is already very difficult to park when visiting Rowe Avenue surgery for appointments, but this development will make matters worse.
- We therefore implore Lewes District Council to refuse planning permission based on the above objection.

5.2 Twenty one objections received from local residents regarding: Pedestrian safety issues, poor access to site, under provision/inadequate of car parking spaces on new development, Increase of illegal parking in the area, Inadequate parking in local area as a result of local Doctors Surgery, Suggestion of making Rowe Avenue one way street in order to reduce level of congestion, Lack of infrastructure within Peacehaven. The A259 corridor is heavily congested with traffic, low air quality from congestion, regular accidents on Rowe Avenue, access for ambulances and fire crew unable to get access to properties on Rowe Avenue.

5.3 Other objections include: Oversubscribed for Sheltered Accommodation locally, Overburdened GP Surgeries, Over development of site and the density of layout,, Lack of medical GP facilities, Lack of NHS Dentists, Safety issues with busy main road, Increase in noise and air pollution, No architectural merit to the design as it is a standard Churchill design, Local housing need however, advertised in national newspaper, Supporting information overstates the use of the police station which is an appointment only office, Obstruction of the view to the sea, The proposed building will block natural light, height of development overshadowing neighbouring properties and devaluation of local properties due to loss of sea view.

6. PLANNING CONSIDERATIONS

Principle

6.1 The site is within the Planning Boundary for Peacehaven and is not allocated for any specific purpose in the Joint Core Strategy. In these circumstances the principle of the development is acceptable. A building comprising nine flats and a replacement police station, up to three storeys, has previously been approved on the site (LW/13/0747).

Loss of police station

6.2 The Planning Statement advises that the police are relocating to alternative accommodation within Peacehaven, resulting in the existing station being surplus to operational needs, and allowing the police to reinvest.

6.3 The policing strategy for Peacehaven, including where the police force might be operationally based to serve the area, is a matter for the Police Authority and is not a planning consideration. The application could not be reasonably refused on the ground that the site is suitable for police purposes and should be retained.

The building

6.4 The proposal is for a relatively substantial building. The building would be L shaped, with the main elevation facing the South Coast Road but with a smaller return frontage onto Sutton Avenue. The building would be set back 3.7m from the South Coast Road, narrowing to 2m from the boundary at the corner, and then a minimum of 3.02m from Sutton Avenue. With its three-storey height (9.7m to 10.7m to ridge from ground level) the building would be imposing in the 'street scene'.

6.5 The 'street' elevations submitted with the application, however, indicate that the building would be of similar height to the existing three-storey flats on the opposite corner of the South Coast Road, across Sutton Avenue. Also, the same elevation indicates that, while the building would be higher than adjacent 270 South Coast Road (a two-storey building of smaller scale) to the west, it would be lower than 272 South Coast Road (a larger scale two-storey building) beyond.

6.6 Development along the South Coast Road, including in the vicinity of the application site, is often close to its respective front boundary. The proposed building would be no different in this arrangement.

6.7 The application includes a '3D Massing and Perspective' drawing which contains an aerial view of the proposed development in its context, together with ground level diagrammatic views of the development along the South Coast Road from both directions, and views along Sutton and Rowe Avenues. This drawing is helpful in assessing whether the built form, bulk and height of the development would be acceptable in its context.

6.8 Overall, it is considered that the building would fit into the locality in terms of its height, proximity to the front and side boundaries, and is considered to be acceptable.

Design

6.9 The building would feature a series of four staggered gables, steel balconies and a range of external materials on the front elevation, which would help articulate the building and visually 'break up' the appearance of this prominent and important elevation.

6.10 The external materials would include different shades of brick, blue and grey cladding and white render, arranged in 'blocks'. Existing development in the locality is of brickwork, and it is considered that the proposed building would introduce some variety into the 'street scene' and would be acceptable.

Effect on nearby living and working conditions

6.11 The immediate locality is predominantly residential in character, but there is a surgery at 16-17 Rowe Avenue to the rear of the site.

6.12 The proposed building would face across Sutton Avenue to Homecoast House, which itself has flats with windows facing across to the application site. The distance between these facing windows, across Sutton Avenue would be a minimum of 30m. The buildings would, it is considered, be sufficiently separated to avoid planning concerns that undue overlooking, or loss of light, would result.

6.13 On the west side, the building would be a minimum of 16.8m from 270 South Coast Road, which is across the grassed end of Rowe Avenue. This end elevation of the building, facing across Rowe Avenue, would feature secondary windows to the flats at that end (the primary windows of which would face to the front and rear). 270 South Coast Road has its front door, together with windows and a balcony facing towards the site, but the respective upper floor rooms also have windows front and back.

6.14 To the rear (north) is the car park for Fairfield Court, beyond which is Fairfield Court itself, which would be a minimum of 37.7m from the proposed building. Views from some Fairfield Court flats, and some other flats, are across the application site towards the sea. These views would be lost as a result of the building, but the loss of private views cannot be taken into account in deciding the planning application.

6.15 The Rowe Avenue surgery is also on the north side of the site, a minimum of 27.5m from the building. The single-storey surgery is 'side-on' to the building, and has limited windows facing the site, with the windows to the consulting rooms already screened.

Amenity Space

6.16 Although the amount of on-site open amenity space, for the benefit of residents, is limited, the building would have a landscaped setting. The Dell Recreation Ground is opposite the site and constitutes a major open space in the locality, while the cliff top and undercliff walks constitute pleasant recreation walking opportunities. In the circumstances, any perceived inadequacy of amenity space for residents would not, it is considered, provide a ground for refusal.

Traffic generation, parking and access

6.17 A Transport Statement has been submitted with the application, which has helped inform the view of the Highway Authority on the application.

6.18 On traffic generation, the Highway Authority has considered empirical information about traffic generation from other similar retirement developments. The HA has advised that likely trip generation would be comparable with potential trip generation from the use of the site if the police station was operative, plus the likely trips from the two houses which stand on the site. The HA conclude that *"the impact on the highway network will be minimal"*.

6.19 On parking provision, 10 parking spaces are proposed behind the building, accessed from the link road between Sutton Avenue and Rowe Avenue. The HA comment that the site is in a sustainable location, well within acceptable walking distance of public transport (bus with links to rail) and shops and services. The HA advise that the proposed 10 spaces comply with ESCC parking guidelines, and is an acceptable level of on-site parking provision.

6.20 The issue of parking, or an alleged shortfall of parking, is an issue which is commonly raised by objectors. They point out that the nearby Rowe Avenue Surgery is a significant traffic generator in the locality, which already generates pressure for parking on local roads. In addition, pressure for parking is generated by commercial premises on the South Coast Road and by local residents and visitors. While this is clearly a major local concern, the on-site parking which is proposed should meet the demand of the development and ensure that overspill parking to local roads is not significant. In the absence of a recommendation for refusal by the Highway Authority, a refusal on the basis that parking provision would be inadequate would, it is considered, be difficult to substantiate.

6.21 The HA contend that the proposed 5 mobility scooter spaces would not be adequate provision for the 31 flats, and say that an increase in mobility scooter spaces could be required by planning condition.

6.22 On access, the entrance/egress to/from the development would be from the link road between Sutton Avenue and Rowe Avenue to the rear of the building. The HA advise that this single access/egress point is acceptable, with satisfactory visibility splays, and that the closure of two existing accesses is welcomed.

6.23 The HA provided advice that a Travel Plan is not required for the development. However, the HA also advise that a travel plan pack should be provided for each flat on occupation. This would provide occupiers with information on public transport options in the area.

Affordable Housing

6.24 Core Policy 1 (Affordable Housing) of the JCS indicates that 40% affordable housing will be sought for developments of 10 or more dwelling units. However, the policy also indicates that *"In exceptional circumstances, the local planning authority may, at its discretion, consider accepting in lieu an off-site contribution on another suitable services site provided by the developer in the first instance or a financial contribution of broadly equivalent value....."* Para. 7.19 of the JCS confirms that *"...the affordable housing policy applies to sheltered, extra care and assisted living residential development in the same way as it does to general dwelling houses..."* Core Policy 1 therefore applies to the proposed development.

6.25 The application was accompanied by an 'Affordable Housing and Viability Statement' (AHVS). This was submitted on a confidential basis, given that it contains commercially sensitive financial information, but it has been considered by the District Valuer on behalf of the Council and the District Valuer has advised the Council on the submissions made by the applicant.

6.26 The applicants AHVS notes that the site is around 0.2ha in total, is relatively small, and will only reasonably accommodate one single block of retirement apartments together with the required amenity and parking provision. While the Council's starting point (to provide 40% affordable housing on site) is acknowledged, the AHVS states that *"the*

provision of on-site affordable housing within or alongside an open market sheltered housing retirement scheme on this small site is impractical and would make it impossible to achieve a successful housing development". The applicant therefore proposes to make a financial contribution to the Council towards the provision of affordable housing elsewhere. The AHVS indicates that this approach is generally accepted in the planning applications which the applicant submits for developments of the type and scale proposed.

6.27 The NPPF requires an off-site affordable housing contribution to be broadly equivalent to on-site provision. As such, in this case this would amount to a sum equivalent to the subsidy required to provide a maximum of 40% of the development as affordable housing. The amount of the contribution, however, is subject to viability. The economic viability of the development is tested by including all the costs of development (including an appropriate existing value for the land), and all the income generated from the development, in a financial appraisal. The outcome of the appraisal shows either a development surplus (a viable contribution) or deficit (not viable).

6.28 The initial AHVS concluded that the viability of the development was marginal, and that a maximum reasonable contribution towards affordable housing of £51,041 would be appropriate. The AHVS pointed out that this would be in addition to a CIL allowance of £198,360, which is obligatory.

6.29 The DV, on behalf of the Council, interrogated the initial AHVS. The analysis included scrutiny of likely sales values of the proposed scheme (taking into account, for example, evidence in the form of sales values of the most comparable schemes in the area). The DV's analysis also included consideration of the profit level to the applicant, with the DV acknowledging that 20% has been agreed at certain other Churchill schemes (as witnessed by appeal decisions involving the applicant), but providing advice on the 'range' of contribution which may be available if 17.5% and 20% were used as the profit margin. Finally, the DV considered the 'Benchmark Land Value' of the site, taking into account the extant scheme for 9 flats on the site approved under permission ref. LW/13/0747.

6.30 The DV has advised, after thorough examination of the issues and discussion with the applicants agent, that the development might provide an affordable housing contribution within the range of £225,191 (if a 20% profit margin is adopted) - £390,922 (if a 17.5% profit margin is adopted). The applicant has made the point that 20% profit is the industry norm on a scheme such as this, that 20% has been accepted at appeal and that the contribution could therefore reasonably be at the lower end of the scale.

6.31 In the event the applicant, following discussion with the DV, increased the offer to £268,000, and again to a final offer of £300,000. The agent advises that, if the application is refused, the offer of £300,000 will be withdrawn, and an appeal will be lodged based on what the agent considers to be a 'robust and justified viability figure'.

6.32 The £300,000 offer is therefore just below the mid-point (£308,056.50) of what the DV advises is the acceptable range of £225,191 and £390,922. The DV points out that striving for a figure at the upper end of the range may well mean the Council taking a position which is less likely to succeed at appeal. The question of viability, as witnessed by other appeal decisions, is not an exact science, and as indicated above, the agent is firmly of the view that a lower offer would be accepted by an Inspector at appeal.

6.33 In the circumstances, the offer of £300,000 towards the provision of affordable housing in Peacehaven is considered to be a reasonable response to CP1 of the JCS, and to be acceptable.

Conclusion

6.34 The proposal is considered to be acceptable and is recommended for conditional approval, subject to a S106 Agreement restricting the occupancy of the building by age and securing a financial contribution of £300,000 towards the provision of off-site affordable housing.

7. RECOMMENDATION

That planning permission be granted, following completion of a Section 106 legal agreement which would:

1. Require occupancy of each flat to be restricted to a person of 60 years or over, together with the spouse of such person (provided the spouse is of 55 years or over).
2. Require a financial contribution of £300,000 towards the provision of affordable housing in the district, the payment being due prior to the commencement of development.

The application is subject to the following conditions:

1. The external materials, levels and landscaping shall be as specified in the application papers, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the locality, having regard to Policy ST3 of the Lewes District Local Plan, as contained in the Joint Core Strategy.

2. Construction work shall not begin until a scheme for protecting the proposed dwellings from road noise has been submitted to and approved by the Local Planning Authority. All works which form part of the scheme shall be completed before any part of the development is occupied.

Reason: Due to the proximity of the site to noise from the A259, having regard to Policy ST3 of the Lewes District Local Plan, as contained in the Joint Core Strategy.

3. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- The size of vehicles (contractors and deliveries);
- The routing of vehicles (contractors and deliveries);
- Contractors parking and travel plan;
- Temporary site security fencing;
- Lighting;
- Measures to control the emission of dust and dirt during construction;
- Loading and unloading of plant and materials;
- Storage of plant and materials used during construction;
- The location of any site huts/cabins/offices.

Reason: To ensure safe and neighbourly construction, having regard to Policy ST3 of the Lewes District Local Plan, as contained in the Joint Core Strategy.

4. Hours of construction work shall be restricted to 08:00 to 18:00 hours Monday to Friday and 08:30 to 13:00 hours on Saturdays. No working at any time on Sundays or Bank Holidays.

Reason: In the interests of local living conditions, having regard to Policy ST3 of the Lewes District Local Plan, as contained in the Joint Core Strategy.

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected Contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, sections 120 and 121].

6. Development shall not commence until a drainage strategy detailing the proposed means of foul water disposal and a implementation timetable, has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: In the interests of the locality, having regard to Policy ST3 of the Lewes District Local Plan, as contained in the Joint Core Strategy.

7. No development shall take place until details of the layout of the new access which shall include details of drainage and levels have been submitted to and approved in writing by the Planning Authority and the use hereby permitted shall not commence until the construction of the access has been completed in accordance with the specification set out on Form HT407 which is attached to and forms part of this permission.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, having regard to Policy ST3 of the Lewes District Local Plan, as contained in the Joint Core Strategy.

8. The buildings shall not be occupied until the existing accesses shown on the submitted plans have been stopped up and the kerb and footway and/or verge reinstated in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, having regard to Policy ST3 of the Lewes District Local Plan, as contained in the Joint Core Strategy.

9. The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Local Planning Authority and the area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, having regard to Policy ST3 of the Lewes District Local Plan, as contained in the Joint Core Strategy.

10. The development shall not be occupied until covered and secure mobility scooter parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by mobility motor scooters, having regard to Policy ST3 of the Lewes District Local Plan, as contained in the Joint Core Strategy.

INFORMATIVE(S)

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

3. This Authority's requirements associated with this development proposal will need to be secured through a Section 106/278 Legal Agreement between the applicant and East Sussex County Council.

4. The applicant's attention is drawn to the need for an Agreement for the construction of the access. The applicant should contact ESCC on 0345 6080193 prior to commencement of development to complete the agreement and pay the necessary fee.

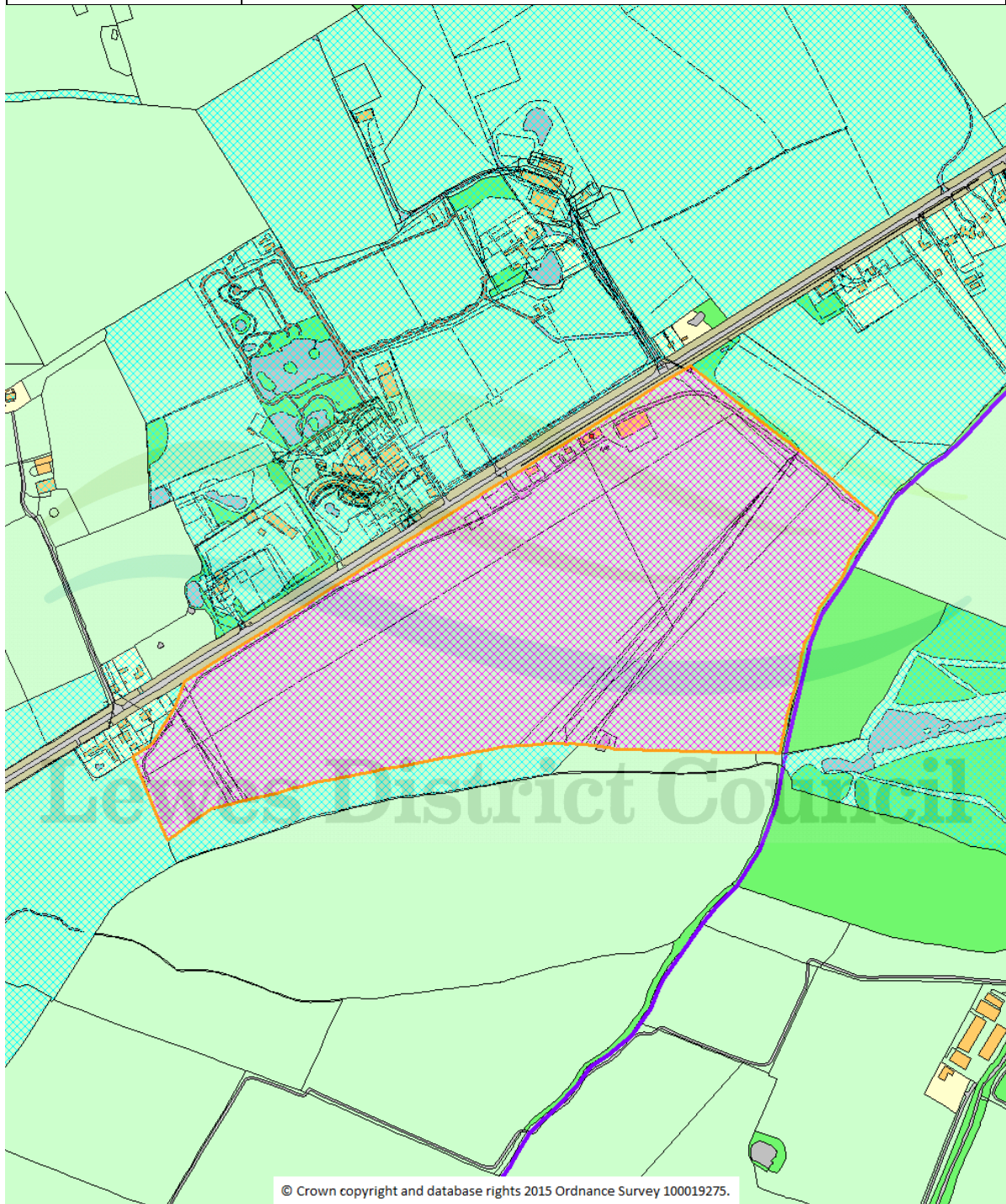
5. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Additional Documents	3 October 2016	DRAINAGE REV A (PART 2)
Biodiversity Checklist	3 October 2016	BIODIVERSITY CHECKLIST
Planning Statement/Brief	3 October 2016	PLANNING STATEMENT
Landscaping	3 October 2016	192 LS 001_A (STRAT PLN)
Landscaping	3 October 2016	192 LS 002 (IMAGE)
Affordable Housing Statement	3 October 2016	CONFIDENTIAL
Technical Report	3 October 2016	ARCHAEOLOGICAL DBA

Tree Statement/Survey	3 October 2016	BT1 TREE PROTECTION PLAN
Tree Statement/Survey	3 October 2016	16200-AA-MW ARBORICULTURAL STATE
Design & Access Statement	3 October 2016	20067PH P12 D&A STATEMENT
Additional Documents	3 October 2016	DRAINAGE REV A (PART 1)
Technical Report	3 October 2016	ECOLOGY
Land Contamination	3 October 2016	CROSSFIELD CONSULTING
Proposed Floor Plan(s)	3 October 2016	20067PH P03 (GF)
Proposed Floor Plan(s)	3 October 2016	20067PH P04 (1F)
Proposed Floor Plan(s)	3 October 2016	20067PH P05 (2F)
Proposed Roof Plan	3 October 2016	20067PH P06 (RP)
Proposed Elevation(s)	3 October 2016	20067PH P07 (ELEV 1)
Proposed Elevation(s)	3 October 2016	20067PH P08 (ELEV 2)
Other Plan(s)	3 October 2016	212051-SU-01 TOPOGRAPHY
Transport Assessment	3 October 2016	TRANSPORT
Location Plan	16 November 2016	20067PH P01 A
Proposed Layout Plan	16 November 2016	20067PH P02 A
Other Plan(s)	16 November 2016	20067PH P10 A
Proposed Block Plan	2 November 2016	20067PH P13
Existing Block Plan	2 November 2016	20067PH P13
Existing Elevation(s)	2 November 2016	1-024-14-3-1004: 003
Existing Floor Plan(s)	2 November 2016	1-024-14-3-1004: 002
Existing Elevation(s)	2 November 2016	212051-SU-01 ELEV
Existing Floor Plan(s)	2 November 2016	212051-SU-01 GND FLR
Existing Floor Plan(s)	2 November 2016	212051-SU-01 1ST FLR

APPLICATION NUMBER:	LW/16/0775	ITEM NUMBER:	7
APPLICANTS NAME(S):	East Sussex Gliding Club	PARISH / WARD:	Ringmer / Ouse Valley & Ringmer
PROPOSAL:	Planning Application for Raising of ground level to create two safe landing strips for gliders with new site drainage		
SITE ADDRESS:	East Sussex Gliding Club Kitsons Field The Broyle Ringmer East Sussex BN8 5AP		
GRID REF:	TQ 4814		



0. Introduction

- 0.1 Consideration of this application was deferred at the 1st February 2017 Planning Applications Committee meeting, to enable Members to visit the application site and discuss the proposals in more detail with the applicants.
- 0.2 A number of Members visited the site with officers and representatives for the Gliding Club on 10th February 2017. In advance of that meeting an additional written statement was also produced in support of the application proposals. This is available to view on file.
- 0.3 The application is now being reported back to Members for determination.

1. SITE DESCRIPTION / PROPOSAL

1.1 East Sussex Gliding Club is located some 4km north-east of Ringmer and is accessed from the B2192. It covers an area of approximately 24.5 hectares and has a road frontage of about 800 metres. There is a single access point serving the site roughly midpoint on the site frontage.

1.2 Within the site are a small number of buildings including a hanger building and a clubhouse. All the buildings are situated close to the road frontage which is bounded by trees and a hedgerow. The access leads into an informal car parking area. The remainder of the site is an open grassed field bounded by trees and hedgerows with a stream along the southern boundary. The land falls from the north and west of the site to the south and east. The highest point of the site is about 34m AOD and the ground falls to around 20m AOD at the southern end.

1.3 The surrounding land is largely agricultural. Residential properties immediately adjoin the south-west boundary of the site (Upper Broyle Farm and Cottages). Raystede Animal Welfare Centre, no.'s 1 and 2 Upper Lodge Cottages and the access to Upper Lodge Farm are situated on the other side of the road opposite the site. A bridleway (no. 29b) is adjacent to the south-eastern boundary and a footpath (no. 28) runs alongside the north eastern boundary. The site and its operations are visible from these public rights of ways.

1.4 The application has been described as the creation of safe landing strips for gliders and the submitted Statement explains the proposals as follows:

"In its present state the land where the gliders take off and land is boggy and has subsided since the earlier land raising, partly by natural erosion and partly through use and extreme weather conditions over the last few years. The gliders are now struggling and following advice from the British Gliders Association, the best way forward is to create slightly raised levels by banking with soils and 0.5m depth of chalk capping along the length of each strip. In conjunction with this, bespoke drainage pipes will be run along each strip."

1.5 Whilst this seems to indicate that only the landing strips are to be raised, what the submitted plans actually indicate is that the whole of the site is to be raised by approximately 0.5 metres, with green chalk capping to the two landing strips only. This will mean that whilst the aircraft will continue to be able to use the whole of the airfield for take-off and landings, there will be two strips of more solid construction making for easier take-off during wetter conditions.

1.6 The proposals will require 95,000 cubic metres of combined soil and green chalk to be imported. The construction will be carried out in 2 phases, completing 1 strip before commencing the second in order to keep the airfield operational. It is indicated that the time period for the works would be in the region of 2 years.

1.7 Once completed and seeded the whole of the site will simply appear as a grassed surface with little differentiation between the strips and wider airfield.

2. RELEVANT POLICIES

Lewes District Local Plan

LDLP: – CT01 – Planning Boundary and Countryside Policy

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – ST11 – Landscaping of Development

Joint Core Strategy

LDLP: – CP10 – Natural Environment and Landscape

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP13 – Sustainable Travel

Ringmer Neighbourhood Plan

LDLP: – RNP41 – Policy 4.1-Planning Boundary

LDLP: – RNP410 – Policy 4.10-Biodiversity

LDLP: – RNP51 – Policy 5.1-Employment Sites

LDLP: – RNP81 – Policy 8.1-Traffic Generaion

LDLP: – RNP96 – Policy 9.6-Hard and Soft Landscaping

ESCC Waste and Minerals Plan 2013

WMP 1 - Presumption in Favour of Sustainable Development

WMP 8b - Deposit of Inert Waste on Land for Beneficial Uses

WMP 25 - General Amenity

WMP 26 - Traffic Impacts

WMP 27 - Environment and Environmental Enhancement

3. PLANNING HISTORY

3.1 The application site has a long and extensive planning history; however of particular interest to the consideration of this application are the following applications:

LW/79/0991 - Use of land as gliding site for launching of gliders. Approved - 19 July 1979

LW/83/1770 - Change of Use of land to gliding site. Approved - 14 December 1983

LW/83/1771 - Renewal of Temporary Planning Permission (LW/80/0039) to launch gliders by aerotow. Approved - 14 December 1983

LW/87/0083 - Continued use of gliding club without complying with conditions attached to permission LW/83/1770 and LW/83/1771. Approved - 17 March 1987

LW/98/1402 - Improvements to landing strip by levelling, infill & drainage & improve road access. Approved - 25 May 1999

4. REPRESENTATIONS FROM STANDARD CONSULTEES

ESCC Archaeologist – Although this application is situated within an Archaeological Notification Area, defining the remains of a late Iron Age and Roman settlement, These remains are buried at a depth of c. 2 metres below made ground imported to create the current runway, Therefore I do not believe that any significant below ground archaeological remains are likely to be affected by these proposals as the impact depth of the drainage is 150mm. For this reason I have no further recommendations to make in this instance.

Ringmer Parish Council – Ringmer Parish Council felt they were unable to comment on this application as there is confusion as to what is proposed. There appears to be a disparity between what was presented to the Council and the application itself.

Members have requested this application be "called in" by the local District Council in order for the application to be considered by LDC Planning Applications Committee. Ringmer Parish Council recommend the Officer dealing with the application seek clearer clarification regarding the proposed outlined in the application and consider any impact this may have.

Wealden District Council – I am now able to advise you that this Council RAISE NO OBJECTIONS to this application

Natural England – STATUTORY NATURE CONSERVATION SITES - NO OBJECTION
Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

PROTECTED SPECIES

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

LOCAL SITES

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

ESCC Highways – It would seem that the proposed temporary development of 95,000 cubic metres of material would entail 28 HGV's daily over 5 days and over 2 years thus 56 vehicular lorry trips a day (i.e. 28 movements in and 28 movements out). A previous permission (239/CM) on this site allowed for 50 movements in and 50 movements out a day therefore subject to the routing of vehicles and access improvements I have no highway objection to this proposal with fewer trips.

The highway authority would wish to see all vehicles entering and leaving the site going to and from the north to the A22 and not to the south through Ringmer village. This would need to be included in a construction traffic management plan along with signage all of which can be dealt with by a condition of any planning permission. The access shall be improved to ensure the access is sufficient to cater for the construction vehicles and upon completion of the landing strips the access will need to be returned to the existing layout and a condition can be imposed on the planning permission for this.

There is also an additional field access gate in the north western corner of the site onto the B2192 which the highway authority would not wish to see used for this development.

Sussex Police – I have viewed the proposals within this application, including the Traffic Routing Plan, and advise that from a crime prevention viewpoint I have no comment to make and no objection to the application.

Southern Water Plc – The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

Specify the responsibilities of each party for the implementation of the SUDS scheme
Specify a timetable for implementation

Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

ESCC SUDS – We do not consider that the proposals would significantly impact surface water flood risk and therefore we have no comments to make.

East Sussex Waste And Minerals – As noted by the applicant in the Planning Statement, East Sussex County Council granted planning permission in 1999 for "Improvements to landing strip by stripping, filling with 154,000 cubic metres of imported material, infilling, levelling and drainage works phased over 4 years and improved access".

The Statement further states that this proposal included perimeter drainage works. However, it should be noted that the approved drainage scheme associated with the permission granted by the County Council actually covered the entire site, with drains running north to south at 10 metre intervals - not just perimeter drainage. Perhaps it might be worth seeking confirmation from the applicant as to whether these drainage works were carried out in full, as poor drainage seems to be one of the drivers for the current application. If the drainage hasn't been fully installed, this could be a solution as opposed to further raising the land with imported materials.

As mentioned during our conversation, there also appears to be a miscalculation with regard to the number of vehicle movements (HGVs) that would be generated from the current proposal. The Statement states that based on 95,000 cubic metres, there would be 10,555 vehicle movements (assuming approximately 14-15 cubic metres of material per load). However, this actually appears that it should equate to between 12,666 - 13,572 movements. Also, loads often only take 12 cubic metres, depending on how compacted the material is. If this is the case, there could be up to 15,834 vehicle movements.

Notwithstanding any impacts from the subsequent use of the land for gliding, in relation to this application the main impacts will be during the construction itself. Therefore, if LDC is minded to grant planning permission, I would recommend a number of conditions to control matters such as: (i) number of vehicle movements; (ii) provision and use of wheel washing facilities; (iii) restricting the type of materials that can be imported, and where they can be used; and (iv) the provision of marker posts to delineate the tipping area.

It might also be worth considering a condition requiring a topographical survey to be undertaken and submitted to the LPA three months after tipping has ceased. This will enable you to check that there hasn't been over tipping. This is of course dependant on the applicant having submitted a contour plan of the proposed finished levels.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Four letters of objection raising the following points:

- A similar project was carried out a few years ago resulting in considerable traffic disturbance.
- The club has recently started flying microlights and is using motorised gliders more frequently.
- The current situation is unacceptable.
- The tow vehicle is extremely noisy.
- The larger landing strips will lead to more flights and noise disturbance.
- The earthworks and resultant drainage system will increase the amount of rainwater runoff into our garden causing flooding.
- Noise and fumes of gliders congregating adjacent our boundary results in noise and fumes. Disruption due to sections of the field being unusable for flying during the earthworks, will mean increased ground and air traffic right next to, and even over the top of our property.

- How long will the process take? There must be a rigid and brief as possible timescale for the work to take place and it would preferably be in the winter months.
- Why were we not informed by the Council that a plan had been submitted?
- Why are they now proposing to raise the entire field? This is different to the proposals presented to local residents and the parish council.
- The club have stated they do not have enough money to purchase a new tug tow plane, which would be a lot quieter for local residents, so how can they afford to raise the whole field?
- What is their long term objective?
- Surely they should be looking for a different line of take off?
- What guarantees would be given that the village would be protected from this traffic and that only the A22 would be used, approaching only from Halland.
- Previous application proposed drainage which has not been implemented.
- There is no justification for these proposals.
- Site is highly visible from the South Downs National Park.
- Application should be the subject of an Environmental Impact Assessment.

6. PLANNING CONSIDERATIONS

Principle/Need

6.1 With the application site falling outside of the planning boundary of Ringmer as defined by the Lewes District Local Plan, Policy CT1 is relevant to the consideration of this application. This policy seeks to resist development outside the planning boundaries unless it is for uses compatible with the countryside.

6.2 The use of this site by the Gliding Club is well established, having been in operation since the 1970s. This is noted by the Ringmer Neighbourhood Plan which has identified the site under Policy 5.1 as an established leisure site where the more intensive use of the site, and the upgrading of its facilities, will be supported.

6.3 As noted above, permission was granted in 1998 for similar land-raising at the site. At the time of the consideration of that application it was explained that there was an overriding need for the surface of the airfield and its drainage to be improved following a number of accidents. The use of the runway had been restricted due to rutting and hollows, and the proposed improvements meant that more of the field could be used in more varying wind conditions.

6.4 It is understood however that the drainage proposals were not successful and poor drainage of the site continues to cause operational problems. Having sought advice from drainage experts, the applicants have submitted this application with a view to improving the landing area through the implementation of a formalised drainage system. This will provide the gliding club with a more consistent landing area, and hopefully prevent long periods where the airfield cannot be used due to waterlogging.

6.5 In order to make the installation of the drainage system cost effective for the club they are seeking to raise the land, rather than digging the drainage system into the existing ground. If the works are not carried out there are likely to be more periods during which the airfield cannot be used as the airfield continues to deteriorate.

6.6 As these works effectively involve a large amount of waste disposal it is pertinent to consider the Policies of the ESCC Waste and Minerals Plan. Policy WNP8b allows the deposit of inert waste on land for beneficial uses and states:

"Proposals for the deposit of only inert waste on land will be permitted, subject to other policies of the Development Plan for the area, where relevant, where it is demonstrated that the proposal:

- a. conforms with Policy WMP 8a (a, c, d); and*
- b. is an engineering operation such as that which forms part of a comprehensive scheme for restoration of suitable previously developed land or minerals sites; or*
- c. significantly enhances other development or its setting; or*
- d. would result in appropriate measurable improvement to the use or operation of agricultural and/or forestry land; and*
- e. the resulting final landform, landscape and afteruse enhances the environment and is sympathetic to the land uses, landscape, visual amenity and nature conservation interests of the site and the surrounding area including its landscape character; and the minimum volume of inert material is used to achieve necessary improvements; and*
- f. where appropriate, the proposal includes ancillary on-site facilities for the recovery of the waste which can be managed by methods further up the waste hierarchy."*

6.7 This policy clearly accepts the principle of the disposal of inert waste where the deposit of such waste significantly enhances other development (clause (c)).

6.8 As noted above the Gliding Club is a well established leisure site that the Neighbourhood Plan has pledged to support. These proposals provide a cost effective way for the club to improve drainage and therefore use of the airfield. The works will not increase the use of the site beyond its current permitted allowances and therefore, provided the impacts of the proposals in terms of overall environment, highway implications and neighbour amenity are acceptable, it is considered that there is no "in principle" objection to the proposed works.

Landscape

6.9 Clearly one of the main issues in relation to these proposals is the resulting impact on the wider landscape. In fact Appendix 2 of the Ringmer Neighbourhood Plan notes that there is *"little screening from the B2192 or the public footpath along the south-eastern boundary of the site, so any development must be subject to consideration of landscape impact."*

6.10 This being so, whilst the operations to carry out the works will no doubt be visible from the surrounding highway and public footpaths, once completed it is likely that the visual appearance of the site will not be notably different from existing. The gentle gradient of the proposed land raising will mean that the increased land height will be difficult to detect, and on this basis it is not considered that the proposal will have an adverse impact on the landscape.

Traffic

6.11 One of the main matters of concern in relation to this proposal is the impact of the traffic movements associated with the proposed land raise. The applicants have calculated that the land raise will need 95,000 cubic metres of combined soil and green chalk to be imported. Whilst it is not currently known where exactly the material will be imported from it is intended that it will be sourced from within approximately 15 miles of the site.

6.12 The site has been professionally surveyed and it has been assessed that 13,800 cubic metres of green chalk for the two landing strips, and 81,200 cubic metres of subsoils will be required.

6.13 The applicants explain in the supporting statements that the proposed materials will be delivered to the site on rigid HGVs and that approximately 14-15 cubic metres can be imported per vehicle. Based on the required 95,000 cubic metres this would equate to a maximum of 10,555 vehicle movements over a 2 year period, or 30-40 per day, depending on availability, weather conditions and seasonable changes. This also takes into account no works being carried out after 6pm, or on Sundays or Bank Holidays.

6.14 The proposals have been considered by ESCC who have questioned the applicant's calculations. They suggest that 95,000 cubic metres of materials (assuming approximately 14-15 cubic metres of material per load) would equate to between 12,666 - 13,572 movements. Furthermore they note that loads often only take 12 cubic metres, depending on how compacted the material is. If this is the case, there could be up to 15,834 vehicle movements. The Highways Authority have considered the application proposals. In their response they have noted that the previous permission allowed for 50 movements in and 50 movements out a day. On this basis, subject to appropriate routing of vehicles and access improvements, which can be secured by appropriately worded conditions, they raised no objections to the application.

6.15 Whilst not recommended by the Highways Authority it is suggested that a condition limiting the number of vehicle movements in and out of the site would be appropriate, in order to minimise disruption on the local highway network and on neighbour amenity. Whilst it was previously reported to Members that this be limited to just 40 movements per day (20 in and 20 out), bearing in mind the comments made in relation to the possible increase in vehicle movement required in association with the amount of material required, it is suggested that this number be increased slightly a total of 60 movement per day (30 in and 30 out). This should ensure that the works are carried out in a timely fashion whilst still limiting wider harm.

Neighbour amenity

6.16 The lorry movements generated by this proposal are likely to affect residents in close proximity and to a lesser extent, may have an impact in nearby settlements such as Ringmer and Halland. However, controls on hours of operation and the number and routing of vehicles will help limit any significant harmful impacts.

6.17 Operations on site also have the potential to cause disturbance to nearby residential properties as a result of noise and dust. A number of conditions are suggested in order to try and mitigate this disturbance as much as possible.

6.18 Whilst this will not eliminate all noise and disturbance it should bring it to within acceptable levels. On the basis that any noise and disturbance will only be a temporary inconvenience, with measures in place to mitigate the harm as far as possible, it is considered that limited harm to neighbour amenity would be unreasonable grounds to resist the application proposals.

6.19 Many of the objections to the application make reference to noise and disturbance created by the actual use of the airfield i.e. noise from the aircraft, tow plan and vehicles on site. On the basis that this application does not seek to amend the lawful use of the site, approval of this application will not alter the number, type or frequency of flights already permitted to operate from the site. Notwithstanding this, the applicants have pointed out that the improvements to the take-off strips should actually reduce noise from the site to a degree as the tow plane are currently struggling to take-off on the un-even, boggy and rutted surface. A smoother take-off should lead to quieter take-offs.

Other Matters

6.20 It has been suggested that this application should have been the subject of an Environmental Impact Assessment (EIA). The proposed development falls outside of the categories of development set out in Schedules 1 and 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, as amended and therefore an EIA is not required.

6.21 Questions have also been raised about the long term plans of the gliding club; a suggestion that the flight path of the gliders should be re-considered; and the breach of existing planning conditions has also been mentioned. These are matters unrelated and irrelevant to the determination of this current application, which must be considered on its own merits.

CONCLUSION

6.22 The proposal would result in an improved surface for the airfield, enhancing the facilities at this well-established leisure site. The development, on completion, will have little impact on the visual amenity of the area. Whilst the works to implement the scheme will have some impact locally, this will be for a temporary period only. Subject to conditions to minimise the impact on the amenity of local residents and the local road network the application proposals are considered to comply with the relevant Policies of the Development Plan as outlined above and can therefore be supported.

7. RECOMMENDATION

7.1 That permission be granted subject to the following conditions:

The application is subject to the following conditions:

1. The development hereby approved shall be carried out in its entirety and in complete accordance with the approved plans and specifications within 2 years of the commencement of development.

Reason: In the interests of the amenity of nearby residential occupiers and to accord with policy ST3 of the Lewes District Local Plan.

2. Development shall not begin until a programme for the phased working of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

- a) The area, sequence and estimated duration of operations;
- b) The size of vehicles and routing of vehicles;
- c) The construction and removal of internal haulage routes phased in accordance with the operations area and sequence, which permit the safe movement of vehicles and pedestrians within the site;
- d) The location of wheel cleaning facilities and methods for preventing mud and debris entering the highway;
- e) The erection of a fence to attenuate noise to be located along the boundary of the buffer zone and maintained throughout the period of operations on the remainder of the site;
- f) The location and construction of fencing to protect existing trees and hedgerows;
- g) The construction of facilities of the storage of oils, fuels and chemicals;
- h) The construction of surface water drainage works;

and the development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenity of area and to accord with policy ST3 of the Lewes District Local Plan.

3. Development shall not begin until a programme for the phased restoration of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with the approved phased working programme and include details of:

- a) Plans showing the existing and final site contours of the whole site and each phase of operation;
- b) The retention of existing top and sub soils on site for restoration;
- c) The location and height of topsoil and subsoil stockpiles;
- d) The seeding of each completed phase in the next planting season;

and the development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenity of area and to accord with policy ST3 of the Lewes District Local Plan.

4. Development shall not begin until marker posts and profile boards related to Ordnance Datum have been placed around the area of each phase at 25 metre intervals to indicate the extent of the approved land raise and the finished contours on the approved plans. Such posts shall be retained in place for the full duration of the development and grading operations and shall be replaced within seven days if they are removed or displaced at any time. The marker posts and profile boards shall not be removed until the finished levels have been approved in writing by the Local Planning Authority.

Reason: In the interests of the amenity of area and to accord with policy ST3 of the Lewes District Local Plan.

5. No development shall take place until details of the temporary layout of the reconstructed access and the specification for the construction of the access which shall include details of levels and drainage have been submitted to and approved in writing by the Planning Authority and the use hereby permitted shall not commence until the construction of the access has been completed in accordance with the specification set out on Form HT407 which is attached to and forms part of this permission

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to accord with policy ST3 of the Lewes District Local Plan.

6. Any gate(s) shall be positioned at least 17m back from the edge of the highway in order that a vehicle may wait clear of the highway whilst the gate(s) are being operated.

Reason: To ensure that the use of the highway by persons and vehicles is not obstructed by waiting vehicles and to accord with policy ST3 of the Lewes District Local Plan.

7. Traffic associated with this development shall not use the northern access to this site for the duration of this development.

Reason:- In the interests of highway safety and to accord with policy ST3 of the Lewes District Local Plan

8. Wheel cleaning facilities shall be installed on site in accordance with the approved phased working programme (referred to in condition 3) and shall be used so that no vehicles

associated with the development shall leave the site carrying mud, dust or other debris on their wheels.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large and to accord with policy ST3 of the Lewes District Local Plan.

9. No deposition of materials or grading works shall take place until temporary hard surfaced internal haul roads and a turning space which permits any vehicles depositing materials to enter and leave the site in forward gear have been provided in accordance with the approved phased working programme (condition 3).

Reason:- In the interests of highway safety and to accord with policy ST3 of the Lewes District Local Plan.

10. The maximum number of daily vehicle movements connected with the development shall not exceed 60 (30 in and 30 out).

Reason: In the interests of the amenity of area and to accord with policy ST3 of the Lewes District Local Plan

11. No vehicles connected with the development shall enter or leave the site other than between 0800 to 1800 on Mondays to Fridays and between 0800 to 1300 on Saturdays and at no time on Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of the amenity of area and to accord with policy ST3 of the Lewes District Local Plan.

12. Work shall be carried out in daylight hours only and in any event shall not be carried out at times other than between 0800 to 1800 on Mondays to Fridays and between 0800 to 1300 on Saturdays and at no time on Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of the amenity of area and to accord with policy ST3 of the Lewes District Local Plan.

13. Development shall not begin until a detailed noise attenuation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with the approved phased working programme (condition 3) and shall include details of:

- a) The maximum noise levels at the site boundaries or such other locations as may be agreed;
- b) The location and construction of a fence to attenuate noise along the whole boundary of the 100m buffer zone to be maintained throughout the operations on the remainder of the site;
- c) Any works to be carried out within the 100m buffer zone and measure to attenuate noise;
- d) Noise monitoring and recording procedures;
- e) Noise suppression measures;
- f) Procedures to be adopted in the event of maximum noise levels being exceeded

and the scheme shall be fully implemented in accordance with the approved details.

Reason: In the interests of the amenity of nearby residential occupiers and to accord with policy ST3 of the Lewes District Local Plan.

14. The level of noise emitted from the site from the development shall not exceed 68dB(A) and shall not exceed the maximum noise levels at the other locations agreed in the approved noise attenuation scheme.

Reason: In the interests of the amenity of the area and to accord with policy ST3 of the Lewes District Local Plan

15. Operations associated with the development shall be carried out in such a way as to ensure that dust is contained within the site.

Reason: In the interests of the amenity of area and to accord with policy ST3 of the Lewes District Local Plan.

16. All existing ditches/watercourses or other aquatic features and their associated vegetation shall be retained unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent pollution and to accord with policy ST30 of the Lewes District Local Plan.

17. No materials other than clean inert soils and green chalk shall be deposited on the site.

Reason: To prevent pollution and to accord with policy ST30 of the Lewes District Local Plan.

18. No deposition of materials or excavation shall be carried out within 5 metres of the top of the water course channels.

Reason: To prevent pollution and to accord with policy ST30 of the Lewes District Local Plan.

19. Any facilities for the storage of oils, fuels or chemicals associated with the development hereby approved shall be sited on impervious bases and surrounded by impervious walls. Development shall not begin until details of such facilities have been submitted to and approved by the Local Planning Authority. The facilities shall be constructed in accordance with the approved details and the approved phased working programme.

Reason: To prevent pollution and to accord with policy ST30 of the Lewes District Local Plan.

20. Development shall not begin until a detailed scheme for the containment, drainage and disposal of surface water has been submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved scheme and the phased working programme.

Reason: To ensure the adequate drainage of the site and to prevent water pollution and to accord with Policy CP12 of the Joint Core Strategy.

21. All trees and hedgerows on the site boundaries shall be retained unless the written approval to their removal of the Local Planning Authority has been obtained. If any tree or hedgerow to be retained is removed, uprooted, is destroyed or dies another tree/hedgerow of the same species and size as that originally planted shall be planted in the same place in the next planting season unless the Local Planning Authority agrees in writing to any variation.

Reason: To preserve the trees and hedgerows on the site in the interests of visual amenity and the environment and to accord with Policy ST3 of the Lewes District Local Plan.

22. Development shall not begin until a scheme showing the protection of existing trees and hedgerows including the erection of protective fencing has been submitted to and approved in

writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details and the phased working programme.

Reason: To preserve the trees and hedgerows on the site in the interests of visual amenity and the environment and to accord with Policy ST3 of the Lewes District Local Plan.

23. On completion of the development hereby approved the access to the site shall be reinstated in character with details to and agreed by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy ST3 of the Lewes District Local Plan.

24. Within three months of the completion on the works hereby approved a topographical survey of the site shall be undertaken and submitted to the Local Planning Authority.

Reason: To demonstrate that the works have been implemented as approved and to accord with Policy ST3 of the Lewes District Local Plan.

INFORMATIVE(S)

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

3. Due to the minor nature of the highway in the vicinity of the site, construction traffic could damage the carriageway/verges. The Highway Authority will require the applicant to reimburse their legitimate expenses in making good any such damage. Prior to the commencement of development the applicant should contact East Sussex Highways on 0345 60 80 193 to arrange a photographic survey and joint inspection of the local highway network

4. The applicant's attention is drawn to the need for a Licence Agreement for the construction of the "temporary" access and reinstatement of the access. The applicant should contact ESCC on 0345 6080193 prior to commencement of development to complete the agreement and pay the necessary fee

5. The applicant should be made aware that the creation/alteration of this access will require the compliance with the Traffic Management Act 2004 and that the contractor will have to book road space with the County Council's Network Coordination team (0345 60 80 193)

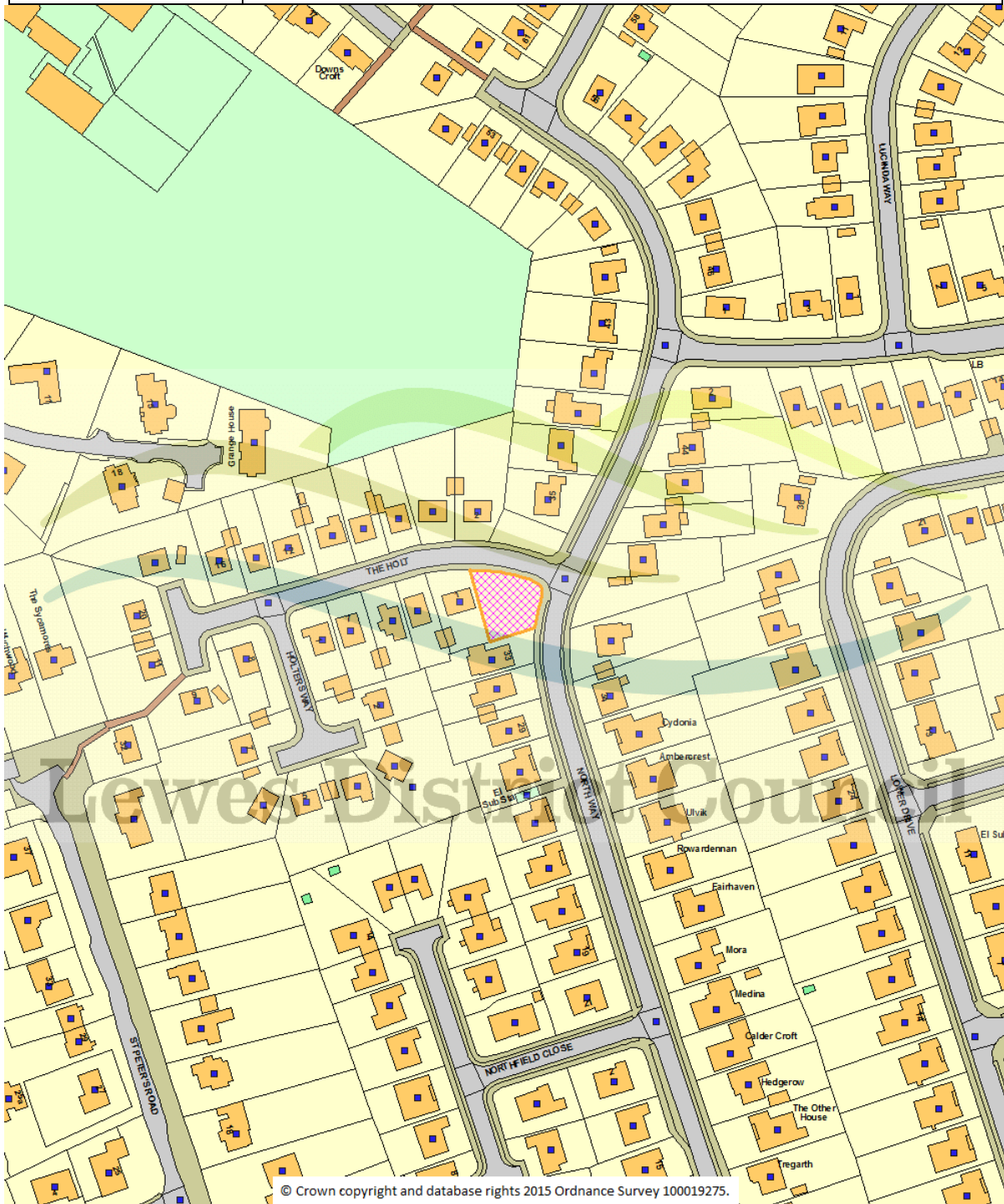
6. Given the volume of traffic on the approach road the hours of delivery/collection should avoid peak traffic flow times.

7. The committee raised the issue of the suitability of chalk as a surface treatment and wished to make the applicant aware of their concerns and to ensure that full regard was had to surface materials.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	8 September 2016	
Proposed Layout Plan	8 September 2016	
Planning Statement/Brief	8 September 2016	
Design & Access Statement	8 September 2016	
Other Plan(s)	8 September 2016	100-B B TOPOGRAPHICAL
Other Plan(s)	26 September 2016	101 A DRAINAGE
Proposed Section(s)	26 September 2016	102
Proposed Layout Plan	6 December 2016	200 A
Proposed Layout Plan	6 December 2016	500 A
Other Plan(s)	8 September 2016	TRAFFIC ROUTING

APPLICATION NUMBER:	LW/17/0064	ITEM NUMBER:	8
APPLICANTS NAME(S):	Seaford Town Council	PARISH / WARD:	Seaford / Seaford North
PROPOSAL:	Outline Planning Application for Outline application for the erection of a dwellinghouse on land at the junction of The Holt and North Way		
SITE ADDRESS:	Street Record The Holt Seaford East Sussex		
GRID REF:	TQ 48 00		



1. SITE DESCRIPTION / PROPOSAL

SITE DESCRIPTION

1.1 The application site is located on the south-west corner of the junction between The Holt and North Way. The land is bound to the west by 1 The Holt, a two storey dwelling, and to the south by 33 North Way, a detached bungalow. The land is laid to grass and there are four small trees near to the wall which delineates the western boundary to the site.

1.2 The site is some 20m across and 21m deep having an area of some 397 square metres.

1.3 The application site is within the Planning Boundary of Seaford and is in a predominantly residential area developed from the late 1970s and early 1980s. The land is not within an Area of Established Character or a Conservation Area, and there are no Listed Buildings within the site.

1.4 The land is owned by Seaford Town Council, the applicant for the planning application.

PROPOSAL

1.5 The application seeks outline planning permission for the erection of a detached bungalow dwelling within the site, with all matters reserved including means of access; layout; scale; appearance and landscaping. The drawings submitted with the application are therefore indicative.

1.6 The plans submitted show a dwelling with an L-shaped footprint and a projection at the rear, having a pitched roof with gable ends. The property will follow the stepped building lines along both North Way and The Holt. The principal elevation will front The Holt and a driveway and off-street car parking in the form of a detached single garage is proposed to the side of the dwelling, next to the boundary with 1 The Holt.

1.7 The property indicated will be 9.9m across and 7.8m deep, having a floor area of 73 square metres.

1.8 The layout will comprise three bedrooms; bathroom; lounge/dining room; hallway; and kitchen.

2. RELEVANT POLICIES

LDLP: – CT01 – Planning Boundary and Countryside Policy

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – SP2 – Distribution of Housing

LDLP: – CP2 – Housing Type, Mix and Density

LDLP: – CP11 – Built and Historic Environment & Design

3. PLANNING HISTORY

S/53/0090 - Outline application for residential development.

Part Approved/Part Refused.

See Plan - Sections B, C, D, E & F Approved, Sections A & G Refused. – **Split**

S/69/0229 - Outline application for forty-nine houses and garages – **Refused**

LW/74/1555 - Outline application for residential development (approx eight units/acre) on existing agricultural land. – **Refused**

LW/80/0726 - Outline Application for residential development. Restrictive Planning Condition No's. 14 & 15. - **Approved**

LW/81/0106 - Approval of Reserved Matters (LW/80/0726) for the construction of new estate roads and erection of thirty-five detached bungalows, twelve detached three bedroom bungalows, two detached four bedroom houses with garages. - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Environmental Health – has no objections to the proposal but would recommend the following advisory condition be attached to any approval.

- 1. Hours of construction work shall be restricted to 0800 to 1800 Monday to Friday and 0830 to 1300 on Saturdays. No working at any time on Sundays or Bank Holidays. Janet Adams Senior Environmental Health Officer*

4.2 Southern Gas Networks – No objection. Standard advice in relation to pipelines and mains.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Representations have been received from 5 The Holt; 78, 105 and 109 North Way; and 24 Lucinda Way, objecting to the application for the following reasons:

- Loss of green space
- Loss of open space
- Loss of public amenity space
- Loss of trees
- Harm to pleasant environment and aesthetic of the estate
- Crowded environment
- Over-development
- Density
- Overlooking, loss of privacy
- Parking issues
- Traffic generation
- Highway hazards
- Danger to pedestrians
- Effect on wildlife

- Conservation significance
- Not an affordable home
- Misleading supporting data from town survey

5.2 Councillor Carolyn Lambert raises an objection commenting as follows:-

5.2.1 "This would represent an over-development of the area and the loss of much-valued amenity space for the community. Further development on this site would also affect neighbouring residences in terms of privacy and overlooking. The unnecessary in-filling of this site will continue to contribute to the density of the area which is at its maximum capacity."

6 PLANNING CONSIDERATIONS

6.1 The main considerations in the determination of the application include the principle of development and whether the site can accommodate the scale and type of the development proposed as shown on the indicative drawings submitted. The details will be reserved matters for subsequent approval, including the means of access, landscaping, layout, scale and appearance of the development.

Principle of development

6.2 Spatial Policy 2 of the Joint Core Strategy "Distribution of Housing" states that the housing needs of the district can be met in part by allowing new homes on unidentified infill sites within Planning Boundaries. In this case the plot is within the Planning Boundary of Seaford and the net increase of one dwelling will help, albeit in a small way, to meet housing demand.

6.3 The street scene is generally open plan and the front gardens to properties, along with the grass verges along North Way, contribute to the open and spacious character of the area. There are two areas of green amenity space at the junction between The Holt and North Way, one of which being the application site. The site is large enough to accommodate a detached dwelling and this is demonstrated on the indicative drawings submitted which show a traditional bungalow dwelling in keeping with those that characterise North Way. The loss of the green amenity space will be mitigated by the fact that some grass land is shown to be retained between the bungalow and North Way. The front gardens and grass verges all contribute to the street scene as well, and the loss of the application site is not considered so significant as to outweigh the benefit of adding a new dwelling. Furthermore, the smaller area of green amenity land on the opposite corner of the junction will remain.

6.4 Notwithstanding the objections from neighbouring residents, the development of the site with a single bungalow dwelling is acceptable in principle and would help to meet housing need whilst the green and open character of the estate will not be unduly compromised.

Reserved Matters

6.5 The specific details relating to the reserved matters will be considered in subsequent applications for planning permission. The indicative plans submitted show that the site can accommodate a detached bungalow and that through careful design, loss of privacy and overshadowing of neighbours can be avoided.

6.6 The indicative drawings also indicate that there is space for off-street car parking including a garage. There is also a bus route along North Way and as such future occupiers need not necessarily be reliant on private car use for all of their journeys.

6.7 The comments received in respect of highway safety and parking issues are acknowledged, but the net increase in traffic generated by a single dwelling is not likely to be significant, particularly as ample off-street car parking can be incorporated into the scheme.

7 RECOMMENDATION

The application is recommended for approval.

The application is subject to the following conditions:

1. Details of the layout, appearance, landscaping, scale and means of access (hereinafter called "the Reserved Matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To meet the provisions of paragraph (1) of Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

2. Applications for approval of the Reserved Matters shall be made to the local planning authority before the expiration of three years from the date of this permission, and the development to which this permission relates shall be begun before the expiration of two years from the date of the final approval of the last of the Reserved Matters.

Reason: To meet the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

3. The Reserved Matters shall be in general conformity with drawing numbers 2017-06-02a, 2017-06-03b, 2017-06-04a and 2017-06-05 submitted with the application hereby approved. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenities of nearby residents and the character of the locality, and to create a satisfactory layout and appearance to the development with provision for safe vehicular access and off-street car parking, having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and the National Planning Policy Framework.

4. No development shall take place until full details of the existing and proposed ground levels within the site, together with the eaves and ridge height of the approved development, and details of the ground levels, eaves and ridge heights of the existing buildings on land adjoining the site, to include 1 The Holt and 33 North Way, by means of spot heights and cross-sections to OS Datum, have been submitted to and approved by the Local Planning Authority. The development shall thereafter be implemented and completed in accordance with the approved level details.

Reason: In the interests of visual amenity, neighbour amenity and to ensure a satisfactory appearance to the development in accordance with retained policy ST3 and Core Policy 11 of the Lewes District Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected within and, where necessary, around the perimeter of the application site. The boundary treatment shall be completed in accordance with the approved details prior to the occupation of the dwelling units hereby permitted and retained as such thereafter.

Reason: To enhance the general appearance of the development having regard to retained policy ST3 of the Lewes District Local Plan, Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

6. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the first occupation of the new dwelling units hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enhance the general appearance of the development having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

7. All hard surfaces incorporated into the development hereby approved shall be constructed from porous or permeable materials or designed to direct surface run-off to soakaways within the application site.

Reason: In order to drain surface run-off water naturally in the interests of sustainability and reducing the risk of flooding, in accordance with Core Policies 11 and 12 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to National Planning Guidance contained in the National Planning Policy Framework 2012.

8. No development shall take place until details/samples of all external materials and finishes to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details/samples.

Reason: To ensure a satisfactory appearance to the development in keeping with the locality having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

9. The residential unit hereby approved shall not be occupied until satisfactory car parking provision has been made within the site in accordance with details to be approved by the local planning authority, and the car parking areas shall not be used other than for the parking of motor vehicles used by occupants of and visitors to the development hereby permitted, and retained as such thereafter.

Reason: In the interests of amenity and making satisfactory provision for the transport demand generated by the development, in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

10. Construction work and deliveries in association with the development hereby permitted shall be restricted to between the hours of 0800 and 1800 Mondays to Fridays and from 0830 until 1300 on Saturdays. No works in association with the development hereby permitted shall be carried out at any time on Sundays or on Bank/Statutory Holidays.

Reason: In the interests of the residential amenities of the neighbours having regard to policy ST3 of the Lewes District Local Plan, policy CP11 of Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and the National Planning Policy Framework.

12. Prior to any demolition or site clearance works necessary to implement the development hereby approved, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. The CEMP shall provide for:

- the size of vehicles (contractors and deliveries);
- the routing of vehicles (contractors and deliveries);
- contractors' parking and Travel Plan;
- temporary site-security fencing;
- lighting;
- measures to control the emission of dust and dirt during construction;
- loading and unloading of plant and materials;
- storage of plant and materials used during construction;
- the location of any site huts/cabins/offices.

The development shall be implemented in accordance with the approved CEMP unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the residential amenities of the neighbours having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

13. Notwithstanding the provisions of the Town and Country (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development as described in Schedule 2, Part 1, Classes A (with the exception of replacement of existing windows/doors) or B, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing in an application on that behalf.

Reason: Further extensions, alterations and a more intensive development of the site would be likely to adversely affect the appearance and character of the development, the area and neighbour amenity, having regard to retained policies ST3 and RES13 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

INFORMATIVE(S)

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Proposed Layout Plan	24 January 2017	02A
Proposed Floor Plan(s)	24 January 2017	03B
Proposed Elevation(s)	24 January 2017	04A
Location Plan	24 January 2017	05
Proposed Block Plan	24 January 2017	05
Planning Statement/Brief	24 January 2017	

APPLICATION NUMBER:	LW/16/1026	ITEM NUMBER:	9
APPLICANTS NAME(S):	Lewes District Council	PARISH / WARD:	Barcombe / Barcombe & Hamsey
PROPOSAL:	Planning Application for Installation of bike shelter		
SITE ADDRESS:	1 - 17 Munster Green Barcombe East Sussex BN8 5BN		
GRID REF:	TQ 42 15		



1. SITE DESCRIPTION / PROPOSAL

1.1 1-17 Munster Green is a Council owned block of flats in the centre of Barcombe. The flats are arranged in a low-rise, L-shaped configuration on the eastern side of the road. The L-shaped configuration allows for a prominent, open communal green area to the front of the dwellings.

1.2 Planning permission is sought for the erection of a covered communal bicycle shelter for use of the residents.

1.3 As originally submitted the proposed shelter was indicated to be located at the western end of the northern 'wing' of the block of flats, close to the road frontage, in an open grassed area. However following negotiation with officers the shelter has been moved to the southern boundary of the site adjacent the existing bin storage area.

1.4 The proposed shelter will be a six space bike shelter measuring 2 metres in width by 1.9 metres in depth with an overall height of 2.4 metres. It would be a curved, steel construction with a clear polycarbonate roof.

2. RELEVANT POLICIES

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – CP11 – Built and Historic Environment & Design

3. PLANNING HISTORY

None relevant.

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Barcombe Parish Council – Barcombe Parish Council has no comment to make on this application

Environmental Health – No comments.

ESCC Archaeologist – Although this application is situated within an Archaeological Notification Area, I do not believe that any significant below ground archaeological remains are likely to be affected by these proposals. For this reason I have no further recommendations to make in this instance.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 One letter of objection received making the following comments:

There is not enough information available to determine whether the development would:

- 1) Block access via an existing gate from the rear of our garden to the green
- 2) Reduce incoming light to the rear garden or overshadow the garden
- 3) Be an overbearing or out of character structure

6. PLANNING CONSIDERATIONS

6.1 The main considerations in determination of this application are:

Scale, Design and Impact on Character of the Area

6.2 As originally submitted it was felt that the position of the proposed bicycle shelter, in a prominent, open location close to the road would have detrimentally affected the existing street scene. Officers therefore sought to negotiate the relocation of the bicycle shelter to a less prominent position.

6.3 At the southern end of the block of flats is an existing area used for the storage of the communal bins and it is now proposed to erect the bicycle shelter immediately adjacent this bin storage area. This means that the shelter will be set back from the road frontage by some 25 metres and will be viewed in association with the building and bin storage area.

6.4 Whilst the bicycle storage will sit forward of the building and bin storage it is considered that the much wider expanse of communal green space between the shelter and the road frontage, minimises the visual intrusion of the structure and that consequently no significant harm will be caused to the street scene.

6.5 With the application site backing onto the designated Conservation Area, the impact on the setting of the Conservation Area also needs to be taken into consideration. The boundary with the Conservation Area at this point is marked by close boarded fencing running along the boundary of the rear gardens of the neighbouring dwellings. Whilst glimpses of the shelter will be visible above this fence line, as a lightweight, mainly transparent structure, its visual impact will be negligible. On this basis it is not considered that the structure will have any negative impact on the setting of the designated Conservation Area.

Impact on Residential Amenities

6.6 As noted above it will be possible to see the shelter above the mutual fence line with the neighbouring properties. This is not a large structure though and with a largely transparent roof, it will not cause significant overshadowing or loss of light to the neighbouring garden.

6.7 Whilst its position will attract a small amount of additional activity to this part of the site, it is not considered that this will negatively affect the quiet enjoyment of the neighbouring garden, especially bearing in mind the position next to an existing bin storage area.

6.8 The small scale of the structure will also ensure that the neighbour rear gate is not obstructed.

Conclusion

6.9 The proposed location of the bicycle shelter ensures that its visual impact on the wider street scene is limited and as a result it is not considered to cause detriment to the character of the area or setting of the adjacent Conservation Area. In addition it is not considered that harm will be caused to the amenity of the nearby residents.

6.10 For these reasons the application is deemed to comply with the requirements of Policy ST3 of the Lewes District Local Plan and Core Policy 11 of the Joint Core Strategy.

7. RECOMMENDATION

That planning permission is granted subject to conditions.

INFORMATIVE(S)

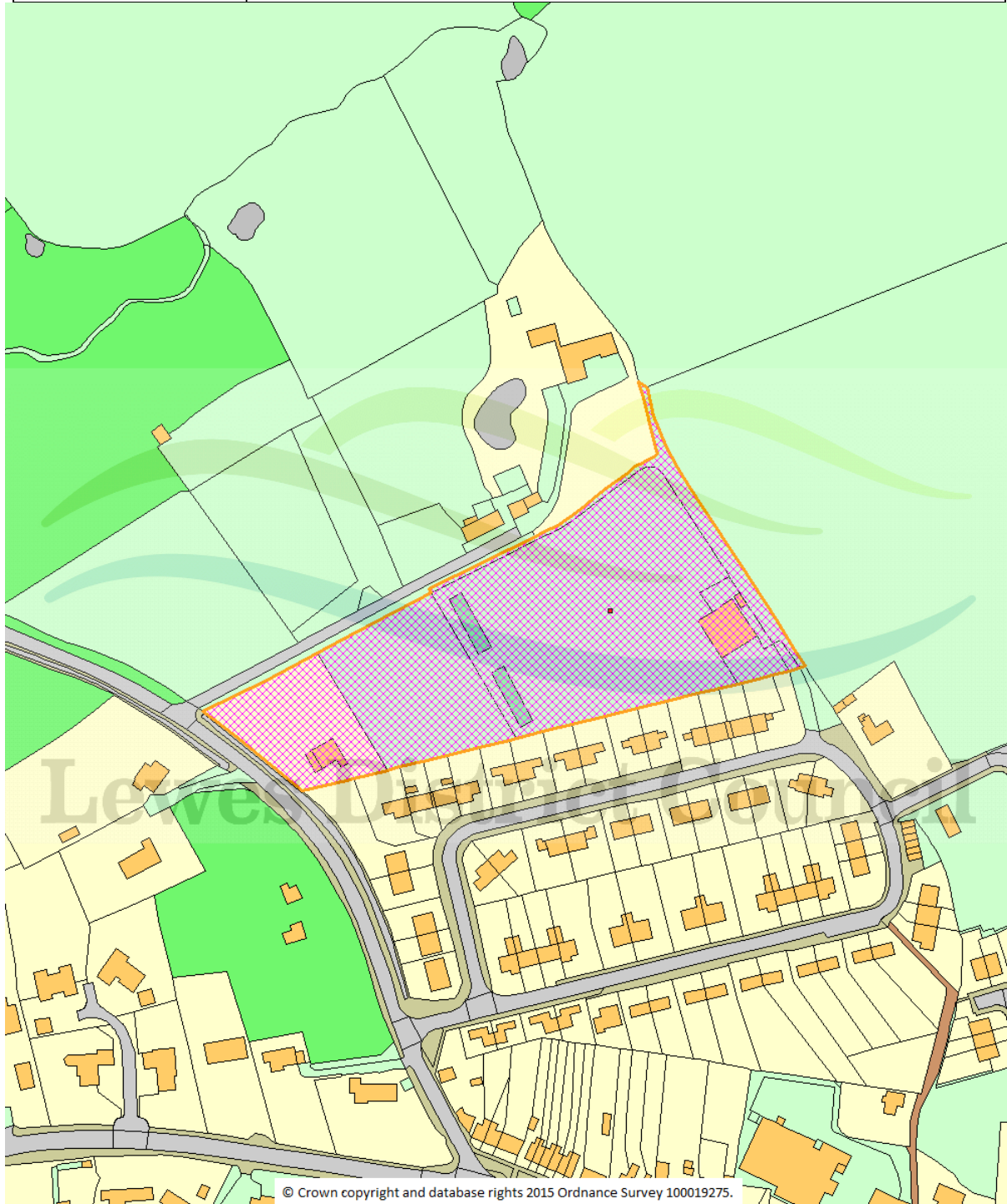
1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

2. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	25 January 2017	1:1250
Proposed Block Plan	25 January 2017	1:500
Design & Access Statement	25 January 2017	
Photographs	8 December 2016	BIKE SHED SPECIFICATION

APPLICATION NUMBER:	LW/14/0924	ITEM NUMBER:	10
APPLICANTS NAME(S):	Thakeham Homes Ltd	PARISH / WARD:	Newick / Newick
PROPOSAL:	Application for a Deed of Variation to the original S106 agreement attached to the approved application for demolition of existing residential dwelling and on-site structures and redevelopment to provide 31 dwellings together with associated parking, access and landscaping		
SITE ADDRESS:	Cricketfield Smallholding Cricketfield Newick East Sussex		
GRID REF:	TQ 41 21		



1. SITE DESCRIPTION / PROPOSAL

1.1 The application site is located on the eastern side of Newick Hill and on the northern side of the Cricketfield housing development. The site, which covers an area of approximately 1.4 hectares, was occupied by a residential bungalow, some outbuildings, open land used as vegetable garden, a large field with and agricultural style storage building adjacent to the eastern boundary. A private track abuts the eastern boundary, whilst a public footpath runs along the northern boundary and crosses the eastern end of the site connecting with Cricketfield adjacent to number 37. The southern boundary abuts the gardens of the dwelling houses in Cricketfield, whilst the western boundary faces onto Newick Hill. A formal vehicle access to the site exists off Newick Hill whilst an informal but established access also exists to the east off Cricketfield.

1.2 The site is relatively well screened to west, north and eastern boundaries, due to the change in gradient at Newick Hill and the existing bank at the entrance to the site. The site is situated outside of the defined planning boundary but adjacent to it on the southern boundary.

1.3 The application to demolish the existing structures on the site and to construct 31 residential units of which 12 (40%) are to be affordable, was considered by the Committee on the 27 May 2015, with permission being issued on the 30 November 2015 subject to a S106 agreement. This report relates to a request to enter into a Deed of Variation to alter the contributions secured with the original S106 agreement.

1.4 This application was deferred at the Committee meeting in January 2017, following representations from Newick Parish Council, in order to allow officers to renegotiate the layout and play equipment proposed for the small play area. Following receipt of an amended design, the Clerk to Newick Parish Council has confirmed that whilst she had not received a great deal of response from members of the Parish Council's Environment and Recreation Committee 'Jenny Smerdon is happy that the proposals meet the brief discussed at your recent meeting'. A second Councillor has also confirmed the acceptability of the proposals.

2. RELEVANT POLICIES

LDLP: – CP7 – Infrastructure

3. CONSIDERATIONS

3.1 The proposed Deed of Variation (DoV) is required in order to maintain the commercial viability of the proposed development at Newick Hill (LW/14/0924). Since permission was granted a number of connected viability issues have arisen relating to condition 1 of that permission which stated:

Development shall not commence until a scheme for the provision of SANG to mitigate the effects of the development at the ratio of 8 hectares per additional 1000 residents has been submitted to the local planning authority and approved in writing. Any such scheme shall identify the location of the SANG and detail the proposals and timetable to bring it up to a standard and into a condition to make it acceptable as a SANG. No dwelling shall be occupied before written confirmation has been obtained from the local planning authority that the SANG has been provided in accordance with the approved scheme and is available for use.

3.2 At the time permission was granted a SANG did not exist in the area and in order to bring forward the approved development Thakeham Homes had the option of either acquiring its own SANG site at market value, or wait for LDC to progress an acquisition of a suitable site which it would operate and charge developers to use. The LDC option carried significant risk, both in terms of funding and a causing significant delay to the development if such a site could not be found and acquired. In addition, it was identified by Thakeham Homes that the level of financial contributions set out in the S106 together with the provision of affordable rent units as part of the affordable housing offer could not be supported if a SANG site was purchased by Thakeham Homes.

3.3 In early 2016 Thakeham Homes were able to identify and purchase an 11.8 hectare site between Jackies Lane and the A272 to the west of Newick. A subsequent application (LW/16/0510) was considered by the Planning Committee on the 21 September 2016 for the change of use of this land to a SANG, with permission being granted on the 16 November 2016 with a S106 agreement. The land was considered capable of providing the necessary mitigation for the impact of residential development, on the Ashdown Forest Special Protection Area, both for the approved scheme at Newick Hill and other sites that may come forward in the future. The works of laying out the SANG will be carried out by Thakeham Homes after which and upon completion of the works the land will be handed over to LDC to administer.

3.4 Thakeham Homes re-evaluated the viability of the approved scheme at Newick Hill, the S106 agreement and the costs associated with providing the SANG and contributing to its long term maintenance. For a development to be viable it must normally show at least a 20% return on development cost. This return on cost percentage is required in order to persuade a developer to proceed, and is in line with the market norm.

3.5 Thakeham Homes appointed Vail Williams to provide a viability report in connection with varying the S106 agreement to take account of the acquisition of a SANG by Thakeham Homes, rather than making a contribution towards an LDC operated SANG, and to assess the planning contributions and affordable housing tenure.

3.6 Since the grant of planning and in order to maintain a commercially developable site, a number of interconnected viability issues have arisen, as follows.

3.7 In complying with condition 1, it was identified that a suitable SANG site did not exist in the area and that Thakeham Homes would have to acquire its own SANG site at Market Value, or wait for LDC to progress an acquisition of a suitable site which they would operate and charge developers to use. The latter option was considered to carry significant risk, including the availability of Council funds and the potential for a lengthy delay, if the Council did not secure a suitable site.

3.8 It was identified that the level of financial contributions set out in the S106 and provision of affordable rent units as part of the affordable housing offer, could not be supported if a SANG site was purchased by Thakeham Homes. Vail Williams carried out two appraisals, on the assumption that planning consent would be granted for the SANG. The appraisals provide the following results:

Appraisal A

Under this scenario the appraisal based on the consented scheme, including GDV and S106 contributions, and the full cost to deliver the SANG site as within their report along with the fixed land price. This showed a very modest

profit position of 5.27% which is clearly unviable and would not be taken forward by a developer.

Appraisal B – Proposed variation to the S106

We have considered the return on cost which is anticipated if the proposed variations (understood to have been discussed between Thakeham and LDC) to both the tenure mix of the affordable units and reduction in planning contributions are agreed, whilst making the same assumptions regarding SANG costs. This includes a change to the tenure mix of the affordable units, resulting in 12 intermediate units, as well as a reduction in financial contributions of circa £404,666 – resulting in a revised S106 payment of £312,503.

On this basis a profit of 16.01% is shown which, although not meeting the market norm expectation of 20%, is at a level which we are advised that Thakeham is prepared to accept.

3.9 Vail Williams report concluded that, taking account of the above, there is clearly a significant viability issue and in order to make the development commercially attractive, planning contributions and affordable housing requirements would need to be renegotiated to unlock the development.

3.10 Therefore, following detailed discussions between officers from LDC, ESCC Highways and Education the following alterations to the S106 agreement have been negotiated:

1 – Transport contribution – reduced from £190,000 to £68,400. Teresa Ford at ESCC Highways, in an email dated 25.01.16 considered that on the basis that a contribution for the site at Mitchelswood Farm was based on taxis for the number of pupils likely to be generated that a similar pro rata contribution for the Newick Hill site should also be adopted. Based on the fact that the number of units are basically half that of Mitchelswood then statistically the number of pupils for Newick Hill are likely to be between 6 and 7 pupils. Therefore 2 taxis are required thus £13,680 is required per year for 5 years thus a total of £68,400. Although not the preferred option for transferring pupils, the Highway Authority would accept a reduction of school transport contributions from £190,000 to £68,400 in this instance.

2 – Equipped play space – omission of the £81,035. An email from C Bibb at LDC on the 09.11.16 confirmed that the issue of play equipment had been discussed with the Parish Council and in light of the condition relating to the SANG it was agreed that the contribution for equipped play space could be forsaken on this occasion providing Thakeham Homes would amend the onsite LAP to provide basic play provision of 'natural' style in keeping with the rural area.

3 – Education payments - early years education contribution of £24,238, primary education contribution of £86,536, secondary education contribution of £91,257 – in an email from Ellen Reith (Principal Strategic Planner at ESCC) on the 13.10.16 it was confirmed that the Education Department had reviewed pupil forecasts and concluded that education contributions from the Newick Hill development would no longer be required.

3.11 As a result of the negotiations and discussions between the developer and LDC officers, supported by the viability report, the S106 would need to be varied by a Deed of Variation. The amended agreement would secure the following financial contributions:

Recycling - £589 (same)

Rights of Way - £744 (same)

SAMMS contribution - £36,270 (same – calculated on the up to date SAMM tariff)

Transport - £68,400 (reduced)

Traffic Regulation - £6,500 (same)

SANG management - £200,000 (new)

This would allow the full affordable housing provision to be maintained on the Newick Hill site as well as contributing £200,000 towards the long term management/maintenance of the SANG.

3.12 Given its size, the SANG site that has been acquired is capable of providing mitigation to a number of other sites in the wider locality. Given the lack of alternative SANG sites in the area, this offers an opportunity to release land for development of new homes in the northern part of the district coming forward, significantly impacting the delivery of new homes in the District.

3.13 If a Deed of Variation is not forthcoming, it is extremely likely that Thakeham Homes would not be in a position to bring the Newick Hill site forward and may have to land bank it, as it is not commercially viable to take forward under the extant consent.

4. CONCLUSION

4.1 Therefore in view of the consultation responses from ESCC and LDC officers, and in view of the necessity to secure the SANG, secure funding for its long term maintenance, and the strong desirability to secure more general and affordable housing within the district, the proposed new contributions are considered acceptable. The layout of the play space and the proposed play equipment has been amended following the committees instruction and is supported by Newick PC. Therefore the Deed of Variation should be entered into to vary the terms of the original legal agreement as set out within the report.

Report to **Planning Committee**
Date **15 March 2017**
By **Director of Planning**
Local Authority **Lewes District Council**
Application Number **SDNP/17/00182/FUL**
Applicant **Mr T Rea**
Application **Erection of a new dwelling to provide ancillary accommodation.**
Address **The Top Yard
The Street
Kingston
East Sussex**

Recommendation: That the application be refused for the reasons set out in paragraph 10 of this report.

Executive Summary

The application seeks permission for the erection of a two storey three bedroom detached dwelling. Amended drawings have been received to revise the red edged boundary to exclude outbuildings adjoining the site to the south. The existing piggery will be retained and provide external storage for the dwelling in the form of a garden shed. Access is provided in the northern corner of the site off The Street with two parking spaces proposed behind the dwelling at the rear. The description on the application form states that the dwelling would be ancillary accommodation for the owners and occupiers of Kingston Farm. The Design and Access Statement states that the property will be occupied by a member of the applicants family who is directly involved with the farm.

I Site Description

1.1 The site lies on the southern side and at the far western end of The Street in Kingston. It is within the Kingston Conservation Area and South Downs National Park. Manor Barn, adjoining the site to the east, is a grade II listed building as is Manor House, which lies to the north of the site and across the road on the opposite side of The Street.

1.2 The site also lies within a designated Area of Archaeological Notification and for the purposes of planning policy are outside of the planning boundary. Public Footpath No.8 runs in an east-west direction at the western end of The Street. Bridleway No.6 runs up the western side of St Pancreas Church (opposite the site) in a westerly direction behind properties fronting the northern side of The Street and to the rear eastern side of the recreation ground along Church Lane.

2 Proposal

2.1 The application proposes the construction of a three bedroom detached two storey dwelling. The proposal would retain existing buildings on the site for agricultural purposes (however, these are not located within the development site red edged boundary).

2.2 The proposed dwelling would measure approximately 11.4m by 7.2m. It would have gabled ends to the north east and south west with an eaves and ridge height of around 4m and 7.7m respectively. It would sit in the north eastern corner of the plot, set back approximately 2.5m from the boundary abutting The Street.

2.3 The proposed dwelling would be of traditional appearance with a chimney stack on the north eastern elevation, pitched roof dormer windows across the eaves at the front and rear of the dwelling, tile hanging at first floor and flint facing wall below together with oak framed fenestration. The window surrounds and edges of the dwelling would be finished with brick quoin detailing.

2.4 The dwelling would be accessed via the existing gate off The Street in the north eastern corner of the application site. A proposed driveway along this boundary would lead to 2 parking spaces at the rear of the dwelling. The flint boundary wall around the site would be retained.

2.5 There is a former piggery building sited on the western part of the site which would be renovated and used as a garden shed.

2.6 Landscaping works are proposed which involves removal of some trees and pruning of others.

2.7 The application has been accompanied by an arboricultural impact and method assessment, ecological appraisal and bat assessment, and a design and access statement

2.8 This application has been called to the Planning Applications Committee meeting for determining.

3 Relevant Planning History

SDNP/16/02521/PRE	New Dwelling	Planning permission would be refused 07.09.2016
SDNP/16/04350/FUL	New Dwelling	Withdrawn 09.11.2016

4 Consultations

4.1 LE - Tree & Landscape Officer

Objects to the application. See comments in the planning assessment.

4.2 LE - Design and Conservation Officer

Recommended that the application be refused. Please see as summarised in the planning assessment of this report.

4.3 ESCC - County Archaeologist

Recommends planning conditions requiring archaeological investigation.

4.4 Southern Gas Networks

Standard gas safety advice.

4.5 LE - Environmental Health

Recommends a condition on hours of operation and waste management in the interests of the neighbouring properties and their amenities.

4.6 LE - Waste & Recycling

Comments awaited.

4.7 Environment Agency

Comments awaited.

4.8 Parish Council Consultee

The Parish Council strongly supports the application.

The Parish Council considers that there are extenuating circumstances, which have been summarised as follows;

- The proposed development would not create a precedent for allowing new dwellings in the countryside because it is adjacent to existing dwellings
- The site is unkempt and prominent from the access point to the South Downs Way which currently detracts from the visual amenity of the locality
- The size and design of the proposed dwelling is in keeping with the pattern and scale of existing dwellings in the locality
- The site is surrounded by trees and the proposed development would not be dominant in surrounding views and from public vantage points. The proposed planting would also further mitigate the visual impact of the development.
- The South Downs National Park Draft Local Plan recognises the need for additional housing within the village.
- There is a lot of support from local residents.

5 Representations

5.1 4 letters of objection has been received from the occupiers of Manor House and two other households. Their concerns have been summarised as follows:

- Insufficient information submitted with the planning application to justify any special circumstances for allowing an unacceptable development in the (South Downs National Park) countryside. The tidying up of the site is not a reason to approve a permanent building nor is a new dwelling to accommodate the farmer's daughter.
- Set a precedent for other dwellings to be built in the countryside outside of the planning boundary which would be in direct conflict with protecting the countryside and change the character of the settlement.
- Significant impact on the historic character and setting, particularly within the immediate vicinity of the proposed development site. Kingston Manor is nearly five centuries old.
- Overlooking/loss of privacy of Kingston Manor
- This is a major access point for people/walkers accessing the South Downs Way. Any further traffic movements and parking will erode the character of the countryside at this end of The Street
- Impact on the habitats for wildlife (particularly rooks and owls) following the removal of trees

- removal of mature trees on The Street outside of the application site
- Intrusion of light

5.2 Letters in support of the application have been received from the occupants of 4 nearby households. Their comments have been summarised as follows:

- It will provide a lovely home for a young family whose roots are in the village
 - It will give the farmer the opportunity to provide a home for his family member
 - A house in the derelict yard would respect the character of The Street
 - It would be excellent to see this parcel of land sensitively developed
- It will provide a lovely home for a young family whose roots are in the village
 - It will give the farmer the opportunity to provide a home for his family member
 - A house in the derelict yard would respect the character of The Street
 - It would be excellent to see this parcel of land sensitively developed

5.3 A letter has been received from the applicant's agent which is summarised as follows;

5.4 The Design and Conservation Officer has raised concern over the proximity of the development proposal with the gazebo and Manor House. This point of contention is considered weak by the agent compared to the relationship that was approved by the Council between Flintstones and the Manor House. Flintstones was built closer to the Manor House and its gazebo.

5.5 The detailing of the design has been amended to reflect the comments made by the Design and Conservation Assistant who commented on the previous planning application which was withdrawn.

5.6 The agent considers that this is a modest property on a brownfield site providing ancillary accommodation for a local farmer.

6 Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Lewes District Local Plan (2003)** and the following additional plan(s):

- Lewes District Council - The Core Strategy (Local Plan Part 1) 2014
- SDNPA Partnership Management Plan 2014

Other plans considered:

-

6.2 The relevant policies to this application are set out in section 7, below.

National Park Purposes

6.3 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

6.4 If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

7.1 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

7.2 The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Achieving sustainable development
- NPPF - Requiring good design
- NPPF - Conserving and enhancing the natural environment
- NPPF - Conserving and enhancing the historic environment
- NPPF - Delivering a wide choice of high quality homes

7.3 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

7.4 The following policies of the **Lewes District Local Plan (2003)** are relevant to this application:

- CT1 - Planning Boundary and Key Countryside
- H2 - Listed Buildings
- H5 - Within / Affecting Conservation Area
- ST3 - Design, Form and Setting of Development

7.5 The following policies of the **Lewes District Council - The Core Strategy (Local Plan Part 1) 2014** are relevant to this application:

- CPI0 - Natural Environment and Landscape
- CPI1 - Built and Historic Environment and Design

7.6 The following policies of the **SDNPA Partnership Management Plan 2014** are relevant to this application:

- General Policy I
- General Policy 50

Partnership Management Plan

7.7 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

7.8 The following Policies and Outcomes are of particular relevance to this case:

- General Policy I
- General Policy 50

7.9 The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2nd September to 28th October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

8 Planning Assessment

8.1 The principal considerations in the determination of this application are, 1) whether there are special circumstances to justify and override the in principle policy objection to this proposal and its impact on the landscape character of the SDNP countryside, 2) does the proposed development conserve the character and appearance of the Conservation Area, 3) does the proposed development respect the setting of nearby listed buildings 4) impact on trees and 5) impact on living conditions.

Principle

8.2 The proposed development is contrary to planning policy CT1 of the Lewes District Local Plan and the National Planning Policy Framework because it constitutes new residential development in the countryside. The text of para 7.3 supporting the policy states that, "*the intention of Policy CT1 is that the countryside will remain for agricultural, woodland and recreational uses which are compatible with the conservation of the area*". Under para 7.4, it continues to state that, "*the open countryside can also form the rural setting for towns and villages. The protection of this countryside from encroachment by inappropriate development, therefore, also serves to safeguard the setting and character of these settlements, as well as preventing their coalescence which could erode their separate identities.*"

8.3 Chapter 24 of the Lewes District Local Plan, Kingston Parish and St. Ann (Without) states under 'Key planning Issues' that, "*Kingston is subject to pressures on the village and on the countryside... there will be a need in the future to be resilient in the cause of retaining its scale and*

ensuring that land uses are appropriate". Paragraph 24.4 states, "in order to protect the rural setting of Kingston, it is important to resist outward encroachment of development into the surrounding open countryside. Accordingly, the Planning Boundary is drawn to reflect the edge of existing development."

8.4 The Planning Boundary shown for Kingston on the Inset Map Number 14 of the Lewes District Local Plan illustrates that although the site is off The Street, the existing pattern of development at the far western end of The Street is extremely loose knit and predominantly open.

Special Circumstances

8.5 Paragraph 55 of the National Planning Policy Framework promotes sustainable development in rural areas but states that new isolated homes in the countryside should be avoided unless there are special circumstances.

8.6 If the application site and proposed dwelling were considered to be in an isolated location, paragraph 55 of the NPPF states that a special circumstance to justify a new dwelling outside of the planning boundary is, if the applicant can satisfactorily demonstrate that there is an "essential need for a rural worker to live permanently at or near their place of work in the countryside"

8.7 The only justification provided by the planning application for the construction of a new dwelling outside of the planning boundary is that it would provide further accommodation for the owners of the farm. This has not been expanded upon. Under the former Annex E of PPS7, a new dwelling in the countryside for the provision of a farm worker, would need to have been robustly justified on a well-established agricultural unit, demonstrating that there is a functional need which could not be fulfilled by another existing dwelling on the holding, and that there should be clear evidence that the proposed enterprise has been planned on a sound financial basis.

8.8 This application has not been submitted on the basis that there is an essential need for a rural worker and a case has not been made on these grounds. The only mention in the design and access statement in relation to its use is that it would provide ancillary accommodation for the current owners of Kingston Farm.

8.9 Another special circumstance highlighted under paragraph 55 could be that the proposed dwelling is of "exceptional quality or innovative nature of the design of the dwelling being truly outstanding or innovative, helping to raise the standards of design more generally in rural areas; reflect the highest standards in architecture; significantly enhance its immediate setting; and be sensitive to the defining characteristics of the local area."

8.10 A truly outstanding and innovative design is extremely difficult to achieve and apart from anything else would need to realistically demonstrate that it's capable of performing to the equivalent of Code Level 6 and would be zero carbon rated. The proposed design, as stated by the Design and Conservation Officer is considered to be a superficial attempt of empathising with the local vernacular and surrounding listed buildings.

8.11 Notwithstanding this, if it was considered that the proposed development does not constitute an isolated dwelling in the countryside, given the sites' proximity to the planning boundary, it would be necessary in planning terms to consider whether the development achieves sustainable development. Paragraphs 7 and 8 of the NPPF states that there are three dimensions to sustainable development and that these roles should not be undertaken in isolation, because they are mutually dependent. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly and all three elements met.

8.12 As such, in planning policy terms, there are no special circumstances to override the material harm to the landscape character (amongst other things) resulting from the unacceptable development of the proposed dwelling within this countryside location outside of the settlement boundary.

8.13 It is considered that insufficient information has been submitted with the application and it fails to demonstrate how the dwelling could meet all three dimensions in order to achieve sustainable development and pursue positive improvements in the quality of the built, natural and historic environment.

Precedent

8.14 The Parish Council considers that the proposed development would not set a precedent for other new dwellings to be granted planning permission outside of the settlement and planning boundary. This is not considered to be the case and although every application is assessed on its individual merits, the proposed development would set a precedent. If this application is granted planning permission, it may then be difficult to resist other new development in the countryside where other proposed sites are located within proximity to the planning boundary, and cumulatively, this would suburbanise and erode the landscape character and scenic beauty of the South Downs National Park and the Kingston settlement.

Impact on landscape character of the countryside

8.15 The site is located at an access point to the South Downs Way and is prominent and visible in surrounding views as highlighted by Kingston Parish Council.

8.16 It provides the soft buffer around the edge of the planning and village boundary as defined within the Lewes District Local Plan and Joint Core Strategy.

8.17 Paragraph 115 of the National Planning Policy Framework states that, "great weight should be given to conserving landscape and scenic beauty in National Parks"and goes on to say "which have the highest status of protection in relation to landscape and scenic beauty."

8.18 The construction of a new dwelling in this location together with the domestic paraphernalia that entails including light spillage would materially harm the rural setting of the village and surrounding countryside. In this location, which is visible from public vantage points it is considered that the proposed development would not conserve the landscape and scenic beauty of the SDNP in direct conflict with the NPPF, Partnership Management Plan for the South Downs and the South Downs Local Plan.

Conservation Area

8.19 The Design and Conservation Officer objects to the proposed dwelling. His comments are that;

8.19.1 "It also fails to address concerns over the harm the proposal would cause to the Kingston Conservation Area, the setting of neighbouring listed buildings and the South Downs National Park and, notwithstanding the other concerns, it fails to raise the quality of the design.

8.19.2 There are a number of design issues that result in the proposed dwelling being unacceptable and considered to harm the character and appearance of the conservation area and the setting of neighbouring listed buildings.

8.19.3 The proposed dwelling is considered to result in an incongruous dwelling that only superficially reflects the local vernacular through the use of materials rather than in any meaningful way by referencing the scale, massing, location on site and design detailing of its context. A concern is raised the scheme is being imposed on the site with only superficial regard to its context. Justification for the proposed design is required, it is necessary for a contextual analysis to be undertaken to inform and justify any proposal.

8.19.4 There are also significant issues over the design detailing of the proposed dwelling, to the extent that as proposed they would harm the character and appearance of the conservation area, the setting of the listed buildings and the South Downs National Park. Details of concern include but are not limited to: the fenestration arrangement being too formal, they need to be off centre and unsymmetrical; there are an excessive number of dormers, which are also too

uniform in appearance; the eaves detail is too deep; and the materials are naively applied, the use of hanging tiles on the first floor being inappropriate; chimney stacks of the typology referenced by the proposal are internal and not expressed on elevations until they reach the roof."

8.20 The Design and Conservation Officer has raised concern over the lack of information provided with the application. The design and access statement is extremely vague with its reference to heritage detail and it lacks any meaningful contextual analysis regarding impact of the proposed development on adjacent listed buildings and the conservation area. It is clear that the proposal has been imposed on the site and has not been informed by the site and its context.

8.21 Section 12 of the National Planning Policy Framework, 'Conserving and Enhancing the Historic Environment' (paragraph 126) recognises that "*heritage assets are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance.*" Paragraph 132 states that "*great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*" Paragraph 133 states that "*where a proposed development will lead to substantial harm to (or total loss of significance) of a designated heritage asset, local planning authorities should refused consent, unless it can be demonstrated that the substantial harm (in this case) is necessary to achieve substantial public benefits that outweigh that harm or loss.*"

8.22 Listed buildings and conservation areas fall within the definition of heritage assets (Annex 2 Glossary of the NPPF) and the proposed development would materially harm Kingston conservation area and adjacent listed buildings which are irreplaceable and there are no public benefits to outweigh the harm of the proposed development.

8.23 The proposal would not conserve the special architectural or historic character and appearance of the area and would fail to respect the design of existing buildings in the area and as such would be contrary to policy H5 of the Lewes District Local Plan. Furthermore, it does not positively contribute to the character and distinctiveness of the districts unique built and natural heritage nor does it respond sympathetically to the site and its local context and its function with the surrounding area contrary to policy CPI I of the Joint Core Strategy.

Listed Buildings

8.24 The Design and Conservation Officer has stated that; "*The adjacent listed and non-listed buildings to east and north are defined by their rural village setting. Particular concern is raised over the immediate impact the proposal would have on the grade II listed garden wall and gazebo of Manor House, directly opposite the site. The introduction of development in this location would undermine the setting of these buildings by urbanising the edge of the village and by extending the built-up area towards the open countryside of the South Downs.*"

8.25 The site has grade II listed buildings within the immediate vicinity to the north, north east and east, the setting of which should be conserved in a manner appropriate to their significance. The occupiers of the Manor House have highlighted the importance of these buildings being over five centuries old, and their settings as heritage assets that are an irreplaceable resource. It is considered that the proposed development would adversely affect the setting of these listed buildings.

8.26 In this respect the proposed development would conflict with the National Planning Policy Framework and policies H2 of the Lewes District Local Plan and CPI I of the Joint Core Strategy.

Trees

8.27 The Trees and Landscape Officer considers that the proposal is unacceptable and will erode the local rural character and its setting and will urbanise the transitional area between the settlement boundary and open countryside.

8.28 Concern has been raised to the likely loss of T4 shown on the Tree Constraint Plan. This is a Lime tree which is located just outside the boundary wall of the application site on The Street. This tree has the highest grading (A1/2) and the proposal does show that it would be retained as part of the development proposal. However, the Trees and Landscape Officer considers that this is an unrealistic aspiration and almost certainly would need to be removed at some point in the future due to the site of the proposed dwelling.

8.29 Its proximity to the proposed dwelling would result in the likely lopping and topping to allay fears from wind-throw and branch shedding. It would also be likely to heavily shade the front elevation of the dwelling thereby impinging on the living conditions for the future occupants of the dwelling.

8.30 As such, it is likely that the future occupants would call for it to be removed which may be difficult to resist. The Trees and Landscape Officer considers that the loss of this together with any other adjacent trees would have a significant and detrimental impact on the setting of this part of the conservation area and would harm the transitional area between the historic core of Kingston village and the South Downs National Park.

8.31 Furthermore, in landscape terms, the proposed development would conflict with the first part of the aims for the twin purposes of the SDNP and would have an adverse impact on the wider natural beauty (and wildlife) of the park.

Impact on living conditions of adjoining properties

8.32 The occupiers of the Manor House, opposite the house to the north, have raised concerns over loss of privacy and overlooking. There would be around 12 metres between the front elevation of the proposed dwelling and the edge of the highway on the northern side of The Street. The Manor House is set back into the curtilage that surrounds it. It has a spacious setting. The Manor House currently sits opposite Manor Barn a converted single storey dwelling. It is considered that the occupants of the Manor House are not currently overlooked.

8.33 The proposed dwelling would be situated within proximity to the curtilage of the Manor House and it is also a two storey dwelling with proposed first floor bedroom windows fronting onto The Street. It is appreciated that the occupants of Manor House would have the perception of being overlooked with a resulting loss of privacy. However, it is considered that this relationship between properties is similar to many existing properties within a residential area, and grounds for refusal on this basis would be difficult to defend at appeal. It is therefore considered that there would be no material harm, by reason of overlooking and a loss of privacy, for the occupants of the Manor House.

9 Conclusion

It is recommended that the planning application be refused.

9.1 The proposal is unacceptable in principle as it constitutes a new dwelling in the countryside outside of the planning boundary for which no special circumstances have been demonstrated. Even if the application proposal could be justified as not constituting an isolated dwelling under paragraph 55 of the National Planning Policy Framework, insufficient information has been submitted to demonstrate that it is a sustainable development that can equally satisfy meeting the social, economic and environmental roles.

9.2 A new dwelling in this location would only seek to compromise the landscape and scenic beauty which has the highest status of protection and should be conserved within the National Park.

9.3 Notwithstanding this, the development does not seek to conserve the character and appearance of the Conservation Area and does not positively contribute or respond sympathetically to its local context and the distinctiveness of this unique built heritage. There are no public benefits to outweigh the harm resulting from the alteration and destruction of this

heritage asset. The proposed development would adversely affect the historic setting of adjacent listed buildings and would be highly likely to result in the loss of a Lime tree (amongst others) of the highest grading in direct conflict with the need to protect trees within the conservation area.

10 Reason for Recommendation and Conditions

It is recommended that the application be refused for the reasons set out below.

1. The proposal is unacceptable in principle as it constitutes a new dwelling in the countryside outside of the planning boundary. Insufficient information has been submitted and there is a failure to demonstrate that there are special circumstances or that the development is sustainable, and the proposed development would significantly compromise the landscape and scenic beauty of the South Downs National Park. In this respect the proposal conflicts with policies CT1 and ST3 of the Lewes District Local Plan, CPI0 of the Joint Core Strategy, GP1 and GP50 of the Partnership Management Plan and the National Planning Policy Framework.

2. The development does not seek to conserve the character and appearance of the conservation area and does not positively contribute or respond sympathetically to its local context. There are no public benefits to outweigh the harm resulting from the alteration and destruction of this heritage asset. The proposed development would adversely affect the historic setting of adjacent listed buildings and would be highly likely to result in the loss of a Lime tree (amongst others) of the highest grading in direct conflict with the need to protect trees within the conservation area. The proposed development is contrary to policies H2, H5 and ST3 of the Lewes District Local Plan, CPI 1 of the Joint Core Strategy, GP50 of the Partnership Management Plan and the National Planning Policy Framework.

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer: Mrs Rachel Richardson (Lewes DC)

Tel: 01273 471600

email: rachel.richardson@lewes.gov.uk

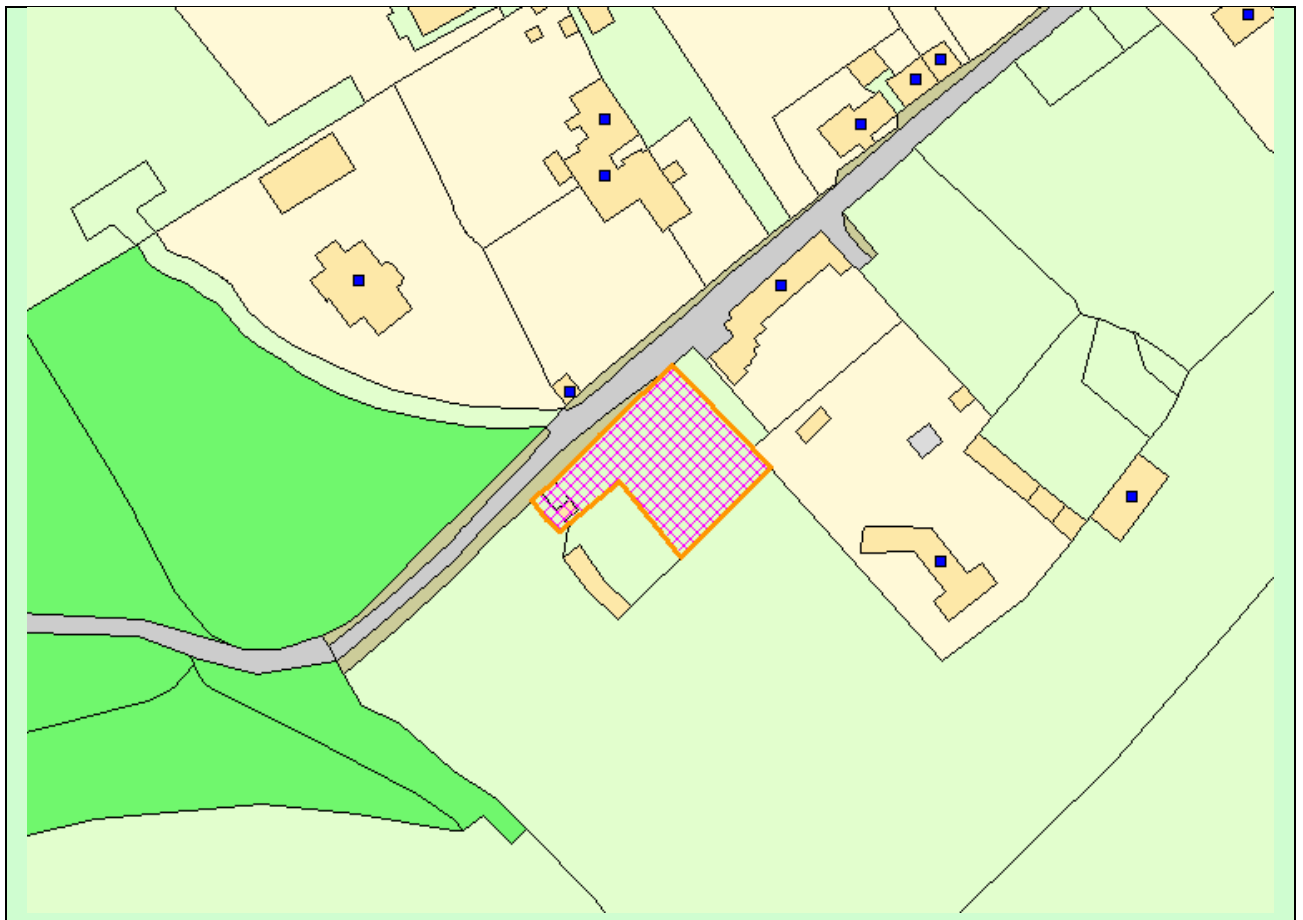
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix I

Site Location Map



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2016) (Not to scale).

Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Further Information Received -	4107/16-01 RI ARBORICULTU RAL		06.02.2017	Not Approved
Plans -	16.07.12.001		27.02.2017	Not Approved
Plans -	16.07.12.00		27.02.2017	Not Approved
Application Documents -	DESIGN AND ACCESS STATEMENT		13.01.2017	Not Approved
Application Documents -	TREE SURVEY SCHEDULE		13.01.2017	Not Approved
Plans - Location plan	16.07.12.001		23.01.2017	Superseded
Plans - proposed block plan	16.07.002A		13.01.2017	Not Approved
Plans - Proposed layout	16.07.12.008		13.01.2017	Superseded
Plans - proposed floor plans	16.07.12.009		13.01.2017	Not Approved
Plans - proposed elevations	16.07.12.010		13.01.2017	Not Approved
Plans - proposed elevations	16.07.12.011		13.01.2017	Not Approved
Site Photographs -	16.07.12.020		13.01.2017	Not Approved
Plans - Tree Constraints Plan	PJC/4107/16/A		13.01.2017	Not Approved
Application Documents - East Sussex County Council Monument Full Report	HER 436/16		13.01.2017	Not Approved
Application Documents - Preliminary Ecological Appraisal and Bat Roost Assessment	3256AO/16		13.01.2017	Not Approved
Application Documents - Arboricultural Impact Assessment and Method Statement	4107/16-01		13.01.2017	Not Approved
Plans -	16.07.12.008		27.02.2017	Not Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.

Report to **Planning Committee**
Date **15 March 2017**
By **Director of Planning**
Local Authority **Lewes District Council**
Application Number **SDNP/17/00397/LIS**
Applicant **Mr M Britnell**
Application **Retention of doorway on ground floor and partial removal of stud partition on first floor**
Address **7 - 8 Offham Cottages
The Street
Offham
Lewes
East Sussex
BN7 3QA**

Recommendation: That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.

Executive Summary

The works are not considered to have significant impact on the historic fabric and character of the building, and listed building consent should be granted.

1 Site Description

1.1 This Grade II listed building dates from the 17th century, and is situated within Hamsey Offham Conservation Area and South Downs National Park. It is believed the property was originally a handed pair of cottages which was converted to four estate cottages in the 19th century. In the mid 1980's the then owner of No. 7 purchased No. 8 and carried out works to combine the two properties.

2 Proposal

2.1 This application seeks retrospective consent for the insertion of a door from the then kitchen of No. 7 into the inner hallway of No 8, and the removal of the lath and plaster and a softwood stud from a timber stud wall between the front bedroom of No 7 and front bedroom of No. 8. The works were carried out by the previous owner occupier, and the new owner is seeking to regularise the planning position.

2.2 This application requires a Committee decision as it has been submitted by an employee of Lewes District Council.

3 Relevant Planning History [Page 64 of 78](#)

SDNP/15/01318/LIS - Flood protection works - Approved 29th April 2015.

LW/02/2399 & LW/02/2400 - Renovation of outhouse including formation/adaptation of openings for new doors and windows - Approved 24th January 2003.

4 Consultations

LE - Design and Conservation Officer

The listed building 7 to 10 The Street has a complex history of subdivision that has resulted in the internal layout being awkward and complex. Internal alterations were made to rationalise the internal layout of part of 7 and 8 The Street when it was converted from two dwellings into one dwelling in the mid-1980s. Regrettably these works were carried out without listed building consent.

Although the works have affected historic fabric they are relatively minor and benefit the listed building by giving it a more rational layout. The works are not considered to significantly affect the special interest of the listed building, no objection is therefore raised to the proposal.

Parish Council Consultee

Comments awaited.

5 Representations

None received.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Lewes District Local Plan (2003)** and the following additional plan(s):

- Lewes District Council - The Core Strategy (Local Plan Part 1) 2014
- SDNPA Partnership Management Plan 2014

The relevant policies to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and

that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

The Planning (Listed Buildings and Conservation Areas) Act 1990 refers to the general duty as respects Listed buildings and Conservation Areas. Section 66 of the Act sets the general duty as respects listed buildings in exercise of planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 requires that “special attention shall be paid to the desirability of preserving or enhancing the character of that area”.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Conserving and enhancing the historic environment

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **Lewes District Local Plan (2003)** are relevant to this application:

- H2 - Listed Buildings
- H5 - Within / Affecting Conservation Area
- ST3 - Design, Form and Setting of Development

The following policies of the **Lewes District Council - The Core Strategy (Local Plan Part 1) 2014** are relevant to this application:

- CP11 - Built and Historic Environment and Design

The following policies of the **SDNPA Partnership Management Plan 2014** are relevant to this application:

- General Policy 50

Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- General Policy 50

The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2nd September to 28th October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage

of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

8 Planning Assessment

8.1 The listed status of the dwelling means that any works should not adversely impact on the historic fabric and character of the dwelling. As such, the comments of the Design and Conservation Officer (DCO) are a material consideration.

8.2 The DCO acknowledges that the works have impacted on the historic fabric, but they are minor and have improved the layout. They are not considered to affect the special interest of the listed building and, as the works are internal only, have no impact on the character and quality of the Conservation Area. As a result, the works are considered to be in accordance with Policies H2 (Listed Buildings) and H5 (Development within or affecting Conservation Areas) of the Lewes District Local Plan.

9 Conclusion

That listed building consent be granted.

10 Reason for Recommendation and Conditions

It is recommended that the application be approved for the reasons and subject to the conditions set out below.

I. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any

representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer: Mrs Alyson Smith
Tel: 01273 471600
email: alyson.smith@lewes.gov.uk

Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix I

Site Location Map



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2016) (Not to scale).

Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans -	1:1250		25.01.2017	Approved
Plans -	FIRST FLOOR		25.01.2017	Approved
Plans -	GROUND FLOOR		25.01.2017	Approved
Application Documents -	HERITAGE STATEMENT		25.01.2017	Approved
Application Documents - Ground floor doorway	PHOTO		25.01.2017	Approved
Application Documents - First floor bedroom	PHOTO		25.01.2017	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.

Agenda Item No: 13 **Report No:** 56/17
Report Title: Outcome of Appeal Decisions from 30 January – 27th February 2017
Report To: Planning Applications Committee **Date:** 15 March 2017
Cabinet Member: Cllr Tom Jones
Ward(s) Affected: All
Report By: Director of Service Delivery

Contact Officer(s):

Name(s): Mr Steve Howe and Mr Andrew Hill
Post Title(s): Specialist Officer Development Management
E-mail(s): Steve.howe@lewes.gov.uk and Andrew.hill@lewes.gov.uk
Tel No(s): (01273) 471600

Purpose of Report: To notify Members of the outcome of appeal decisions (copies of Appeal Decisions attached herewith)

<p>19 Christie Avenue, Ringmer, East Sussex, BN8 5JT</p> <p>Description:</p> <p><i>Erection of single storey front extension</i></p>	<p>Application No: LW/16/0866</p> <p>Delegated Refusal</p> <p>Householder</p> <p>Appeal is dismissed</p> <p>Decision: 10th February 2017</p>
<p>24 Bannings Vale, Saltdean, East Sussex, BN2 8DB</p> <p>Description:</p> <p><i>Erection of two storey extension</i></p>	<p>Application No: LW/16/0567</p> <p>Delegated Refusal</p> <p>Householder</p> <p>Appeal is dismissed</p> <p>Decision: 27th February 2017</p>
<p>62 East View Fields, Plumpton Green, East Sussex, BN7 3EF</p> <p>Description:</p> <p><i>Erection of a two storey side extension</i></p>	<p>Application No: LW/16/0567</p> <p>Delegated Refusal</p> <p>Householder</p> <p>Appeal is dismissed</p> <p>Decision: 27th February 2017</p>

Robert Cottrill
Chief Executive of Lewes District Council and Eastbourne Borough Council



Appeal Decision

Site visit made on 1 February 2017

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 February 2017

Appeal Ref: APP/P1425/D/16/3164838

19 Christie Avenue, Ringmer, Lewes, BN8 5JT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Linda Ellis against the decision of Lewes District Council.
 - The application Ref LW/16/0866, dated 7 October 2016, was refused by notice dated 28 November 2016.
 - The development proposed is a new single storey front extension.
-

Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding residential area.

Reasons

3. Christie Avenue is a pleasant residential street which has a distinct character at its eastern end, along with Delves Way, which sees pairs of semi-detached houses that have been designed in an imaginative way to give the appearance of detached houses. This is achieved through one of each pair of houses having their entrance on the side elevation of the house, and No. 19 is one such property.
4. The proposed development would see a small extension on the front elevation of the house to provide a downstairs WC/wet room. I appreciate the wish to have this facility at the property. However, I share the Council's concern relating to the position and design of this addition. The siting of the extension on the front elevation of the building would upset the careful balance that is evident in the design of the pair of properties. This would be an unwelcome change to an otherwise consistent street scene.
5. Saved Policy DES13 of the adopted Lewes District Local Plan 2003 states that *'in a street or area which has definite rhythm and similar style of dwelling, extensions in the front will not normally be acceptable'*. I consider such a circumstance exists in this case, and so the proposed development would conflict with that Policy and lead to the harm identified above. I note the appellant's reference to a front extension permitted by the Council at 34 Delves Way (ref. LW/01/0193). In my view, that historic extension has been harmful

to the consistent appearance of the housing in that road, by upsetting a definite rhythm and similar style of housing, and so should not be a precedent for further harm; the current appeal is determined against the relevant adopted policies that now apply, and Policy DES13 indicates the Council's current position is to be against such extensions.

6. I also note the appellant's reference to front extension to the west of the appeal property along Christie Avenue, but those have been on properties of a different design to the appeal property, and so are not comparable in their effect on the character of the area.
7. I therefore remain of the opinion that harm would arise to the character and appearance of the area, and so there would be conflict with saved Policies DES13 and ST03 of the Local Plan, the general thrust of which is to seek to ensure new development respects the surrounding area. I recognise the appellant's wish to provide improved accommodation to the property, but this personal circumstance must be balanced against other matters of acknowledged importance, and in this instance the conflict with the adopted Local Plan outweighs other considerations. The appeal is therefore dismissed.

C J Leigh

INSPECTOR



Appeal Decision

Site visit made on 14 February 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 February 2017

Appeal Ref: APP/P1425/D/16/3161762

24 Bannings Vale, Saltdean, Brighton BN2 8DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr D Parrish against the decision of Lewes District Council.
 - The application, Ref. LW/16/0567, dated 12 April 2016, was refused by notice dated 21 September 2016.
 - The development proposed is a two storey extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the living conditions for adjoining occupiers at No. 26 as regards outlook and light.

Reasons

3. I saw on my visit that the extension to the rear of No. 26 has resulted in a rear elevation some distance beyond the rear wall of No. 24 and thereby affords an opportunity for the latter to also extend to an equivalent distance without any adverse effect in terms of the main issue.
4. However, the appeal scheme is to widen the building on part of the flank closest to No. 26 and then project that increased width for a further 7.8m at the rear, thereby extending some way beyond the extended No. 26. I consider this has a significant potential to unduly affect the light and outlook for No. 26 and do not consider that the appellant's 45 degree line satisfactorily demonstrates otherwise.
5. I agree with the point that the high boundary hedging would currently negate much of any adverse effect, although the increased width of the extension compared with the existing house could result in its substantial thinning or even loss. In any event, it would be unwise to allow an extension that would be too large for its context on an assumption that the screening effect of existing planting could be relied upon in perpetuity.
6. This was the view of the Planning Committee on the first application and I consider that it remains relevant for the current proposal. The trees / hedge could be removed at some time in the future and even a condition requiring

their retention would be of little or no effect were the vegetation to become seriously diseased or die.

7. I have used the term 'significant potential' in paragraph 4 above because with the hedge in the way it was not possible to accurately assess all the circumstances at Nos. 24 and 26, including their relative land levels. Nonetheless from the submitted plans I consider it reasonable to reach the conclusion that the bulk and proximity of the proposed extension would be likely to have an unacceptable effect on the living conditions for adjoining occupiers at No. 26 as regards outlook and light.
8. This would conflict with Retained Policies ST3 and RES13 of the Lewes District Local Plan 2003, as included in the Lewes District Council & South Downs NPA Lewes District Local Plan Part 1 Joint Core Strategy (JCS) 2010-2030 adopted in May 2016 - (Policy CP11 of the JCS mentioned in the Notice of Refusal does not appear particularly relevant). It would also conflict with Section 7: 'Requiring Good Design' and the core planning principles of the National Planning Policy Framework 2012.
9. I have carefully noted all the other matters referred to in the Grounds of Appeal. However, I have found nothing to alter my conclusion on the main issue. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR



Appeal Decision

Site visit made on 14 February 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 February 2017

Appeal Ref: APP/P1425/D/16/3165220

62 East View Fields, Plumpton Green, Lewes BN7 3EF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr L Evans against the decision of Lewes District Council.
 - The application, Ref. LW/16/0840, dated 29 September 2016, was refused by notice dated 24 November 2016.
 - The development proposed is a two storey side extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. I saw on my visit that the western end of East View Fields is a cul-de-sac but in the form of a loop that creates a central island accommodating half a dozen pairs of semi-detached houses. The appeal property forms half of one of these pairs with No. 60 and has its south western flank set well back from the highway footpath.
4. When travelling along this part of East View Fields in either direction the openness as a result of the absence of two-storey development combined with the boundary hedges and greenery of the side gardens plays an important part in the spacious and verdant character and appearance of the area.
5. The proposed extension would leave only a minimal gap to the south western site boundary. I acknowledge that the extension would be set down and set back to achieve the required element of subservience. This is a point in the scheme's favour and I have also noted the disadvantages for the appellant of the previously agreed extension.
6. However, the absence of any meaningful gap between the two-storey side elevation and the boundary means that the proposed addition would represent a harmfully intrusive incursion into this relatively open area. With its position towards the middle of this side of the loop the eye would be drawn to a building that is uncomfortably close to the road, especially as the extension would then be read with the original dwelling and No. 60 as a single building mass.

7. As an incongruous projection into the street scene, the loss of symmetry with No. 60 would also become more apparent, notwithstanding the modest element of subservience. Furthermore, if the appeal is allowed it would be difficult for the Council in all fairness to refuse permission at some point in the future for a similar extension to the facing property.
8. I acknowledge that there are a variety of house types nearby, in particular the eye catching chalet style houses with high mansard roofs on the south side of the road. However, this variety does not to my mind justify what I consider to be the harmful effect on the character and appearance of the area as a result of the proposal.
9. This effect would conflict with Retained Policies ST3 and RES13 of the Lewes District Local Plan 2003, as included in the Lewes District Council & South Downs NPA Lewes District Local Plan Part 1 Joint Core Strategy (JCS) 2010-2030 adopted in May 2016. It would also be contrary to Section 7: 'Requiring Good Design' of the National Planning Policy Framework 2012.
10. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR