

Planning Applications Committee

21 November
2018



Working in Partnership



Time and venue:

5.00 pm in the Council Chamber - County Hall, St Anne's Crescent, Lewes

Membership:

Councillor Sharon Davy (Chair); Councillor Jim Sheppard (Deputy-Chair); Liz Boorman, Stephen Catlin, Graham Amy, Peter Gardiner, Vic lent, Tom Jones, Tony Rowell, Richard Turner and Linda Wallraven

Quorum: 5

Published: Thursday, 8 November 2018

Agenda

1 Minutes (Pages 1 - 4)

To confirm and sign the minutes of the previous meeting held on 31 October 2018 (attached herewith).

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/18/0627 - Street Record Bridgelands, Barcombe Cross, East Sussex**
(Pages 5 - 24)

Non-planning application related items

- 7 Enforcement Monitoring from 1 April 2018 to 30 June 2018 (Part A)**
(Pages 25 - 26)
- 8 Enforcement Monitoring from 1 April 2018 to 30 June 2018 (Part B)**
(Pages 27 - 32)
- 9 Enforcement Monitoring from 1 July 2018 to 30 September 2018 (Part A)**
(Pages 33 - 36)
- 10 Enforcement Monitoring from 1 July 2018 to 30 September 2018 (Part B)**
(Pages 37 - 42)

11 Written questions from councillors

To deal with written questions from members pursuant to Council Procedure Rule 12.3 (page D8 of the Constitution).

12 Date of next meeting

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 12 December 2018 in the Council Chamber, County Hall, St Anne's Crescent, Lewes, BN7 1UE, commencing at 5:00pm.

General information

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; and
- 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.

Information for the public

Accessibility: Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

Filming/Recording: 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.

Public participation: There will be an opportunity for members of the public to speak on an application on this agenda where they have registered their interest with the Planning department by 12:00pm on the day before the meeting.

Information for councillors

Disclosure of interests: Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

Councillor right of address: If members have any questions or wish to discuss aspects of any application listed on the agenda they are requested to contact the Planning Case Officer prior to the meeting.

A member of the Council may ask the Chair of a committee or sub-committee a question on any matter in relation to which the Council has powers or duties or which affect the District and which falls within the terms of reference of that committee or subcommittee.

A member must give notice of the question to the Head of Democratic Services in writing or by electronic mail no later than close of business on the fourth working day before the meeting at which the question is to be asked.

Democratic Services

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Planning Applications Committee

Minutes of meeting held in Council Chamber - County Hall, St Anne's Crescent, Lewes on 31 October 2018 at 5.00 pm

Present:

Councillor Sharon Davy (Chair)

Councillors Jim Sheppard (Deputy-Chair), Liz Boorman, Stephen Catlin, Tony Rowell, Richard Turner and Linda Wallraven

Officers in attendance:

Andrew Hill (Specialist, Planning), Katie Maxwell (Committee Officer), Joanne Stone (Lawyer, Planning).

82 Minutes

The minutes of the meeting held on 19 September 2018 were submitted and approved, and the Chair was authorised to sign them as a correct record.

83 Apologies for absence/Declaration of substitute members

Apologies for absence were reported from Councillors Ient and Jones.

84 Declarations of interest

Councillor Boorman declared a non-prejudicial interest in agenda item 6, (planning application LW/18/0506) as a member of Seaford Town Council. Councillors Boorman did not feel this would affect her ability to take part in the discussion and subsequent decision and remained in the room and voted thereon.

Councillor Wallraven declared a personal and prejudicial interest in agenda item 6 (planning application LW/18/0506) as a Member of Seaford Town Council and having made her feeling regarding the application known. Councillor Wallraven withdrew from the room whilst the application was considered and did not vote thereon.

Councillors Catlin and Rowell declared a non-prejudicial interest in agenda item 8, (planning application SNDP/18/03889) as members of Lewes Town Council and the Building Committee. Councillors Catlin and Rowell did not

feel this would affect their ability to take part in the discussion and subsequent decision and remained in the room and voted thereon.

85 Petitions

There were none.

86 LW/18/0506 - Land between 107 and 109 North Way, Seaford

NOTE: The decision notice for this item would not be issued. Officers were advised that the application had been withdrawn by Seaford Town Council on 30 October 2018, however this was not communicated to the Committee in time for the meeting.

Fred Bass and Mr and Mrs Titchmarsh spoke in objection to the application.

Resolved:

That the planning application LW/18/0506 be refused on the grounds that the land is part of the green infrastructure and confers value to local residents within the locality and the town of Seaford, which is known to have a shortage of such spaces measured against the adopted standards contained in the Lewes District Local Plan Part One: Joint Core Strategy, and as such the removal of the S.52 Obligation should be resisted. In view of this the proposals are contrary to the aims and objectives of Core Policies 7 and 8 of the Lewes District Local Plan Part One: Joint Core Strategy.

(Note: Councillor Boorman declared a non-prejudicial interest in agenda item 6, (planning application LW/18/0506) as a member of Seaford Town Council. Councillors Boorman did not feel this would affect her ability to take part in the discussion and subsequent decision and remained in the room and voted thereon.

Councillor Wallraven declared a personal and prejudicial interest in agenda item 6 (planning application LW/18/0506) as a Member of Seaford Town Council and having made her feeling regarding the application known. Councillor Wallraven withdrew from the room whilst the application was considered and did not vote thereon).

87 LW/18/0745 - Unit 2, Railway Road, Newhaven, East Sussex, BN9 0AY

Resolved:

That planning application LW/18/0745 for the replacement of the existing first-floor cladding, alterations and additions to the existing doors and windows to the ground and first-floor and omission of a small internal mezzanine area and removal of existing front and rear loading bay canopies be approved, subject to the conditions set out in the report.

Informative:

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.

88 SDNP/18/03889/FUL - Malling Community Centre, Spences Lane, Lewes, BN7 2HQ

Councillor Lamb, Steve Brigden, Mrs Elizabeth Allsobrook and Councillor Mike Chartier spoke for the application.

Resolved:

That the planning application SDNP/18/03889/FUL for proposed extensions to southern and northern elevations, proposed terrace area to east and south sides along with external cladding, roof mounted solar panels and associated alterations be approved subject to the conditions in the report and the **removal** of condition 6 which read:

6. The terrace on the western side of the community centre shall not be used as a sitting out area between 18.00 and 09.00 on any day of the week, and any benches or seats shall be removed during these times.

(Note: Councillors Catlin and Rowell declared a non-prejudicial interest in agenda item 8, (planning application SNDP/18/03889) as members of Lewes Town Council and the Building Committee. Councillors Catlin and Rowell did not feel this would affect their ability to take part in the discussion and subsequent decision and remained in the room and voted thereon).

89 Written questions from councillors

There were none.

90 Date of next meeting

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 21 November 2018 in the Council Chamber, County Hall, St Anne's Crescent, Lewes, BN7 1UE, commencing at 5:00pm.

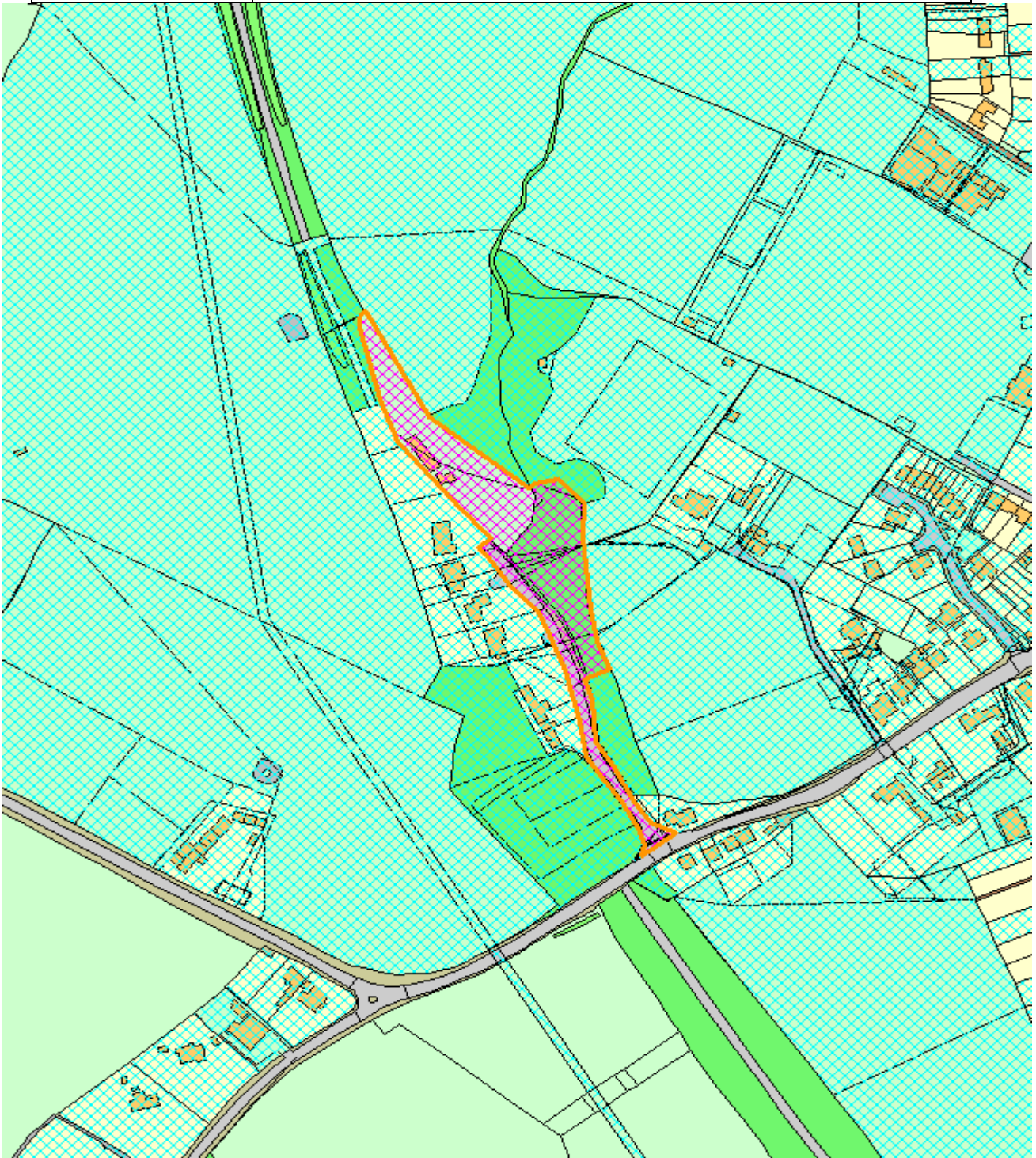
The meeting ended at 6.00 pm

Councillor Sharon Davy (Chair)

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Agenda Item 6

APPLICATION NUMBER:	LW/18/0627	ITEM NUMBER:	
APPLICANTS NAME(S):	Mr & Mrs R Meaker	PARISH / WARD:	Barcombe / Barcombe & Hamsey
PROPOSAL:	Outline Planning Application for Erection of six houses with parking and access (outline application with access, layout and scale determinable)		
SITE ADDRESS:	Street Record Bridgeland's Barcombe Cross East Sussex		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

- 1.1 The site is located to the south west of Barcombe Cross, outside of the defined settlement boundary and adjacent to the Conservation Area. The site covers an area of approximately 0.55 hectares and is accessed via a narrow lane running northwards off the High Street. The lane currently serves The Old Station House (converted into 2 dwellings) and 4 detached dwelling houses, all located on the western side of Bridgelands.
- 1.2 The existing site can be described as rough pasture, with a pond close to the eastern boundary, and a solitary Corsican Pine (which is subject to a TPO). The boundary to the lane, which runs along the western boundary, consists of mature native hedge with two access gates. The site has a general slope from south to north /north east with a fall of between 2-2.5m.
- 1.3 An application has been submitted seeking outline permission for the erection of 6 houses together with parking and access. At this stage only the principle of development together with access, layout and scale are determinable.

2. RELEVANT POLICIES

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

LDLP: – RES06 – New development in the Countryside

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP2 – Housing Type, Mix and Density

LDLP: – CT01 – Planning Boundary and Countryside Policy

LDLP: – CP14 – Renewable and Low Carbon Energy

3. PLANNING HISTORY

LW/84/1341 - Outline Application for the erection of three four-bedroom detached houses with garages. - **Refused**

E/63/0049 - Outline Application for residential development. Deemed Refused. - **Deemed Refused**

E/72/1935 - Outline Application for erection of fifty five dwellings with garages. - **Refused**

E/64/1252 - Outline Application for residential development. - **Refused**

E/73/1025 - Outline Application for fifty two dwellings with garages at Barcombe Railway Station and part O.P. 8373. - **Refused**

E/72/1398 - Outline application for twenty eight dwellings with garages. - **Refused**

E/67/0816 - Outline Application for the erection of private dwellings and telephone exchange on site of Barcombe Railway Station. - **Refused**

LW/77/0693 - Erection of five thousand sq.ft. workshop and use of lane for open storage. Restrictive Planning Conditions Nos. 4 & 7. Limiting times 08.00 - 18.00 Mondays to Fridays inclusive, 08.00 - 13.00 on any Saturday and at no time on Sundays or Public Holidays - **Approved**

LW/85/0111 - Approval of Reserved Matters following LW/83/1946 for erection of four detached dwellings with integrated garages. Amended plans Approved 09/10/1991. - **Approved**

LW/18/0627 - Erection of six houses with parking and access (outline application with access, layout and scale determinable) -

E/68/0028 - Outline Application for erection of dwellings and alterations to access. - **Refused**

LW/86/0191 - Connection of foul drainage from four dwellings to main sewer at Barcombe Goods Station Yard. - **Approved**

E/63/0049 - Outline Application for residential development. Deemed Refused. - **Deemed Refused**

E/64/1252 - Outline Application for residential development. - **Refused**

E/73/1025 - Outline Application for fifty two dwellings with garages at Barcombe Railway Station and part O.P. 8373. - **Refused**

E/67/0816 - Outline Application for the erection of private dwellings and telephone exchange on site of Barcombe Railway Station. - **Refused**

LW/77/0693 - Erection of five thousand sq.ft. workshop and use of lane for open storage. Restrictive Planning Conditions Nos. 4 & 7. Limiting times 08.00 - 18.00 Mondays to Fridays inclusive, 08.00 - 13.00 on any Saturday and at no time on Sundays or Public Holidays - **Approved**

LW/90/0910 - Construction of new access onto C8. - **Refused**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

ESCC SUDS – No objection in principle subject to the imposition of conditions. Whilst the application documentation has not met all the County Council's requirements, it is possible that the risk is capable of being mitigated to acceptable levels by the application of planning conditions which are outlined in this response.

ESCC Highways – I am satisfied that the impact of this development [6 dwellings total] can be accommodated on the highway network provided the mitigation measures are carried out. I recommend that the application be approved subject to highway conditions with a s278 agreement to secure the highway works.

1. Access/Visibility

The application indicates that two accesses would be created onto Bridgelands which is a private road. The proposal seeks to improve the junction of Bridgelands with the High Street [C8].

The access [Bridgelands] lies within a 30mph speed limit whereby the visibility splay distances should be 2.4 metres x 70 metres in accordance with that recommended in Design Manual for Roads and Bridges. The applicant has had a speed survey carried out at this access point following the Highway Authority's concerns on speeds here due to the 60mph national speed restriction commencing only approximately 30 metres to the south.

A stage 1 Road Safety Audit has been satisfactorily carried out/signed off by the Auditor with no problems or observations identified.

However, despite the Road Safety Audit [RSA], the County Council has concerns on the issue of visibility to the south west due to the alignment of carriageway and bridge position. There is some concern at the effective narrowing of the High Street.

However, in view of the outcome of the stage 1 RSA and the fact that any design issues/details can be dealt with and agreed through a s278 agreement the proposal in principle is acceptable.

It should be noted that at detailed design stage the highway authority would wish to see the private access appropriately marked as a junction. This would encourage drivers exiting to position themselves correctly allowing for maximum sight lines to be achieved and as well as reducing any potential for head on collisions when drivers are turning left into the access road. Awareness of the access road may be further assisted by locating the street name plate closer to the mouth of the junction and cutting back the overhanging trees at the north eastern end of the bridge.

Gateway signing incorporating the village nameplates would also be required on the High Street which would make the speed limit signing more visible to approaching drivers. Furthermore the design of the new section of footway would need to take into account the junction radii of Bridgelands to ensure the turning of larger vehicles is not compromised here.

These off site highway works can be secured through a condition of the planning permission with all details to be agreed. The applicant will need to enter into a s278 Legal Agreement with ESCC to carry out these works with the normal 4 stages of the Road Safety Audit being carried out.

2. Trip Generation/Traffic Impact

The proposed development of 6 dwellings would generate approximately 32 vehicular daily trips based on similar private housing developments assessed from the Trip Related Information Computer System [TRICS] database by the applicant. This also indicates 3 trips in the AM and 4 trips in the PM peak for the proposed use.

The assessment has been made by using only 3 sites in TRICS for the residential use whereas I would have preferred to see up to 10 sites used. However, from my own interrogation of the TRICS database it is clear that for this type of site in this location closer to 6 trips per dwelling [36 total] would be generated. However, this is only 4 extra trips over a day and the development would result in one extra vehicle on the network every 15 minutes in the AM and PM peak hours. I therefore confirm that the suggested daily trips are fairly robust and accepted.

Crash records received from the Police indicate that no injury crash has been reported in the last 3 years within the vicinity of Bridgelands.

3. Accessibility

The nearest bus stops are on the High Street (C8) around 200m from the site access with the High Street and approximately a total of 440m to the western most part of the site.

Therefore this proposed development [apart from one dwelling] is located within the desirable 400 metres walking distance from a bus stop.

The railway station at Cooksbridge provides a train service to London/Lewes/Brighton for commuters and whilst there are no footways to allow commuters to walk it is within the acceptable cycling distance.

Compass Travel provides for the 122 service pass the site providing 6 x 2 hourly daytime service Monday to Friday, providing links to Lewes and Cooksbridge and onward travel by train from Cooksbridge and Lewes. The first service being at 07.42 which enables commuters to reach London [and other towns along the route] by train from Cooksbridge. There are no evening bus services but there are 5 x 2 hourly services to/from Lewes on Saturdays.

There are no footways along Bridgelands itself which will remain as shared surface with this development. Given the update by the Department for Transport on 28th September 2018 the shared surface in this instance is acceptable.

There is a footway on the north western side of the High Street which terminates approximately 20 metres to the north of Bridgelands. The applicant is proposing to improve the footway connections in the vicinity of the site. These improvements include a new section of footway to connect to the existing footway to the north of the access road on the High Street. This will provide a continuous footway from the site to facilities including the primary school and local convenience store/post office to the north.

The highway authority would also wish to see a similar section of footway provided on the southern side of the access [Bridgelands] bellmouth to connect to the existing post box on the bridge. Suitable dropped kerbing will also be required here either side of the junction to enable use by pushchairs/wheelchairs etc.

These off site highway works can be secured through a condition of the planning permission with all details to be agreed. The applicant will need to enter into a s278 Legal Agreement with ESCC to carry out these works with the normal 4 stages of the Road Safety Audit being carried out.

4. Parking Provision

Paragraph 4.2 of the Transport Statement states the house type split as being 2 x 2 bedroom, 2 x 3 bedroom and 2 x 4 bedrooms. However, it is assumed that this is an error as the rest of the Statement and application refer to the split as being 3 x 2 bedroom, 1 x 3 bedroom and 2 x 4 bedroom. Therefore the parking has been assumed on that basis.

The applicant is providing for 14 car parking spaces as shown on plan no. P-101A which is in accordance with ESCC's parking guidelines [October 2017] for the house type split. The parking as shown on P-101A is therefore acceptable subject to the 4 spaces entitled "allocated area for additional parking if required" to be provided as unallocated parking for residents and visitors. As this application is for outline purposes the parking can be covered by condition with details to be submitted to and agreed.

Similarly although cycling facilities are also shown to be provided further details are required at detail stage and can be conditioned.

5. Demolition/Construction

A Construction Traffic Management Plan will need to be provided and be agreed at any detailed application stage. This would need to include routing of vehicles and management of workers vehicles to ensure no on-street parking occurs during the whole of the demolition and construction phases. Deliveries should also avoid AM and PM peak network

6. Travel Plan Issues

Although the size of the development does not warrant a Travel Plan or Travel Plan Statement I would still wish to see a Travel Plan Pack provided with each dwelling upon occupation. This should provide information on bus/train stops and timetables, walking distances etc and possibly bus/train taster tickets for each dwelling. This would help to reduce the reliance on the private motor car. This can be secured by way of a condition of any planning permission.

Main Town Or Parish Council – The Parish Council have no objection to housing on Bridgelands. However they would like to raise the following concerns with this application;

- o Overdevelopment of site
- o Non-complimentary to existing housing stock
- o Fails to reflect the results of the Barcombe Housing Survey
- o Does not fully address the safety concerns of traffic joining the main road from Bridgelands.

These points, among others, have been raised by local residents. They have provided copies of their letters to both the Parish and District Councils.

Design & Conservation Officer – No objection, no impact on the near by conservation area.

Tree & Landscape Officer Comments – No objection. Need condition to ensure TPO'd tree is protected during building operations.

Forestry Commission – Development management and woodland

Ancient woodland is an irreplaceable habitat.

National Planning Policy Framework paragraph 118 states:

'planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss'

The Forestry Commission is a non-statutory consultee on developments in or within 500m of ancient woodland - further details.

The Forestry Commission has prepared joint standing advice with Natural England on ancient woodland and veteran trees which we refer you to in the first instance. This:

o is provided in place of individual responses to planning consultations,

o should be taken into account by planning authorities where relevant when determining planning applications,

o will provide you with links to Natural England's Ancient Woodland Inventory, assessment guides and other tools to assist you in assessing potential impacts.

In the majority of cases this will provide the advice you need to help you make your decision about a development proposal. If you wish to consult further the Forestry Commission please contact your local Forestry Commission Area office.

In the wider planning context the Forestry Commission encourages local authorities to consider the role of trees in delivering planning objectives. For instance through:

- o the inclusion of green infrastructure (including trees and woodland) in and around new development; and
- o the use of locally sourced wood in construction and as a sustainable, carbon lean fuel.

Natural England – NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites.

ESCC Archaeologist – The information provided is satisfactory and identifies that there is a risk that archaeological remains will be damaged. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions which are outlined in this response.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

7 objections have been received, a summary of the points are:

Outside of village boundary, not brownfield land, pond and ditches manage flooding and water levels, important flood relief site, changes to drainage on the site will impact on surrounding drainage, impact on conservation area, wild habitat, density too high and does not reflect surroundings, intrusion on the countryside, existing road not suitable for increase in traffic, impact on safety of road users, poor access, impact on historical features, impact on trees, susceptible to flash flooding, houses out of character with surroundings, wrong location, poor local transport, impact of traffic on the safety of children, poor access onto the main highway

In response to the comments made by the Parish Council the applicant had responded as follows:

Overdevelopment - The site is proposed to be allocated for 7 houses under the Lewes District Council Local Plan Part 2, Site Allocations and Development Management Policies Consultation Draft Document, and the scheme proposed is actually one less than this - 6 houses. As mentioned in the planning statement in density terms, due to the size of the site, this works out at 12 dwellings per hectare (dph). When viewed against the density average for the village of 25 dph, the development within this site could be viewed as "underdevelopment" rather than "overdevelopment" and a lower density to what is being proposed would be questionable of having suitable policy support for efficient use of land. The proposed density should be viewed favourably in light of being more harmonious with the prevailing surrounding character.

Non-complimentary to existing housing stock - I can only assume by this they are referring to the design, if this is the case I would remind Councillors that this is only an outline application where detailed design is reserved for further approval. It should be noted that the Conversation and Design team have given their support for the proposals.

Fails to reflect the results of the Barcombe Housing Survey - The majority of the units (4 of 6) meet the recommended small unit size of between 1-3 bedrooms which have been considered most in demand, so I'm not sure how the proposed scheme "fails" to reflect the survey? The remaining two four bed units are family units which have been highlighted in

draft Neighbourhood Plan as also being requirements of future housing. A mix of units reflects both local and national policy aspirations in order to create balanced communities. If all the units were small, to accord with the housing Survey, the density would need to increase and lead to other concerns such as not being in keeping with the adjacent character, which are large family dwellings.

Does not fully address the safety concerns of traffic joining the main road from Bridgelands

-
A Stage 1 Road Safety Audit has now been undertaken which has found that no safety issues were observed at the time of the audit and no further work is required. Furthermore, an amended drawing has been provided which demonstrates how increased visibility splays can be achieved either side of Bridgelands into the High Street, in order to better ensure the safe access/egress of vehicles.

6. PLANNING CONSIDERATIONS

Considerations

6 Policy

- 6.1 The proposed development is located outside the planning boundary, therefore it is contrary to retained 'saved' policy CT1. However, due to the lack of a five year housing land supply, CT1 should be considered out-of-date and the application determined in the context of paragraph 11 (the presumption of sustainable development) and paragraph 14 of the NPPF.
- 6.2 Paragraph 11 of the NPPF (2018) requires local planning authorities to identify a five year supply of deliverable land for housing. As at 1 April 2018, the Council is only able to demonstrate a housing land supply equivalent to 4.92 years, including a 5% buffer as required by paragraph 73 of the NPPF. This calculation is made against the disaggregated JCS housing requirement figure of 5,432 net additional dwellings for outside the South Downs National Park (SDNP).
- 6.3 Further to the above, paragraph 14 of the NPPF (2018) provides additional protection against unplanned development where the local planning authority cannot demonstrate a five year housing land supply in areas with 'made' (adopted) Neighbourhood Plans and where criteria of paragraph 14 are met. This is similar protection to that provided by the earlier published Neighbourhood Planning Written Ministerial Statement (WMS) in December 2016, but as a more recent document the NPPF now takes precedent. However with no Neighbourhood Plan in place, this paragraph/consideration is not relevant.
- 6.4 The site is identified within the LDLP Part 2 Site Allocations under Policy BA03 - Land at Bridgelands. The allocation allows for approximately 7 net additional dwellings subject to compliance with all appropriate development plan policies and the criteria set out in the specific policy, which are as follows:
1. Access, including provision for pedestrians and cyclists, to be provided from the High Street via Bridgelands;
 2. Development complements the character of the existing local built form, in terms of height, mass and design, and the site's village edge location;
 3. Development respects the character and appearance of the adjacent Barcombe Cross Conservation Area;

4. Development is subject to an appropriate assessment and evaluation of archaeological potential and any mitigation measures implemented accordingly;
5. Appropriate Flood Risk Assessment, surface water drainage strategy and mitigation is agreed with appropriate body and local planning authority and implemented accordingly;
6. Tree surveys undertaken and appropriate measures are identified and implemented accordingly to mitigate potential adverse impacts on Tree Protection Order on site;
7. An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development allows for the protection of biodiversity and enhancement, where possible; and
8. The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.

Many of these requirements will be dealt with at the detailed application stage or be the subject of conditions. However it should be noted that this policy carries no weight at the present time due to the status of the emerging Part 2 Plan.

- 6.5 In view of the above it is considered that the proposal complies with the broad policy objectives and designation within Part 2 of the LDLP.

7 Design - access, layout and scale

- 7.1 Promotion of the site for residential development has been on-going since 2015. The layout and number of units has changed significantly, halving the number of units proposed and amending the layout, following public consultation, and consultation with both Lewes District Council and Barcombe Parish Council.
- 7.2 The scheme will access along Bridgelands and take access to the site from the two existing access points, which will need to be widened slightly. The south eastern access will serve two dwellings, whilst the northern access will serve the remaining four dwellings. The layout plan shows four detached and a pair of semi-detached dwellings. Each dwelling has off street parking, as well as a secure bike store. The plots are spacious with south facing gardens.
- 7.3 The submitted material indicates two storey dwellings, of a traditional appearance (although the appearance is not something that can be determined at this stage). With south facing roofslopes the dwellings have the potential to accommodate pv panels (shown on the illustrative plans). The development would accommodate 2 x 4 bed, 1 x 3 bed and 3 x 2 bed dwellings, and create a density of 12 dph, which considering the location of the site on the edge of the settlement is considered acceptable and provides a transition to the countryside surrounding the site.
- 7.4 The submitted layout of the site is considered acceptable, providing a variety of house sizes on spacious plots, without detriment to the amenities of adjacent occupiers. The access to the site will be utilising existing access points and thus minimising the loss of existing mature hedgerow to Bridgelands. (Specific issues relating to the access to the site are discussed in the following section of the report). In terms of scale of the buildings, the submitted plans indicate two storey dwellings. These fit in with the surroundings and minimise wider impact
- 7.5 The site is located adjacent to the Barcombe Conservation Area. The Conservation Area (CA) was extended to the west of the village to incorporate the

Station Building. The CA abuts the south eastern boundary of the site. Due to the layout of the proposed site, the existing screening around the periphery of the site, and the distance of the new dwellings from existing buildings, it is not considered that the proposal would be overly prominent or detrimental to the setting of the Conservation Area, or to detrimentally impact on the character and appearance of the Station Building or other non-designated heritage assets close to the site.

- 7.6 The site is well located in relation to and walking distance of the village centre and the facilities that are available.

8 Highways

- 8.1 The Highway Authority have been asked to comment on the application. Having considered the submission in addition to a Stage 1 Safety Audit they are satisfied that the impact of this development [6 dwellings total] can be accommodated on the highway network provided the mitigation measures are carried out. Their full comments are set out in the consultation section of the report. They recommend that the application be approved subject to highway conditions with a s278 agreement to secure the highway works. Those conditions are set out at the end of the report.

- 8.2 As this is a private road their concern has been largely with the main egress onto the main highway network. It is accepted that the development will increase vehicular traffic along the private lane but it is not considered that the number of proposed dwellings and the layout of the site would prejudice the safety of the users of the lane.

9 Drainage

- 9.1 The site is quite low lying, accommodates a pond and has two drainage ditched running along the north eastern and western site boundaries. The land also exhibits characteristic of a site which is at time quite wet. Consultation responses have raised the issue that the site is important in helping to manage local water flows especially in times of heavy rain.
- 9.2 ESCC as the Flood Risk Management Authority have stated that they have no objection in principle believing that it is possible to mitigate any risk through the imposition of conditions.
- 9.3 In their formal response that state that 'the applicant is intending to discharge surface water runoff through the use of infiltration. BGS data indicates that the site is at risk of groundwater flooding occurring at the surface and groundwater levels are indicated to be < 3m below ground level. The majority of the site's underlying geology is characterised by variable permeability. Therefore proposals to use infiltration should be accompanied by infiltration testing in accordance with BRE365. This should take place at the locations of the proposed infiltration structures and at depths commensurate to those structures.
- 9.4 Groundwater monitoring should also be undertaken between autumn and spring to ascertain the seasonal variation in groundwater levels.
- 9.5 If infiltration is not viable, the applicant has proposed a 'worst case scenario' where surface water will be discharged into the ordinary watercourse present at

the site. ESCC undertook a site visit on 13 September, and confirmed the presence of this watercourse (as this was not evident from existing data).

- 9.6 The Flood Risk Assessment proposes a number of options for attenuation with permeable paving, rainwater harvesting and water butts all being considered in addition to the existing pond. This pond should be investigated to ensure that it has sufficient capacity to provide an attenuation function as proposed in the drainage strategy.
- 9.7 We note that it is proposed to culvert the drainage ditches along the eastern and western site boundaries. Works affecting ordinary watercourses will require permission from the County Council, but it should be noted that the ESCC does not encourage the culverting of watercourses given the flood risk and maintenance issues they give rise to.
- 9.8 In addition, we note that this watercourse ultimately discharges into the Bevern Stream to the north of the site. This is a Water Framework Directive (WFD) waterbody with an overall objective of Good Potential by 2027. The use of above ground systems such as swales, permeable paving and ponds will contribute towards the WFD objectives instead of contributing towards further deterioration of the waterbody.
- 9.9 As this application is in outline form with no details submitted with regards to a detailed drainage system, ESCC have accepted the principle of the development and feel that an acceptable drainage strategy for the site can be achieved, and have therefore recommended approval subject to the submission of specific information as set out in the conditions attached at the end of this report.
- 9.10 Representations have been received from neighbouring residents raising concerns over flooding and drainage. The response from the Strategic Drainage Authority makes it clear that there is not a reason why the site cannot be satisfactorily developed in relation to drainage matters. As the proposal is in outline form only all details of drainage are to be conditioned. In addition the developers drainage consultants have advised that 'as detailed within Paragraph 4.9.5 of the submitted Drainage Strategy, the pond is to be refurbished in accordance with Chapter 22/23 of the CIRIA SuDS Manual C753 (a copy of which is freely available online should you wish to seek clarification), thus to incorporate this for current Outline Planning Application calculations the design of the pond is based upon a base area of 320m² to a design depth of 0.5m with an addition 0.3m freeboard and a side slope of 1 in 3 (as specified by CIRIA C753).
- 9.11 The proposed proportions of the pond have been incorporated within the attached calculations which indicate that even with the total impermeable area of 1705m² (0.17Ha) the attenuation volume required by the pond is only 102.7m³. As the pond will provide a design capacity of 187.5m³, then an additional freeboard volume of 140m³ it is considered that more than sufficient capacity will be provided.
- 9.12 As such it is considered even at this early stage of planning sufficient consideration has been given to the requirements of the pond, whilst as detailed within Paragraph 5.6 of the Sustainable Drainage Strategy the final detailed design of the pond and associated drainage features will only be undertaken once conditional planning approval has been granted, in which a full survey of Number 2 Bridgelands can be undertaken and included within the final detailed design and strategy for the development'.

10 Impact on Flora and Fauna

- 10.1 A Preliminary Ecological Appraisal was undertaken in 2018, with artificial refugia set up on site before the survey. Two species of reptile (slow worm and grass snake) were found to be present. Therefore reptile fencing will be erected to allow the site to be cleared of reptiles and relocation to a suitable receptor site (the area around the pond and the northern extent of the site). Log piles and wild flower planting should be carried out on the site to encourage relocation of species back onto the site post construction.
- 10.2 An assessment was also made for the presence of Great Crested Newts (GCN). Following the carrying out of surveys it was concluded that GCN were not present on the site or immediate area. However enhancement can be carried out to improve habitat and the ability of GCN to occupy the site.
- 10.3 In terms of the trees on the site, the single TPO'd Corsican Pine will be protected and not impacted on by the development. Several smaller specimens around the periphery of the site will be removed to facilitate development but these are lower classification trees and will be replaced with enhanced landscaping.
- 10.4 It is not considered that the proposed development would detrimentally impact on flora and fauna in or around the site.

11 Conclusion

- 11.1 Whilst this application is in outline form the submitted plans indicate that the site can accommodate the development without detriment to the surroundings.

7. RECOMMENDATION

That outline planning permission is granted subject to conditions.

The application is subject to the following conditions:

1. Details of the layout, appearance, landscaping, (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 P-101Rev a and P-103 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, 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. Construction work shall be restricted to the hours of 0800 to 1800 Monday to Fridays and 0830 to 1300 on Saturdays and works shall not be carried out at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interest of residential amenities of the neighbours having regard to Policy ST3 of the Lewes District Local Plan.

5. Proposals to use infiltration for surface water drainage should be supported by infiltration testing in accordance with BRE365 at the locations of and commensurate to the depth of the proposed drainage structures.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

6. Surface water discharge rates should be limited to 2.0 l/s for all rainfall events, including those with 1 in 100 (+40% for climate change) annual probability of occurrence. Evidence of this (in the form hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

7. The detailed design of the drainage system should be informed by findings of additional groundwater monitoring between autumn and spring. The design should leave at least 1m unsaturated zone between the base of the drainage structures and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system should be provided.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

8. The condition of the ordinary watercourse which will take surface water runoff from the development should be investigated before discharge of surface water runoff from the development is made. Any required improvements to the condition of the watercourse should be carried out prior to construction of the outfall.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

9. Details on how impacts of high groundwater on the hydraulic capacity and potentially structural integrity of the pond will be managed should be provided the Local Planning Authority.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

10. A maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following:

- a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details.
- b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

11. Prior to occupation of the development, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

12. No development shall commence until such time as temporary arrangements for access and turning for construction traffic has been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To secure safe and satisfactory means of vehicular access to the site during construction having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

13. Before the first unit of the development is completed, full details of the ecological mitigation measures set out in the submitted reports including log piles and wild flower planting, the creation of new refugia and hibernacula along the southern boundary, and these measures should be implemented before the development is occupied.

Reason - To improve the ecological value of the site and to avoid any detrimental impact on wildlife having regard to National Policy Guidance contained in the National Planning Policy Framework 2018.

14. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,

- o Hours of delivery of materials (avoiding school drop off and pick up times)
- o the anticipated number, frequency and types of vehicles used during construction,
- o the method of access and egress and routeing of vehicles during construction,
- o the parking of vehicles by site operatives and visitors,
- o the loading and unloading of plant, materials and waste,
- o the storage of plant and materials used in construction of the development,

- o the erection and maintenance of security hoarding,
- o the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- o details of public engagement both prior to and during construction works,

Reason: In the interests of highway safety and the amenities of the area and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

15. All trees, shrubs and hedges within the site, to be retained, shall be protected by 1m high fences for the duration of the building works at a distance equivalent to the outer most limit of the branches or half the height of the tree or whichever is the greatest or such other distance as may be agreed in writing by the Local Planning Authority. No materials or plant shall be stored, rubbish dumped, fires lit or buildings erected within the fenced area and no changes in ground level or excavations may be made within the exclusion zone of the tree, shrub or hedge without the prior consent in writing of the Local Planning Authority, in accordance with BS.5837 - Trees in Relation to Construction.

Reason: To enhance the general appearance of the development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

16. Before the construction of the dwellings takes place, details for the provision of electric car charging points for the dwellings, shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with that approval prior to the first occupation of the dwellings.

Reason - In order to provide a more sustainable development having regard to Core Policy 14 of the Joint Core Strategy Part 1 and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

17. Before the construction of the dwellings takes place, a detailed energy strategy to show how the development will incorporate decentralised and renewable or low carbon technologies into the development shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with that approval prior to the first occupation of the dwellings.

Reason - In order to provide a more sustainable development having regard to Core Policy 14 of the Joint Core Strategy Part 1 and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

18. Before the development hereby approved is commenced on site, details and samples of all external materials including all facing, roofing and surfacing materials shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: To ensure a satisfactory development in keeping with the locality having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

19. No external lighting, either on the buildings hereby approved, or the new street, shall be installed/erected without the prior written approval of the Local Planning Authority.

Reason - To preserve the character of the area and to prevent light pollution in this countryside setting having regard to Policy ST3 of the Lewes District Local Plan, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

20. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 2 Classes A to F of Schedule 2, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.

Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

21. 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 Policy Guidance contained in the National Planning Policy Framework 2018.

22. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework 2018.

23. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [1] to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework 2018.

24. No development shall begin on site until details of finished floor levels and ridge heights of the proposed dwellings in relation to the existing ground levels, levels along Bridgelands, and the ridge heights of the existing dwellings along Bridgelands have been submitted to and approved by the Local Planning Authority. The submitted details should include a longitudinal section NW to SE with the levels marked should also be submitted. The works shall then be carried out in accordance with these details.

Reason: In the interest of residential amenity and the character of the locality having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

25. No part of the development shall be occupied until the vehicle turning space has been constructed within the site in accordance with the approved plans. This space shall thereafter be retained at all times for this use.

Reason: In the interests of road safety and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

26. No part of the development shall be occupied until the car parking has been constructed and provided in accordance with . The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car-parking space for the development and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

27. No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

28. No development shall commence until the vehicular access [Bridgelands] serving the development has been improved and constructed at its junction with the High Street, including footway improvements and gateway feature in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

29. No part of the development shall be first occupied until visibility splays of 2.4 metres by 60 metres to the northeast and 56 metres to the southwest have been provided at the proposed site vehicular access onto the High Street [C8] in accordance with the approved plan 151215-02 B. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: In the interests of road safety and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

30. No development shall commence until such time as revised plans and details incorporating the recommendations given in a Stage 2 Road Safety Audit and accepted in the Designers Response have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of road safety.

INFORMATIVE(S)

1. The applicant will be required to enter into a Section 278 legal agreement with East Sussex County Council, as Highway Authority, for the off-site highway works. The applicant is

requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

2. The applicant is advised of the requirement to enter into discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. The applicant should contact the Transport Development Control Team (01273 482254).

3. The applicant is advised that the erection of temporary directional signage should be agreed with Transport Development Control Team prior to any signage being installed. The applicant should be aware that a Section 171, Highways Act 1980 Licence will be required.

4. 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>

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Transport Assessment	13 September 2018	
Proposed Layout Plan	2 August 2018	P101
Existing Layout Plan	2 August 2018	P002
Proposed Layout Plan	2 August 2018	P103
Additional Documents	2 August 2018	ENVIRONMENTAL RISK
Additional Documents	2 August 2018	REPTILE SURVEY
Flood Risk Assessment	2 August 2018	4
Flood Risk Assessment	2 August 2018	1
Flood Risk Assessment	2 August 2018	2
Flood Risk Assessment	2 August 2018	3
Biodiversity Checklist	2 August 2018	PEA1
Biodiversity Checklist	2 August 2018	PEA2
Justification / Heritage Statement	2 August 2018	

Additional Documents	2 August 2018	GCN REPORT
Location Plan	2 August 2018	P001
Existing Block Plan	2 August 2018	P001
Additional Documents	18 October 2018	RSA - 18)CT18

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Committee: Planning Applications Committee
Date: 21 November 2018
Department: Planning & Environmental Services
Subject: Enforcement Monitoring (Part A)

Purpose of Report This report provides an overview of enforcement matters throughout the Lewes District during the period 1 April 2018 – 30 June 2018. A separate report follows giving a detailed progress report for all cases where enforcement action has been commenced.

1 Complaints Received

- 1.1 A total of 57 complaints (18 of which are National Park (NP) cases) were received in the period, as follows:-

Alleged breaches of planning control	34	(18 NP cases)
Other complaints – Untidy sites, adverts etc.	5	(0 NP cases)
During this period the total number of cases disposed of was:- (16 of which were National Park (NP))	48	(16 NP cases)
No breach found	15	(6 NP cases)
Compliance achieved	20	(5 NP cases)
No action to be taken	4	(5 NP cases)

2 Enforcement Action Authorised

2.1 Section 215 Notices	0	(0 NP cases)
2.2 Breach of Condition Notices	0	(0 NP cases)
2.3 Enforcement Notices	1	(1 NP cases)
2.4 Prosecution Proceedings	0	(0 NP cases)
2.5 Stop Notices & Temporary Stop Notices	0	(0 NP cases)
2.6 Planning Contravention Notices	0	(0 NP cases)

3 Enforcement Notices Served etc.

3.1 Section 215 Notices	0	(0 NP case)
3.2 Breach of Condition Notice	0	(0 NP case)
3.3 Enforcement Notices	0	(2 NP case)

3.4	Prosecution Proceedings	0	(0 NP case)
3.5	Stop Notices & Temporary Stop Notices	0	(0 NP cases)
3.6	Planning Contravention Notices	0	(0 NP cases)

4 Retrospective Applications Submitted

- 4.1 Retrospective planning and Certificate of Lawful Use applications have been submitted in response to enforcement enquiries in respect of the following 7 sites:-

Submitted
following enf
officer
investigation

- | | | |
|---|--|---|
| 1 | Crowthorne House, Lewes Road, Ringmer – LW/18/0185 – Section 73A Retrospective application for the retention of a vehicular access and 1.3m high access gate | ✓ |
| 2 | 33 Bannings Vale, Saltdean – LW/18/0280 – Section 73A Retrospective application to dismantle existing wooden conservatory of approx. 14 square metres and replace with a brick and mortar construction of 24 square metres | |
| 3 | Barn at Grassington Farm, Warren Lane, Chailey – LW/18/0334 – Section 73A Retrospective application for the change of use of barn to gym | ✓ |
| 4 | 69 The Fairway, Newhaven – LW/18/0352 – Section 73A Retrospective application for new roof terrace with balustrade and spiral staircase | |
| 5 | 25 St Peters Road, Seaford – LW/18/0440 – Section 73A Retrospective application for fence on the border with the highway | ✓ |
| 6 | Rise Farm, Cockshut Road, Lewes – SDNP/18/02352/ADV – Retention of signs showing directions to Rise Farm | ✓ |
| 7 | 19 Prince Edwards Road, Lewes – SDNP/18/02011/HOUS – Section 73A Retrospective application to take down a long disused chimney to its base, leaving six rows of bricks, and cap the top as it has been found to be unsafe during works to replace a flat lead roof | |

5 Contact Officer

The contact officer in connection with this report is Jennifer Baxter, Specialist Advisor (Planning Enforcement).

Ian Fitzpatrick, Director of Regeneration and Planning
30/10/2018

Agenda Item 8

Committee: Planning Applications Committee

Date: 21 November 2018

Department: Planning & Environmental Services

Subject: Enforcement Monitoring (Part B)

This report details the cases which have had notices authorised and/or served within the quarter 1 April 2018 – 30 June 2018

Address/Breach	Current Position	SDNP area
EAST CHILTINGTON Wootton Farm, Novington Lane, East Chiltington – SDNP/16/00462/COU <u>Breach</u> Unauthorised residential use of a mobile home	<u>Current Position</u> <ul style="list-style-type: none">• Enforcement notice served in respect of the unauthorised siting and use of the mobile home.• Appeal lodged against the enforcement notice• Appeal dismissed and compliance period for enforcement notice upheld• Works currently underway to comply with requirements of the enforcement notice	✓
IFORD Iford Farm Shoot, Iford SDNP/18/00346/COU <u>Breach</u> Use of land for shooting for over the 28 day permitted rights	<u>Current Position</u> <ul style="list-style-type: none">• Enforcement notice served on 14 August 2018• Enforcement notice appealed	
ITFORD		

Address/Breach	Current Position	SDNP area
YHA, Itford Farm, Itford – SDNP/16/00406/OPDEV <u>Breach</u> Unauthorised shower and WC cabin unit	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice served on 19.12.2017 following refusal of retrospective planning permission • 12 month compliance period 	✓
KINGSTON Kingston Farm, The Street, Kingston – SDNP/17/00753/COU <u>Breach</u> Siting and use of unauthorised pizza van	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice pending service for the cessation of the use and removal of the unauthorised pizza van • Enforcement notice served • Appeal lodged against the enforcement notice 	✓
LEWES The Volunteer, 15 Eastgate Street, Lewes SDNP/17/00131/OPDEV <u>Breach</u> Unauthorised smoking shelter	<u>Current Position</u> <ul style="list-style-type: none"> • Planning permission refused for the retention of the smoking shelter • Appeal against the refusal of planning permission dismissed • Enforcement notice pending service • Enforcement notice served and appeal lodged against the enforcement notice 	✓
NEWHAVEN		

Address/Breach	Current Position	SDNP area
Foxhole Farm, Seaford Road, Newhaven SDNP/16/00444/BRECON <u>Breach</u> Unauthorised mobile home	<u>Current Position</u> <ul style="list-style-type: none"> • Planning permission for retention of mobile home refused and dismissed at appeal • Enforcement notice served for the unauthorised mobile home • Appealed lodged against the enforcement notice 	✓
NEWHAVEN Land at The Highway, Newhaven EN/16/0148 <u>Breach</u> Unauthorised residential use and storage of the land	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice served on 10 August 2018 • Compliance deadline for the use to cease and site to be cleared is 12 November 2018 	
RINGMER Upper Lodge Farm, The Broyle, Ringmer EN/17/0031 <u>Breach</u> Unauthorised siting of mobile home	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice served on 14 August 2018 • Compliance deadline 12 November 2018 	
SEAFORD		

Address/Breach	Current Position	SDNP area
<p>2 East Dean Rise, Seaford – EN/15/0094</p> <p><u>Breach</u></p> <p>Untidy front, side and rear garden</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Section 215 Notice served to clear the front, side and rear garden • Notice has not been complied with so direct action to clear the land is being discussed with legal services • Letter to owner advising that the Council is now considering direct action to seek clearance of the front, side and rear garden • Three quotes being obtained to take direct action to clear the garden • Direct action undertaken and site has now been cleared 	
<p>SEAFORD</p> <p>Talland Parade, Seaford - EN/17/0036</p> <p><u>Breach</u></p> <p>Untidy site/scaffolding</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Section 215 Notice served • Appeal lodged with the Magistrates Court against the Section 215 Notice • Magistrates Court received the appeal after the deadline so this could not be heard • Council agreed that if works start by the end of August 2018 the no further enforcement action will be taken • Work has commenced on site 	

Contact Officer

The contact officer in connection with this report is Jennifer Baxter, Specialist Advisor (Planning Enforcement).

Ian Fitzpatrick,
Director of Regeneration and Planning
30/10/2018

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Committee: Planning Applications Committee
Date: 21 November 2018
Department: Planning & Environmental Services
Subject: Enforcement Monitoring (Part A)

Purpose of Report This report provides an overview of enforcement matters throughout the Lewes District during the period 1 July 2018 – 30 September 2018. A separate report follows giving a detailed progress report for all cases where enforcement action has been commenced.

1 Complaints Received

- 1.1 A total of 73 complaints (16 of which are National Park (NP) cases) were received in the period, as follows:-

Alleged breaches of planning control	54	(13 NP cases)
Other complaints – Untidy sites, adverts etc.	3	(3 NP cases)
During this period the total number of cases disposed of was:- (17 of which were National Park (NP))	61	(17 NP cases)
No breach found	18	(2 NP cases)
Compliance achieved	11	(7 NP cases)
No action to be taken	15	(8 NP cases)

2 Enforcement Action Authorised

2.1 Section 215 Notices	0	(0 NP cases)
2.2 Breach of Condition Notices	0	(0 NP cases)
2.3 Enforcement Notices	0	(1 NP cases)
2.4 Prosecution Proceedings	0	(0 NP cases)
2.5 Stop Notices & Temporary Stop Notices	0	(0 NP cases)
2.6 Planning Contravention Notices	0	(0 NP cases)

3 Enforcement Notices Served etc.

3.1 Section 215 Notices	0	(0 NP case)
3.2 Breach of Condition Notice	0	(0 NP case)
3.3 Enforcement Notices	2	(1 NP case)

3.4	Prosecution Proceedings	0	(0 NP case)
3.5	Stop Notices & Temporary Stop Notices	0	(0 NP cases)
3.6	Planning Contravention Notices	0	(0 NP cases)

4 Retrospective Applications Submitted

- 4.1 Retrospective planning and Certificate of Lawful Use applications have been submitted in response to enforcement enquiries in respect of the following 11 sites:-

5 LDC apps
6 SDNP apps

Submitted
following enf
officer
investigation

- | | | |
|----|--|---|
| 1 | Copyhold Farm, Hamsey Lane, Cooksbridge – LW/18/0349 – Section 73A retrospective application for reinstatement of existing barn and change if use from farm storage to light steel fabrication and storage | ✓ |
| 2 | 10 Blackmores Wivelsfield – LW/18/0518 – Section 73A retrospective application for the retention of a garden shed | ✓ |
| 3 | Toad Hall Lane End Common North Chailey– LW/18/0655 – Section 73A retrospective application to raise the level of low and flooded grazing field by 500mm in the deepest area with imported inert soil | ✓ |
| 4 | 9 Claremont Road, Newhaven – LW/18/0642 – Section 73A retrospective application for one metre extension to existing balcony | ✓ |
| 5 | 54 Fitzgerald Avenue Seaford – LW/18/0691 – Section 73A retrospective application for retention of replacement pool house | ✓ |
| 6 | The Bull 2 High Street Ditchling– SDNP/18/03335/ADV and SDNP/18/00036/LIS – Retention of backlit Bull logo in steel with corten rust effect on South facing flint barn wall | ✓ |
| 7 | The Bull 2 High Street Ditchling– SDNP/18/03337/FUL and SDNP/18/03338/LIS – Section 73A retrospective application for timber structure with decked area providing cooking area for pizza oven and storage/serving area to garden | ✓ |
| 8 | The Bull 2 High Street Ditchling– SDNP/18/03341/FUL and SDNP/18/03342/LIS – Section 73A retrospective application for removal of metal swings and play equipment, replace with timber swings, slide, see-saw and safety fencing | ✓ |
| 9 | 35 King Henry's Road Lewes – SDNP/18/04249/HOUS– Section 73A retrospective application of existing deck and safety screen to rear of property | |
| 10 | Sunnymead Church Lane Southease – SDNP/18/00133/FUL – Section 73A retrospective application for the retention of two adjoining sheds for storage | ✓ |

of tools and garden equipment

- 11 64 North End Ditchling – SDNP/18/03829/HOUS – Section 73A retrospective application to replace existing shed ✓

5 **Contact Officer**

The contact officer in connection with this report is Jennifer Baxter, Specialist Advisor (Planning Enforcement).

Ian Fitzpatrick,
Director of Regeneration and Planning
30/10/2018

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Committee: Planning Applications Committee

Date: 21 November 2018

Department: Planning & Environmental Services

Subject: Enforcement Monitoring (Part B)

This report details the cases which have had notices authorised and/or served within the quarter 1 July 2018 – 30 September 2018

Address/Breach	Current Position	SDNP area
EAST CHILTINGTON Wootton Farm, Novington Lane, East Chiltington – SDNP/16/00462/COU <u>Breach</u> Unauthorised residential use of a mobile home	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice served in respect of the unauthorised siting and use of the mobile home. • Appeal lodged against the enforcement notice • Appeal dismissed and compliance period for enforcement notice upheld • Works currently underway to comply with requirements of the enforcement notice • Site visit imminent to check removal of mobile home 	✓
IFORD Iford Farm Shoot, Iford SDNP/18/00346/COU <u>Breach</u> Use of land for shooting for over the 28 day permitted rights	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice served on 14 August 2018 • Enforcement notice appealed 	

Address/Breach	Current Position	SDNP area
ITFORD YHA, Itford Farm, Itford – SDNP/16/00406/OPDEV <u>Breach</u> Unauthorised shower and WC cabin unit	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice served on 19.12.2017 following refusal of retrospective planning permission • 12 month compliance period 	✓
KINGSTON Kingston Farm, The Street, Kingston – SDNP/17/00753/COU <u>Breach</u> Siting and use of unauthorised pizza van	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice pending service for the cessation of the use and removal of the unauthorised pizza van • Enforcement notice served • Appeal lodged against the enforcement notice 	✓
LEWES The Volunteer, 15 Eastgate Street, Lewes SDNP/17/00131/OPDEV <u>Breach</u> Unauthorised smoking shelter	<u>Current Position</u> <ul style="list-style-type: none"> • Planning permission refused for the retention of the smoking shelter • Appeal against the refusal of planning permission dismissed • Enforcement notice pending service • Enforcement notice served and appeal lodged against the 	✓

Address/Breach	Current Position	SDNP area
	enforcement notice	
NEWHAVEN Foxhole Farm, Seaford Road, Newhaven SDNP/16/00444/BRECON <u>Breach</u> Unauthorised mobile home	<u>Current Position</u> <ul style="list-style-type: none"> • Planning permission for retention of mobile home refused and dismissed at appeal • Enforcement notice served for the unauthorised mobile home • Appealed lodged against the enforcement notice 	✓
NEWHAVEN Land at The Highway, Newhaven EN/16/0148 <u>Breach</u> Unauthorised residential use and storage of the land	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice served on 10 August 2018 • Compliance deadline for the use to cease and site to be cleared is 12 November 2018 	
RINGMER Upper Lodge Farm, The Broyle, Ringmer EN/17/0031 <u>Breach</u> Unauthorised siting of mobile home	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice served on 14 August 2018 • Compliance deadline 12 November 2018 	

Address/Breach	Current Position	SDNP area
<p>SEAFORD</p> <p>2 East Dean Rise, Seaford – EN/15/0094</p> <p><u>Breach</u></p> <p>Untidy front, side and rear garden</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Section 215 Notice served to clear the front, side and rear garden • Notice has not been complied with so direct action to clear the land is being discussed with legal services • Letter to owner advising that the Council is now considering direct action to seek clearance of the front, side and rear garden • Three quotes being obtained to take direct action to clear the garden • Direct action undertaken and site has now been cleared 	
<p>SEAFORD</p> <p>Talland Parade, Seaford - EN/17/0036</p> <p><u>Breach</u></p> <p>Untidy site/scaffolding</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Section 215 Notice served • Appeal lodged with the Magistrates Court against the Section 215 Notice • Magistrates Court received the appeal after the deadline so this could not be heard • Council agreed that if works start by the end of August 2018 the no further enforcement action will be taken • Work has commenced on site 	

Contact Officer

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Ian Fitzpatrick,
Director of Regeneration and Planning
30/10/2018

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