

Planning Applications Committee 13 March 2019



Working in Partnership



Time and venue:

5.00pm in the Council Chamber, County Hall, St Anne's Crescent, Lewes, BN7 1UE

Membership:

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

Quorum: 5

Published: Monday, 4 March 2019

Agenda

1 Minutes (Pages 1 - 6)

To confirm and sign the minutes of the previous meeting held on 20 February 2019 (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/19/0084 - Chailey School, Mill Lane, Chailey, East Sussex, BN8 4PU**
(Pages 7 - 24)
- 7 LW/18/0366 - 81 - 85 South Coast Road, Peacehaven, East Sussex, BN10 8QS** (Pages 25 - 38)

Planning applications within the South Downs National Park

- 8 SDNP/18/06553/FUL - The Beacon Nurseries, Beacon Road, Ditchling, BN6 8XB** (Pages 39 - 52)
- 9 SDNP/18/05990 - Old Barn adjacent to 8, Bush Road, Newhaven, East Sussex** (Pages 53 - 62)

Non-planning application related items

10 Written questions from councillors

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

11 Date of next meeting

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 3 April 2019 in the Council Chamber, County Hall, St Anne's Crescent, Lewes, BN7 1UE, commencing at 6:00pm.

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

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

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Working in Partnership



Planning Applications Committee

Minutes of meeting held in the Council Chamber, County Hall, St Anne's Crescent, Lewes, BN7 1UE on 20 February 2019 at 5.00pm

Present:

Councillor Sharon Davy (Chair)

Councillors Jim Sheppard (Deputy-Chair), Liz Boorman, Stephen Catlin, Graham Amy, Tom Jones, Dave Neave, Tony Rowell, Richard Turner, Linda Wallraven and Will Elliott (Minutes 111 to 118 and Minutes 120 to 127)

Officers in attendance:

Jennifer Baxter (Specialist Advisor, Planning), Andrew Hill (Senior Specialist Advisor, Planning), Jennifer Norman (Committee Officer) and Joanne Stone (Lawyer, Planning)

111 Minutes

The minutes of the meeting held on 12 December 2018 were submitted and approved, and the Chair was authorised to sign them as a correct record.

112 Apologies for absence/Declaration of substitute members

An apology for absence had been received from Councillor Vic lent. Councillor Will Elliott declared that he was acting as substitute for Councillor lent for the duration of the meeting.

113 Declarations of interest

In relation to agenda item 9 (planning application LW/18/0808), for the purposes of transparency, the Council's lawyer declared that she knew Gavin May and Matt Hillier, who both spoke in support of the application.

Councillor Turner declared a non-prejudicial interest in agenda item 9 (planning application LW/18/0808) as he was a member of Ringmer Parish Council.

Councillor Catlin declared a non-prejudicial interest in agenda items 13 and 14 (planning applications SDNP/18/05647 and SDNP/18/05648) as he was a member of Lewes Town Council's Planning Committee.

Councillor Wallraven declared a non-prejudicial interest in agenda item 11 (planning application LW/18/0848) as she was a member of Seaford Town Council's Planning Committee.

114 Petitions

There were none.

115 LW/18/0351 - Woods Fruit Farm, Goldbridge Road, Newick, East Sussex, BN8 4QP

Resolved:

That planning application LW/18/0351 for demolition of Oakside and the erection of 69 residential homes, with associated access, car parking, cycle parking, refuse/recycling storage, landscaping and infrastructure be deferred for reasons detailed in the supplementary report.

116 LW/18/0987 - The Kings Head, East Grinstead Road, North Chailey, East Sussex, BN8 4DH

Councillor Mike Lethem spoke on behalf of Chailey Parish Council. Mr Ben Ellis spoke for the application.

Resolved:

That planning application LW/18/0987 for proposed ground floor change of use from A4 to B1 and refurbishment of ground floor to office space with minimal external changes be approved, subject to the conditions set out in the report and supplementary report.

117 LW/18/0988 - The Kings Head, East Grinstead Road, North Chailey, East Sussex, BN8 4DH

Councillor Mike Lethem spoke on behalf of Chailey Parish Council. Mr Ben Ellis spoke for the application.

Resolved:

That planning application LW/18/0988 for proposed ground floor change of use from A4 to C3 and refurbishment of ground floor to 1 x 1 bed flat and 1 x 2 bed flat be approved, subject to the conditions set out in the report and supplementary report.

118 LW/18/0808 - Caburn Field, Anchor Field, Ringmer, East Sussex

Councillor Richard Booth spoke on behalf of Ringmer Parish Council. Mr Ben Ellis, Mr Gavin May and Mr Matt Hillier spoke for the application. Councillor Peter Gardiner spoke in his capacity as the Lewes District Ward Councillor.
Resolved:

That planning application LW/18/0808 for proposed residential development of a total of 77 dwellings of a mix of types, sizes and affordability to ensure that efficient use is made of the land, comprising of 10 x 2 bedroom flats, 12 x 2 bedroom houses, 23 x 3 bedroom houses, 9 x 4 bedroom houses, and 13 x 2 bed and 10 x 3 bed affordable houses (amended proposal) be approved, subject to the conditions set out in the report and subject to the following:

1. An amended condition regarding the construction management plan; and
2. An additional condition preventing visitor parking in front of occupied dwellings.

(Note: Councillor Turner declared a non-prejudicial interest in this item as he was a member of Ringmer Parish Council. He therefore took part in the consideration, discussion and voting thereon.)

(Note: The Council's Lawyer declared, for the purposes of transparency, that she knew two of the people speaking in support of the application.)

(Note: Councillor Catlin left the room for a short period during this item and, on legal advice, did not take part in the vote thereon.)

119 LW/18/0901 - 207 Marine Drive, Saltdean, East Sussex, BN2 8DA

Mr Tarragano and Mr Gonzalez spoke against the application.

Resolved:

That planning application LW/18/0901 for conversion of chalet bungalow to 4 x self-contained flats including rear and side extensions, take off roof and add first floor, demolish garage, gym and potting shed, widen cross-over, 5 car spaces, bicycle stores and associated landscaping be approved, subject to the conditions set out in the report and supplementary report.

(Note: Councillor Elliott left the room during this item and therefore, did not take part in the final vote thereon.)

120 LW/18/0848 - 214 Vale Road, Seaford, East Sussex, BN25 3HJ

Resolved:

That planning application LW/18/0848 for demolition of the rear store and outside toilet structure and construction of a new rear extension and internal

remodelling to provide an accessible bedroom and shower room for a disabled occupant be approved, subject to the conditions set out in the report.

(Note: Councillor Wallraven declared a non-prejudicial interest in this item as she was a member of Seaford Town Council's Planning Committee. She therefore took part in the consideration, discussion and voting thereon.)

121 SDNP/18/05602 - 1 School Cottages, Chapel Lane, East Chiltington, BN7 3AY

Resolved:

That planning application SDNP/18/05602/HOUS for first floor side extension over existing single storey pitched roof side extension and open porch to front elevation be approved, subject to the conditions set out in the report.

122 SDNP/18/05647 - 35 Friars Walk, Lewes, BN7 2LG

Resolved:

That planning application SDNP/18/05647FUL/ for change of use from B1 to D1 Health Centre; 'The Unity Centre'. Installation of sign above entrance, new lighting above entrance, alteration to rear entrance with associated ramp, closure of existing access to Styles Field and restore access to Broomans Lane and erection of a boundary wall adjacent to Styles Field and siting of a timber clad studio at rear be approved, subject to the conditions set out in the report and the following:

Amended wording of condition to read:

5. The temporary treatment room hereby permitted shall be carried on only by 'Unity' and shall be for a limited period being the period of three years from the date of this permission, or the period during which the premises are occupied by 'Unity' whichever is the shorter. The treatment room shall be removed after this date.

(Note: Councillor Catlin declared a non-prejudicial interest in this item as he was a member of Lewes Town Council's Planning Committee. He therefore took part in the consideration, discussion and voting thereon.)

123 SDNP/18/05648 - 35 Friars Walk, Lewes, BN7 2LG

Resolved:

That planning application SDNP/18/05648/ADV for installation of two timber fascia signs with painted lettering be approved, subject to the conditions set out in the report and supplementary report, and subject to the conditions set out in the report.

(Note: Councillor Catlin declared a non-prejudicial interest in this item as he was a member of Lewes Town Council's Planning Committee. He therefore took part in the consideration, discussion and voting thereon.)

**124 Enforcement monitoring from 1 October 2018 - 31 December 2018
(Part A)**

Resolved:

That the report which provided an overview of enforcement matters throughout Lewes District during the period 1 October 2018 to 31 December 2018, be noted.

**125 Enforcement monitoring from 1 October 2018 - 31 December 2018
(Part B)**

Resolved:

That the report which detailed the cases that have had notices authorised and/or served within the quarter 1 October 2018 to 31 December 2018, be noted.

126 Written questions from councillors

There were none.

127 Date of next meeting

Resolved:

That the next meeting of the Planning Applications Committee that is scheduled to be held on Wednesday, 13 March 2019 in the Council Chamber, County Hall, St Anne's Crescent, Lewes, BN7 1UE, commencing at 5:00pm, be noted.

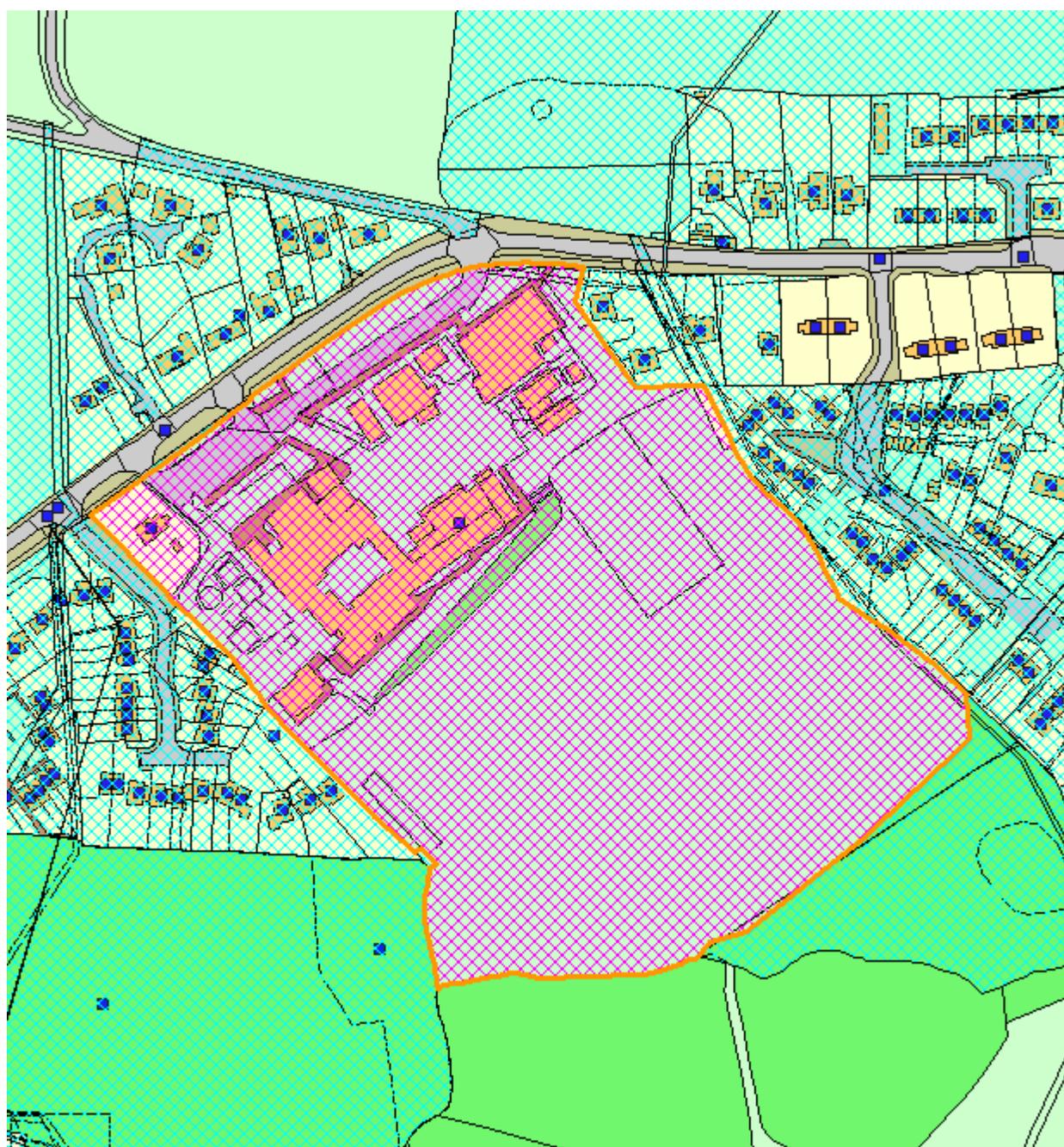
The meeting ended at 7.20pm.

Councillor Sharon Davy (Chair)

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Agenda Item 6

APPLICATION NUMBER:	LW/19/0084		
APPLICANTS NAME(S):	Bowmer & Kirkland	PARISH / WARD:	Chailey / Chailey & Wivelsfield
PROPOSAL:	Planning Application for Demolition of the existing EFAA, EFAF and EFAG buildings and development of a new part two and part three storey school building, Multi Use Games Area (MUGA), with associated parking, landscaping and external works as a temporary access point for construction purposes		
SITE ADDRESS:	Chailey School Mill Lane Chailey East Sussex BN8 4PU		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

1.1 Chailey School is located on the southern side of Mill Lane in South Chailey. The site covers an area of approximately 5.1 hectares and is occupied by 7 school buildings on a third of the site at the north western end, whilst the remaining two thirds, located at the south eastern part is occupied by the playing field and a hard surfaced games area.

1.2 The site is bounded by residential development - Mill Brooks and Maplehurst along the north eastern boundary and the Martletts along the south western boundary. The site is not in a designated area.

1.3 The site is relatively level, although tiered with the school buildings located at the higher level and the playing field at the lower level approximately 2-3.5m lower than Mill Lane.

1.4 The existing school buildings, built mainly in the 1950's with other buildings built and extended at various dates from 1975 with the entrance built around 2000, are largely 2 storey brick buildings with clay tiled pitch roofs, with a number of flat roofed, both temporary and permanent newer buildings, located towards the front of the site along the access road.

1.5 The proposal is to demolish the main school buildings (EFAA/EFAP/EFAG) as these are deemed 'unfit for purpose due to possible presence of asbestos, poor condition of WC's , fractured brickwork and decaying external timber, all of which would have been prohibitively costly for the schools maintenance budget'. A new replacement school building, varying from 2 to 3 storeys with a flat roof will be built further to the north east and closer to the residential development at Maplehurst and located behind the flat roofed retained buildings to the front of the site.

2. RELEVANT POLICIES

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP7 – Infrastructure

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

3. PLANNING HISTORY

LW/91/1422 - Erection of ball stop fencing 29.2m long x 4m high comprising angle iron uprights with chain link mesh - **Object**

LW/06/0945 - Construction of new access and access road from Mill Lane to provide new pick up/drop off facility for school buses. Landscaping and associated works to provide visitor parking on existing bus parking area and provision of staff car parking west of school - **Approved**

LW/84/1073 - Bus Park and additional car parking. LDC No Objections 13/07/1984. ESCC Determined. Deemed Approved 03/08/1984. - **Approved**

E/60/0241 - Two proposed additional classrooms. Deemed Approved 19/07/1960. - **Approved**

E/60/0590 - Proposed swimming pool. - **Approved**

LW/82/0437 - Mobile classroom unit. - **Deemed Permission**

LW/80/2043 - Retention LW/75/1172CC of single mobile classroom. ESCC No Objection 26/01/1981. Temporary Permission Expires 30/09/1985. - **Deemed Permission**

LW/07/0037 - Replacement of former oil storage tanks and building with new single tank - **Approved**

E/53/0291 - Outline application to erect an agricultural cottage. - **Approved**

LW/78/1800 - Enclosing of swimming pool. LDC No Objection 21/11/1978. Amended Plan Approved 15/05/1979. - **Deemed Permission**

LW/07/0837 - Replacement of 12 windows and one glazed door on south west and south east elevations. Removal of brick steps and timber entrance door - **Approved**

LW/08/1091 - Continued use of two double mobile classrooms in the north east of the site - **Approved**

LW/09/0783 - Erection of a children's centre to the south western boundary - **Approved**

LW/11/0463 - Replace existing 3m high chainlink fence with 3m high weldmesh fencing to enclose hard play to the east of the school building - **Approved**

LW/13/0314 - Variation to Conditon One attached to Planning Approval LW/2735/CC, for the continued use of two double mobile classrooms located in the north east of the site, for a period of seven years (August 2010). - **Approved**

LW/18/0318 - Demolition of the existing EFAA, EFAF and EFAG buildings and development of a new part two and part three storey school building, Multi Use Games Area (MUGA), with associated parking, landscaping and external works as a temporary access point for construction purposes - **Refused**

LW/18/0476 - Installation of a temporary two storey modular building for temporary school accommodation - **Approved**

LW/19/0084 - Demolition of the existing EFAA, EFAF and EFAG buildings and development of a new part two and part three storey school building, Multi Use Games Area (MUGA), with associated parking, landscaping and external works as a temporary access point for construction purposes -

LW/85/1146 - Retention of mobile classroom. LDC no objection. Deemed Approved. - **Approved**

E/71/0230 - Proposed extension to existing boiling shed. - **Not Proceeded With**

E/63/1091 - Prefabricated classroom. - **No Decision**

E/73/0103 - Erection of games hall. - **Object**

E/72/1325 - Erection of a two storey RSLA teaching unit for one hundred and sixty children. ESCC determined. - **Approved**

E/72/1293 - Sports Hall. ESCC No Objection 11/01/1973. - **No Objection**

LW/75/1172 - One single mobile classroom. LDC no objection 17/09/1975. ESCC determined. Restrictive Planning Condition No.2. Temporary Permission Expires 30/09/1980. - **Approved**

LW/75/0670 - Extensions and adaptations to existing school to become a comprehensive school for five hundred and ninety pupils. - **No Objection**

LW/88/0978 - Removal of temporary planning permission LW/87/441CC for retention of mobile classroom. ESCC Approved 23/08/1988. - **No Objection**

LW/89/0957 - Renewal of temporary permission (LW/88/1323) for retention of mobile classroom. Approved by ESCC on 02.08.89 - **No Objection**

LW/89/0956 - Renewal of temporary permission (LW/88/0978) for retention of mobile classroom. Approved by ESCC 02.08.89. - **No Objection**

LW/87/0441 - Retention of mobile classroom unit. - **Approved**

LW/88/1323 - Retention of Mobile Classroom. ESCC Approved. - **No Objection**

LW/99/1020 - Installation of double temporary classroom unit (for five years). - **Approved**

LW/06/0291 - Demolition of existing entrance extension and the erection of two storey extension - **No Objection**

LW/05/1111 - Erection of a single storey extension to west elevation. Extension of existing hard court playground to south east of school building - **Approved**

LW/05/1385 - Reposition existing double temporary classroom and site new double temporary classroom to north west - **Approved**

LW/05/0824 - The complete refurbishment of the ROSLA block to include a new front extension to house the access stairs new timber cladding windows and doors and new steel fire escape stairs - **Approved**

LW/03/1259 - Installation of double mobile classroom onto grassed area adjacent to sports hall - **Approved**

LW/03/0441 - Single storey extension at first floor level providing teaching office accommodation - **Approved**

LW/02/0408 - Renewal of consent for new all weather pitch with flood lighting - **Approved**

LW/00/1907 - Erection of a two storey extension to school comprising three classrooms, I.T room, new boiler room and associated ancillary accommodation. - **Approved**

LW/00/0288 - Refurbishment of and extension to sports hall and first floor extension over flat roof for new multi-purpose hall - **Approved**

LW/98/0711 - Provision of a new single mobile classroom unit. - **Approved**

LW/97/1097 - Six Lane Artificial Bowls Rink with changing rooms. - **Approved**

LW/97/0038 - New All Weather Pitch with Floodlighting. - **Approved**

LW/93/1710 - Extension for science and food technology. - **Approved**

LW/92/1205 - Renewal of Temporary Permissions LW/89/957CC & LW/89/956CC for the retention of two single mobile classrooms. - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

ESCC Highways – This application is for redevelopment of the site to improve the existing facilities of the school without increasing the capacity of the pupils already permitted at the site of 810 pupils. The proposal includes a new temporary vehicular access to the site for all construction related vehicles which would then be removed upon completion of the works. A Road Safety Audit and Designers Response have been satisfactorily carried out on the proposed temporary access. I am satisfied that a suitable access can be provided during construction works.

I do not object to the application subject to highway conditions being included in any grant of consent

District Services – No comment to make.

ESCC SUDS – Following our previous response on this application, dated 13 February 2019, the applicant submitted additional information to ourselves on 18 February 2019. The additional information has addressed our concerns regarding expected flooding within catchment 4 and surface water drainage arrangements for the temporary internal access road.

We note that the applicant has proposed a betterment on the proposed discharge rate with the original planning application (LW/18/0318) for catchment 4. Additionally, the applicant has reviewed the drainage system for catchment 4 and the submitted hydraulic calculations do not show expecting flooding issues. However, since this is a full planning application, the applicant should support the surface water management proposals within the proposed catchments with detailed hydraulic calculations. These calculations should take into account the connectivity of the different drainage features including the existing pipes that are meant to be used. They should show a 'like for like' discharge rate between the existing and proposed scenarios during the 1 in 1, 1 in 30 and 1 in 100 (plus 40% climate change allowance) rainfall events.

It is our understanding, from the information submitted by the applicant, that the proposed grasscrete structure for the temporary access road is just for reinforcement to increase the bearing strength of the ground without any additional construction which changes the underlying soils (such as putting sub-bases for roads, internal roads or any impermeable area). Therefore, the temporary access road can be considered permeable (greenfield) and will not need surface water attenuation. Should the Local Planning Authority be minded to grant planning permission, we would ask that the proposed grasscrete structure is secured by condition.

The proposed Drainage Strategy relies on some of the existing drainage network; however there is no information on its condition that assures us that it is suitable to manage surface water runoff. Therefore, the applicant should carry out investigations which should include a CCTV survey to have a better understanding of the existing drainage features that are meant to be used.

If the Local Planning Authority is minded to grant planning permission, the LLFA requests the following comments act as a basis for conditions to ensure surface water runoff from the development is managed safely:

1. Surface water runoff from the proposed development should be limited to the existing runoff close to greenfield runoff rates for all rainfall events including those with a 1 in 100 (plus 40% climate change) annual probability of occurrence. Evidence of this in the form hydraulic calculations for all the proposed catchment should be submitted to the planning authority. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.
2. The condition of the current drainage features that are proposed to be used should be investigated before any connection is made. Any required improvement to the condition of the current drainage should be carried out prior to any connection.
3. The detailed drainage design should include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
4. 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.
5. The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.
6. 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.

Main Town Or Parish Council – At a meeting of the Planning & Environs Committee of Chailey Parish Council held on 19th February 2019, Councillors resolved TO SUPPORT this application, with two comments -

Although the movement of traffic generated by the contractor has been addressed in the paperwork submitted with the application, Councillors were keen to stress the need for the contractor at Chailey School to work with those on the adjacent sites at Greenacres and Gradwell End to mitigate, so far as is possible, the disruption in Mill Lane for all users of that road.

The proposed redevelopment of the School, when taken with the developments under way at Greenacres and Gradwell End, would increase the number of people (including schoolchildren) needing to cross the A275 at or near its junction with Mill Lane. Councillors considered that the need for a means of crossing the A275 in a safe manner at that point is compelling.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

Objects 7

Design lets the scheme down, looks like any other generic school / public building, predictable use of brick and splashes of colour. The external design lacks cohesion, and a forward, modern looking aesthetic. At worst it is boring in appearance. The use of large

glazing is good, however, most elements are very predictable and a 'safe' design, which lacks any modernity and progressive nature. As a very forward looking school this needs to be reflected in the design, with the use of more modern materials and a unique considered look. Moving the building 7m and a small reduction in height will make little if any difference to the overall ugly appearance of the construction, , building still over powering, lead to overlooking, result in considerable reduction in daylight and privacy, access will exacerbated the potential for accident and further congestion on an already overloaded country village lane, identical to the previous application with the absolute minimum of alteration and therefore does not represent a rethink of the original plan, still too close to the eastern boundary, object to work a the weekend, untrue consultation process, little engagement with residents, building should be moved into a more central location, impact on southerly views, detrimental to privacy, poor design, access road should be relocated, out of character with the area, scale and massing excessive, nothing like it in Chailey, not sustainable, proposed building will have higher CO2 emissions than the baseline Building Regulations so I wonder why a) it is being built and b) can't be designed better. It is a waste of our money constructing a sub-standard building instead of a top-specification one for our children's future, There is an existing array of solar panels on the current school buildings, owned by the community, and there is no mention of what will be done with these.

Support 43

Necessary for the school, will enhance the school, sympathetic design, welcome investment, improved sustainability, desperate need of investment, long overdue, in keeping with the area, need to invest in students, overcomes the previous concerns in terms of impact on neighbours and highways, good modern building, improve teaching environment.

6. PLANNING CONSIDERATIONS

Material Considerations

6.1 This application is a resubmission of a similar application submitted in 2018 (LW/18/0318), which was located significantly closer to the eastern boundary and thus the residential properties in Maplehurst. This applicatio was deemed unacceptable by the Planning Applications Committee who refused permission due to the potential detrimental impact on residential amenity. A secondary reason was with regard to the construction access, and the lack of information and a road safety audit.

6.2 The school currently has a gross external area of 8026sq.m. As a result of the development this will reduce to 7187sq.m, offering a more efficient use of land and with more being returned to open space. The school teaches 11 -16 year olds, with a current school pupil number at 732. This would rise to 810 should permission be approved.

6.3 Access and egress from the site will remain unchanged. A new temporary access is proposed at the north eastern edge of the site adjacent to Maplehurst to provide access for all construction traffic with a temporary works compound being located behind the residential properties in Mill Brooks, but located further to the west than previously proposed.

Background

6.4 Due to the generally poor state of the school estate nationally the previous Building Schools for the Future (BSF) programme was cancelled and a review undertaken to assess school procurement nationally but to reduce costs.

6.5 The James Review into School Procurement (2011) suggested that school building costs could be reduced by more than 30 percent by reducing floor areas and utilising cheaper specifications. The recommendation of that review formed the basis of the new government's Priority School Building Programme (PSBP) which was launched in 2012. Under the PSBP schools are procured by the government's Education and Skills Funding Agency (ESFA) and the school, as the end user, consulted through the Design User Group.

6.6 The ESFA have commissioned the partial rebuilding of Chailey School under the second phase of the Priority School Building Programme (PSBP2).

6.7 The programme as a whole is realising significant savings (40 percent) through efficiency of the process, as well as space reduction from non-core space, and specification reduction for most elements of the building such as structure, walls windows and internal systems (which are predetermined by these requirements).

6.8 In order to keep the school operational during the construction period (should permission be granted) it is necessary to provide temporary teaching accommodation. Permission has been granted under application LW/18/0476 for two storey modular buildings on land to the south of the main school building for a temporary period, to be removed once the new school is complete and operational.

Policy

6.9 The main school buildings are located within the defined settlement boundary, with the playing fields set outside of that boundary. The proposed new school building sits within that boundary.

6.10 Core Policy 7 (CP7) within the Core Strategy supports the improved accessibility of key community services and facilities, and seeks to provide new and upgrade infrastructure that is required to create and support sustainable communities.

6.11 Core Policy 11 seeks to enhance the high quality and character of our towns, villages and rural environment by ensuring that all forms of new development are designed to a high standard and maintain and enhance the local vernacular.

6.10 Core Policy 14 aims to ensure that developments reduce locally contributing causes of climate change by encouraging renewables and low carbon energy as well as requiring applications on strategic sites to be accompanied by an energy strategy.

6.13 ST3 from the Lewes District Local Plan (LDLP) seeks amongst other things to ensure development respects the amenity of neighbours and the wider area.

6.14 The principle of rebuilding the school, providing upgraded facilities which meet the requirements of current teaching methods and practises, as well as enhancing the environment for all its users, is welcomed and complies with the objectives and principles of adopted policy CP7. The other listed policies are considered later in the report.

Traffic

6.15 As the proposed development will leave the existing school access and egress arrangements unchanged, and with only a small increase in the number of car parking spaces, the development itself will not have an impact on traffic or general road safety once complete.

6.16 However, the development is proposing a temporary access along the north eastern boundary to provide a separate access for all construction and workers traffic, which will minimise any potential direct conflict with children or vehicles dropping them off. A comprehensive CEMP (submitted with the application) specifically restricts deliveries or access to the site between the school drop-off/pick up times.

6.17 Whilst not ideal, being located adjacent to residential dwellings, it has to be noted that the access will be temporary and only used during the construction period. The CEMP clearly sets out construction hours (Monday to Friday 8.00 -18.00 and Saturday 08.30-13.00 but Saturday working will only be on a specific need and local residents will be informed prior to this taking place). Deliveries will also be restricted to the hours of 08.00 - 09.00 and 15.00 - 16.00. The access will be removed and the land reinstated once the project is complete. The submitted scheme does show this area to be landscaped with new tree planting. Therefore, any impact on residential amenity specifically from the construction period will be relatively short term.

6.18 Whilst not normally consulted on applications where there is no change to the existing access arrangement, the Highway Authority has been consulted in this instance due to officer concerns over the location of the temporary access. The highway authority have commented that the new temporary vehicular access to the site for all construction related vehicles has been the subject of a Road Safety Audit and Designers Response have been satisfactorily carried out on the proposed temporary access. This access would be removed upon completion of the works and the verge reinstated. They are satisfied that a suitable access can be provided during construction works and have therefore raised no objection to the proposal.

Design

6.19 The new building will be arranged in a C shape, with the main entrance off the northwest corner adjacent to the car park. The majority of the new building will be two storey in height, except for the central and eastern wings, which utilise the level change and therefore has a third storey (lower level). The building will be located on the eastern part of the site and located behind the four retained buildings at the front of the site which includes the existing sports building.

6.20 The building will be flat roofed, which serves to minimise both the scale and overall mass of the building. It also allows deeper rooms to be created especially where natural light is not so important, thus further reducing the overall mass of the structure.

6.21 The new building will be set upon a solid brick plinth, and walls of brick utilising a local Chailey stock brick, which will be punctuated with a textured render with coloured panels set alongside the glazing to add interest whilst further reducing the perceived mass. The render will be acrylic or silicone based which helps to resist staining or fading. The windows will be metal framed, with larger expanses of glazing used to light the larger spaces behind.

6.22 The layout of the site and the slight embellishment of the main entrance to the building will clearly direct access from the access road and the west of the site. Being no higher than the retained buildings at the front of the site, the new building should be less prominent than the current building when viewed from Mill Lane.

6.23 A number of amendments have been made to the scheme in order to overcome the previous reasons for refusal. The building has been moved 7m to the west increasing the separation distance from the boundary with the Maplehurst dwellings, increasing the

distance from 14m to 21m. The building height has also been further reduced by 0.8m giving a maximum height of 11.575m and obscure glazing added to the stairwell and circulation space windows facing east. The proposed materials have also been changed from a mix of brick and render on the upper floors to an entirely brick clad elevation to the front using a Chailey red brick, and a limited use of rendered panels on the rear elevation. The elevations also incorporate a revised pattern of fenestration, giving a more vertical emphasis, deeper reveals and amended accent colours for cladding and render.

6.24 The building is well articulated, and with its variety in glazing and use of coloured panels adds interest to the facades. The flat roof will allow the building to not appear unduly prominent within its wider surroundings. The use of a local brick will help the building to sit and integrate into its surroundings.

Amenity

6.25 In terms of residential amenity the previous proposal was considered to have likely to have resulted in a direct impact on a limited number of residential properties - the three dwelling in Maplehurst. The eastern wing of the development would have been located to the south west and west of number 1 and 2 Maplehurst. It would have been located approximately 14.3m away from their western boundary and 16m from the actual closest dwelling, and sit between 1 and 1.1m higher than the ridges of numbers 1 and 2 Maplehurst.

6.26 Numbers 1 and 2 Maplehurst are orientated with their facades facing to the south west, and are punctuated with French doors and Juliette balconies, providing light to bedrooms and living rooms. Both gardens wrap around the south and west of the dwellings and accommodate a number of distinct amenity areas which are clearly used for sitting out. The houses currently have a relatively open aspect and despite the levels difference on the school site, do not currently experience overlooking, or overbearing structures.

6.27 The current proposal will locate the school building further away from the boundary with Maplehurst at 21.2m, and 23.9m from the closest dwelling. The eastern facade of the school building will have a length of 41m, and a height of 11.56m at its southern end and be 8m above finished ground level at its northern end, being part two and part three storey due to the change in land levels. This facade (east) will be heavily glazed, providing direct daylight to classrooms, although the two stairwells at either end of the facade will be obscure glazed. For the limited hours that the school will be in use (during the working day) and the separation distance from window to window in excess of 20m it is not considered that amenity of privacy would be prejudiced to a degree that would sustain a reason for refusal.

6.28 The applicants have submitted a Sunlight and Daylight Analysis. The findings of that report are accepted in relation to skylight and sunlight affecting windows of the affected dwelling (in accordance with BRE guidelines). In relation to overshadowing the report identifies that there will be no significant effect on natural light levels when assessed against BRE Guidelines. The school is now located a sufficient distance from the dwellings that it is unlikely to affect the access of those dwellings to skylight and sunlight currently enjoyed from the existing buildings. Some overshadowing will still occur to the gardens during the spring equinox and winter solstice but the effects of the proposed development on sunlight and daylight availability are negligible and would not result in continuous overshadowing. In conclusion it is not considered that the proposed location of the school would prejudice the enjoyment of either the residential gardens or dwellings to a degree that would justify a sustainable reason for refusal.

6.29 The applicant has stated that native and non-native species will be planted to increase biodiversity and that a number of extra heavy standard trees (oak, hornbeam and field maple) will be planted to the eastern and southern elevation of the new building to reduce impact. Appropriate planting to enhance the wider ecology of the site and to help break up the visual mass of the building is welcomed. The specific details of this landscaping have been made the subject of a condition to ensure that the details are both satisfactory and implemented.

6.30 It is therefore considered that whilst the amended proposed development would impact on the outlook to the west in as much as it would alter that view, the development would not have a detrimental impact on the amenities currently experienced by the occupiers of the adjacent dwellings to a degree that would justify a refusal.

Sustainability

6.31 An Energy Statement has been submitted with the application (which can be viewed on line), and which is summarised below.

6.32 In order to maximise energy efficiency and reduce the energy demands of the school the development will improve building fabric elements and openings over the current building Regulations minimum requirements, reduce air permeability, utilise efficient space and water heating services and energy efficient lighting.

6.33 By reducing primary energy demand with passive measures, the development will also incorporate 64sq.m of photovoltaic panels, which should generate in excess of 7,000kWh/year. An electric heat pump will provide the school with heating and domestic hot water. These measures will achieve a 2.2% improvement in CO2 emissions over current Building Regulations.

6.34 A new Travel Plan has been submitted which also seeks to lessen the reliance on private vehicles and encourage more sustainable travel including use of cycles. In addition the number of cycle parking spaces will be increased to 56 spaces and electric vehicle charging points will also be provided within the parking area.

6.35 Materials will be selected to have good thermal performance in order to achieve high levels of insulation, as well as being responsibly sourced (FSC sources), and sourced locally where possible (local bricks).

Conclusion

6.37 In developing this project there are a number of restrictions which have had a significant impact on design and layout of the proposed scheme. Firstly, the drive from central government to upgrade schools but to keep costs down. Secondly, the ability of the school to remain operational whilst the building works are carried out. Following the previous refusal the scheme has been amended, resulting in a development that addresses the issue of the buildings appearance and its impact on the amenities of the adjacent residential occupiers in Maplehurst. As such the location and design of the building is now considered acceptable and would overcome the previous reasons for refusal.

6.38 Highway Authority are now satisfied that a suitable site works access can be provided for all construction traffic and therefore have not raised an objection to the proposal.

7. RECOMMENDATION

That planning permission is granted subject to conditions.

The application is subject to the following conditions:

1. The development hereby approved shall be carried out in accordance with the submitted and approved CEMP.

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

2. Construction work shall be restricted to the hours of 0800 to 1800 Monday to Fridays and 0830 to 1300 on Saturdays (with any Saturday morning work only being carried out once neighbours have been notified in advance) 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.

3. All deliveries shall be restricted to the hours of 0900 to 15.00 and 16.00 to 18.00 Monday to Fridays and 09.00 to 1300 on Saturdays and no deliveries shall take place at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interest of residential amenities of the neighbours and safety of children arriving and departing the school having regard to Policy ST3 of the Lewes District Local Plan.

4. The development hereby approved shall be carried out in accordance with the materials shown on External Materials sample board and 114594EFAI-JWA-ZZ-ZZ-PP-A-2901-P02.

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.

5. The approved temporary access and site compound shall be removed and the land restored to its former condition or in accordance with a scheme of work and landscaping which has been submitted to and approved in writing by the Local Planning Authority, within 28 days of the completion of all demolition and construction work on site.

Reason: To ensure that the school can return to full operational capacity within a limited period of time 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.

6. Before the development progresses beyond floor plate level full details of the soft landscape between the development and Maplehurst and to reinstate the land used for the access road and site compound shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

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.

7. In the event of the death or destruction of any tree, shrub, hedge to which Condition 7 relates on the site within two years of the first use of the building due to felling, cutting down, uprooting, ill health or any other manner, then there shall be replanted in its place another tree,

shrub or hedge within 6 months and of a size and species approved in writing by the Local Planning Authority, and carried out in accordance with that approval.

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.

8. Surface water runoff from the proposed development should be limited to the existing runoff close to greenfield runoff rates for all rainfall events including those with a 1 in 100 (plus 40% climate change) annual probability of occurrence. Evidence of this (in the form hydraulic calculations) should be submitted to the planning authority. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.

Reason: In the interest of securing a satisfactory development having regard to Policy ST3 of the Lewes District Local Plan.

9. The condition of the current drainage features that are meant to be used should be investigated before any connection is made. Any required improvement to the condition of the current drainage should be carried out prior to any connection.

Reason: In the interest of securing a satisfactory development having regard to Policy ST3 of the Lewes District Local Plan.

10. The detailed design should include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.

Reason: In the interest of securing a satisfactory development having regard to Policy ST3 of the Lewes District Local Plan.

11. 4. 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: In the interest of securing a satisfactory development having regard to Policy ST3 of the Lewes District Local Plan.

12. The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.

Reason: In the interest of securing a satisfactory development having regard to Policy ST3 of the Lewes District Local Plan.

13. 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: In the interest of securing a satisfactory development having regard to Policy ST3 of the Lewes District Local Plan.

14. No development shall commence until such time as temporary arrangements for access and turning for construction traffic has been provided in accordance with the 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.

15. No part of the development shall be occupied until the permanent school car parking has been constructed and provided in accordance with the approved plans. 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 provide car-parking space for the development.

16. No part of the development shall be occupied until the school cycle parking spaces have been provided in accordance with the approved details. The area[s] 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

17. No development shall take place, including demolition, on the site until an agreed pre commencement condition survey of the surrounding highway network has been submitted and approved in writing by the Local Planning Authority. Any damage caused to the highway as a direct consequence of the construction traffic shall be rectified at the applicant's expense.

Reason: In the interests of highway safety and the amenities of the area.

18. No development shall commence until such time as revised plans and details [for the temporary access] incorporating the recommendations given in the Stage 1 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.

19. No development shall take place, including demolition, on the site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with the details approved by the Local Planning Authority and such facility shall be retained in working order and utilised throughout the period of work on site to ensure the vehicles do not carry mud and earth on to the public highway, which may cause a hazard to other road users.

Reason: In the interests of road safety.

20. No part of the development shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport and/or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.

INFORMATIVE(S)

1. 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.

2. The applicant is advised to enter into a Section 59 Agreement under the Highways Act, 1980 to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The applicant is advised to contact the Transport Development Control Team (01273 482254) in order to commence this process

3. The applicant will be required to enter into a Section 171 Licence with East Sussex County Council, as Highway Authority, for the temporary vehicular access 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 licence being in place.

4. 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).

5. 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

6. The applicant will be required to obtain a permit for any highway works [including the temporary construction access] in accordance with the requirements of the Traffic Management Act, 2004. The applicant should contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the permit being in place.

7. The applicant is advised to contact the Transport Development Control Team (01273 482254) to commence the process associated with the proposed Traffic Regulation Order. The applicant would be responsible for meeting all costs associated with this process which is a minimum of ?5000. The applicant should note that the outcome of this process cannot be guaranteed as it is open to public objection.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Flood Risk Assessment	30 January 2019	2915/045/r05
Planning Statement/Brief	30 January 2019	Public Communication

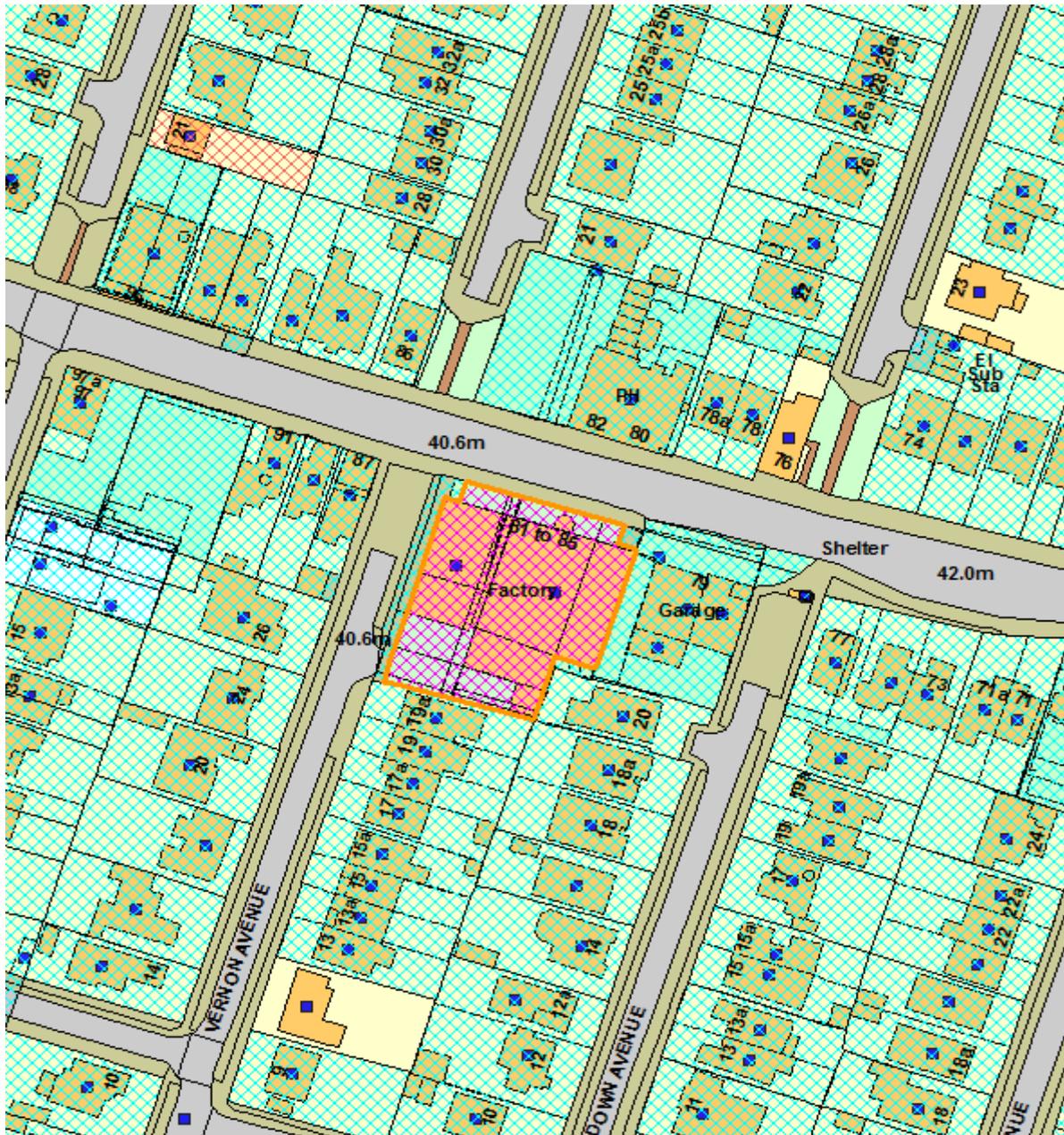
Landscaping	30 January 2019	DR-L-0001
Illustration	30 January 2019	DR-L-0002
Landscaping	30 January 2019	DR-L-003
Existing Section(s)	30 January 2019	DR-L-004
Proposed Section(s)	30 January 2019	DR-L-004
Illustration	30 January 2019	DR-L-005
Transport Assessment	30 January 2019	DR-L-007
Existing Section(s)	30 January 2019	DR-L-008
Proposed Section(s)	30 January 2019	DR-L-008
Tree Statement/Survey	30 January 2019	DR-L-009
Tree Statement/Survey	30 January 2019	Arboricultural Survey
Biodiversity Checklist	30 January 2019	Ecological Appraisal Appendices
Biodiversity Checklist	30 January 2019	Ecological Appraisal 2
Noise Detail	30 January 2019	03187-170101
Transport Assessment	30 January 2019	DR-C-0-0105
Other Plan(s)	30 January 2019	DR-C-0500
Other Plan(s)	30 January 2019	DR-C-0501
Other Plan(s)	30 January 2019	DR-C-0502
Other Plan(s)	30 January 2019	DR-C-0503
Sustainability Checklist/Energy Stmt	30 January 2019	Sustainable Drainage Report
Other Plan(s)	25 February 2019	DR-C-0110
Additional Documents	25 February 2019	RSA supplemental note
Additional Documents	30 January 2019	Bat Survey
Planning Statement/Brief	30 January 2019	
Sustainability Checklist/Energy Stmt	30 January 2019	Sustainability Summary
Other Plan(s)	30 January 2019	CEMP
Additional Documents	30 January 2019	Asbestos Survey

Transport Assessment	30 January 2019	TPNO66480/TS
Travel Plan	30 January 2019	TPNO66480/TS
Design & Access Statement	30 January 2019	
Additional Documents	30 January 2019	256361-BRE-001
Proposed Floor Plan(s)	30 January 2019	DR-A-1002
Proposed Floor Plan(s)	30 January 2019	DR-A-1003
Proposed Floor Plan(s)	30 January 2019	DR-A-1001
Proposed Roof Plan	30 January 2019	DR-A-1004
Proposed Layout Plan	30 January 2019	DR-A-0001
Existing Layout Plan	30 January 2019	DR-A-0002
Proposed Layout Plan	30 January 2019	DR-A-0102
Existing Section(s)	30 January 2019	DR-A-0201
Proposed Section(s)	30 January 2019	DR-A-0301
Other Plan(s)	30 January 2019	DR-A-0401
Proposed Elevation(s)	30 January 2019	DR-A-3001
Proposed Elevation(s)	30 January 2019	DR-A-3002
Proposed Elevation(s)	30 January 2019	DR-A-3003
Proposed Elevation(s)	30 January 2019	DR-A-3201
Illustration	30 January 2019	DR-A-3202
Illustration	30 January 2019	DR-A-3203
Proposed Section(s)	30 January 2019	DR-A-4001
Photographs	30 January 2019	PP-A-2901-S2
Lighting Detail	30 January 2019	DR-E-6311
Additional Documents	30 January 2019	RP-N-0011
Sustainability Checklist/Energy Stmt	30 January 2019	RP-N-0012
Technical Report	30 January 2019	RP-N-0013

Travel Plan	30 January 2019	RP-C-0002_RSA
Technical Report	30 January 2019	Geotechnical Site Investigation

Agenda Item 7

APPLICATION NUMBER:	LW/18/0366		
APPLICANTS NAME(S):	South Coast Home Improvements	PARISH / WARD:	Peacehaven / Peacehaven East
PROPOSAL:	Planning Application for Demolition of 81-83 South Coast Road and construction of 3 storey mixed-use development with ground floor retail unit (A1) and 10 flats (C3), refurbishment of 85 South Coast Road (A1) and construction of 1st floor offices (B1a), new hard and soft landscaping throughout the site together with off-street car parking, cycle parking and refuse/recycling storage		
SITE ADDRESS:	81 - 85 South Coast Road Peacehaven East Sussex BN10 8QS		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

1.1 The site is located at the corner of South Coast Road and Vernon Avenue, and on the southern side of South Coast Road. It comprises a large two storey structure with high volume single storey elements to the rear and to No. 85. The building consists of a ground floor retail showroom/storage and offices over to Nos. 81 and 83, as well as ground floor retail showroom/storage to No. 85. The application site is within the Peacehaven Planning Boundary but is not subject to any site specific policies.

1.2 This application seeks planning approval for erection of a mixed use development of retail units and 9no. self-contained apartments on site of an existing retail showroom with associated parking and landscaping, ancillary storage and offices. It is intended that one of the occupiers will remain on site albeit in an adjacent unit.

1.3 The existing showroom, offices and storage warehouses will be demolished to create a new building. This would consist of an A1 Retail unit on ground floor along South Coast Road. On the site of 85 South Coast Road the existing building is to be retained and refurbished, retaining the retail use on the ground floor. An additional storey will be built above this to provide 2no. A2 office units with separate access. On the south side of the ground floor and on the first and second floor new residential units will be created, consisting of 1 x 1 bed, 6 x 2 bed units and 2 x 3 bed units

1.4 The proposed footprint would cover less space than the existing building footprint on site, and would not go beyond the existing principle elevation wall at the front. The yard to the rear would be used refuse storage and bike storage for both buildings.

2. RELEVANT POLICIES

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

LDLP: – SP2 – Distribution of Housing

LDLP: – CP1 – Affordable Housing

LDLP: – CP2 – Housing Type, Mix and Density

LDLP: – CP7 – Infrastructure

LDLP: – CP9 – Air Quality

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP13 – Sustainable Travel

LDLP: – CP14 – Renewable and Low Carbon Energy

3. PLANNING HISTORY

LW/17/0113 - Outline application for 38 flats and 5 shop units - **Withdrawn**

LW/18/0366 - Demolition of 81-83 South Coast Road and construction of 3 storey mixed-use development with ground floor retail unit (A1) and 10 flats (C3), refurbishment of 85 South Coast Road (A1) and construction of 1st floor offices (B1a), new hard and soft

landscaping throughout the site together with off-street car parking, cycle parking and refuse/recycling storage -

E/55/0216 - Outline Application to erect industrial premises. - **Approved**

E/55/0611 - Planning and Building Regulations Applications for proposed industrial premises. Building Regulations Approved. - **Approved**

LW/87/0298 - New shop front. - **Approved**

LW/85/1555 - Use of part as a retail sales shop. - **Approved**

LW/99/1838 - Conservatory at the front for advertising purposes - **Refused**

LW/01/0035 - Conservatory at the front for advertising purposes - **Refused**

LW/00/0370 - Conservatory at the front for advertising purposes - **Refused**

LW/17/0113 - Outline application for 38 flats and 5 shop units - **Withdrawn**

LW/18/0366 - Demolition of 81-83 South Coast Road and construction of 3 storey mixed-use development with ground floor retail unit (A1) and 10 flats (C3), refurbishment of 85 South Coast Road (A1) and construction of 1st floor offices (B1a), new hard and soft landscaping throughout the site together with off-street car parking, cycle parking and refuse/recycling storage -

E/51/0073 - Continued use of premises for light industrial purposes. Restrictive Planning Condition No. 1. Temporary permission expires 31/12/1960. Approved Conditionally 01/06/1964. Restrictive Planning Condition No. 1. Temporary permission expires 31/12/1967. - **Approved**

E/55/0611 - Planning and Building Regulations Applications for proposed industrial premises. Building Regulations Approved. - **Approved**

E/68/1108 - Planning and Building Regulations Applications for demolition of existing building and extension to factory. Restrictive Planning Condition No. 3. Building Regulations. Approved. Completed. - **Approved**

APPEAL/01/0035 - Development Appeal - **Allowed**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

British Telecom – No comment

Environmental Health – Historic data indicates that the site was used as factory.

If LPA is minded to grant a planning permission, then considering the historic use, demolition activities and sensitive uses of the site following conditions are pertinent:

Condition 1 Land contamination

(1) Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks

associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
 - (i) all previous uses
 - (ii) potential contaminants associated with those uses
 - (iii) a conceptual model of the site indicating contaminants, pathways and receptors
 - (iv) potentially unacceptable risks arising from contamination at the site.
- (b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Condition 2 Unsuspected contamination

If, during development, contamination not previously identified is found to be present at the site then no further development 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.

Condition 3 Verification report

Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason (for all) : To ensure that risks from any 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].

Condition 4: Construction Environment Management Plan

No development shall take place, including any works of demolition, until a Construction Environment Management Plan has been submitted to, and approved in writing by the local planning authority. The Construction Environment Management Plan shall provide for:

- i) traffic management in the adjoining highways;
- ii) site operatives' travel plan;
- iii) the parking of vehicles of site operatives and visitors;
- iv) loading and unloading of plant and materials;
- v) storage of plant and materials used in constructing the development;
- vi) the erection and maintenance of security hoarding;
- vii) measures to control all environmental effects of the development including artificial illumination, noise, vibration, dust, air pollution and odour, including the effects of decontamination, and site illumination during construction.

The approved Construction Environment Management Plan shall be adhered to throughout the construction period for the development.

Reason: In the interests of amenity of the locality

Further to above, my current understanding is that the asbestos survey related to demolition work will be covered by other legislation such as HSE.

Any sound insulation related condition (because of mixed use development) will be addressed by other officers.

ESCC Highways – No objection to the scheme as amended subject to conditions.

Environmental Health – No objection to the proposed design, which appears to be well considered. There is likely concern about the proximity from fuel vent pipes at the neighbouring filling station of the first floor overhang/ balcony at the NE corner of the proposed building, as this may result in human expose to fuel gases.

Planning conditions were recommended to help protect neighbouring residents from impacts associated with the demolition and construction of the site. Also, there was suggested an acoustic assessment to ensure that any internally and externally located plant fitted to the new non-residential premises (such as air condition fan units) do not cause significant impacts to existing residents and residents living within the proposed residential units at 81-83. Hours of deliveries and collections to and from the proposed A1 and B1 uses should be restricted to avoid disturbance to residents at sensitive hours. Finally, there was requested an advisory comment in respect of demolition/construction related waste management.

Environment Agency – no comments received.

Tree & Landscape Officer Comments – I don't have any comments to make on this application. There are no existing trees to be concerned about, and the soft landscaping is cursory only.

Main Town Or Parish Council – Objection - queried parking spaces and plans not showing enough detail. Objection to density of layout, overdevelopment, too large for plot, absence of car parking may congest the side roads which are already over subscribed, exacerbate existing parking issues, highway safety and no turning space

5. REPRESENTATIONS FROM LOCAL RESIDENTS

2 letters of objection have been received. The grounds for objection are:

- Highway Hazards
- Inadequate Access

- Loss of Light
- Noise and Disturbance
- Over-development
- Overlooking, Loss of Privacy
- Overshadowing
- Parking Issues
- Smell/Fumes
- Traffic Generation
- Traffic on A259

6. PLANNING CONSIDERATIONS

6.1 An outline permission ref. LW/17/0113 was submitted for 38 flats and 5 shop units in February 2017. The application was withdrawn in March 2017 as insufficient information was submitted for an outline proposal, hence a full application including all details was requested. The current proposal is significantly scaled down from that original application.

Principle

6.2 The application site is within the Planning Boundary of Peacehaven and located in a mixed use area where they are commercial premises and residential uses along South Coast Road and where the side streets are predominantly residential in character. In principle, the residential development of this site is acceptable and compliant with retained policy CT1 and Spatial Policy 2 of the Joint Core Strategy, the site constituting an unidentified previously developed (brownfield) site within the existing Planning Boundary and providing much needed additional housing whilst retaining commercial use.

6.3 The Council Plan (2016-2020) sets out its priorities over the next few years and has been informed and developed in consultation with our residents, partners and other stakeholders, and recognises the importance of inward investment and the important role the Council have to play in enabling new and developing businesses.

6.4 This application appears to partially fit with the Council's economic targets. Whilst the development would result in a net loss of employment space in Peacehaven, that loss of employment space will be storage space at the rear of the site associated with the existing businesses. Additionally, the proposed scheme will result in an increase in employment numbers and an improvement in the quality of the floorspace.

6.5 The current scheme makes greater provision for retention of employment space than the previous submission. Despite the overall reduction in employment floorspace, the proposed scheme will result in an increase in employment numbers. As such, the proposal is supported by the Council's Regeneration Team. They would like to see a commitment from the applicant to work with new commercial occupiers to recruit locally for any new employment and apprenticeship opportunities to maximise local benefit. This has been made the subject of an informative.

6.6 The proposed scheme as originally submitted was for 10 residential units, however, revisions have been undertaken to the design and scale of the new building and as a result the overall number of residential units has been reduced to 9 flats. In view of this, the development will not be required to provide affordable housing. Both of the commercial units proposed on the ground floor are considered to be an acceptable size for this location and have sufficient space for office and storage as well as displays and customer areas, thereby ensuring their viability and usability. The layout is such that their operation would not prejudice the amenity of the residential occupiers.

Design

6.7 The buildings which front South Coast Road, the main A259 route into and out of Peacehaven, are generally taller than the properties which characterise the residential areas set further back off the side roads, which are consist of bungalows, chalet bungalows and 2 storey housing.

6.8 The building on the site of 81-83 will be 3 storeys in height, flat roofed, with a stepped design at the rear and side to articulate the mass and reduce the impact on the neighbours to the rear. Part of the front is also cantilevered to add interest and reduce the perceived mass of the structure. Inset balconies with glazed guarding are on both the front and rear elevations, whilst those to the rear have privacy screens to the balconies to reduce overlooking to neighbouring properties. The windows have deep reveals which add depth and interest to the facades. The building will be flat roofed and finished in a mix of render and light brickwork broken up with elements of metal cladding. Windows and doors will be powder coated aluminium frames.

6.9 The building at number 85, which is currently single storey will have a first floor added, in a similar style to the larger building. The new shopfronts will have large expanses of glazing which will enhance the parade and create a more active and open frontage to the street. It is considered that the design, form, scale and massing of the development is appropriate for this location and that contemporary design of the building will enhance the street scene.

6.10 Paragraph 130 of the National Planning Policy Framework concerns the design of the developments. "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, (..)" . The proposed building is shown to employ a high standard of design that would not appear incongruous or discordant within the wider street scene. Also, in response to comments from Sussex Police further details relating to Secure by Design have been added to Section 10 of the Design and Access Statement.

Amenity

6.11 The nearest neighbouring properties to the application site which are likely to be affected by the proposed development include 19a Vernon Avenue, adjacent garage (No. 79 South Coast Road), and Nos. 20-18a Southdown Avenue.

6.12 The revised plans and elevations show full height opaque glazed screening on the balconies to the rear and which are south facing. The screens will be located on the south east side of the balconies to limit the direct overlooking of the neighbouring gardens which are located to the south and east of the site. Some overlooking from the back of the proposed flats to the gardens of 19a Vernon Avenue and Nos. 20-18a Southdown Avenue, which are locate 18 and 10m respectively from the rear elevation of the flats, would still occur but in this built-up location it is not considered that this separation distance would justify refusal of the application. The proposal is not considered to result in any loss of light.

6.13 In response to comments received from the Environmental Health Officer, the applicant confirmed that the petrol filling station vent pipes are over 4 metres away from the nearest point of the proposed building which together with a prevailing SW wind direction should not result in a nuisance to the future occupiers of the development.

6.14 All the flats comply with the DCLG 'Technical housing standards - national described space standards'.

Accessibility and sustainability

6.15 The application site is easily accessed by bus with several bus stops in the vicinity. Travel to and from the application site by bus will be straightforward, with frequent bus services to Brighton, Seaford and Eastbourne, as well as Newhaven where there is also a mainline railway station. The area is also well served with convenience shops and food outlets along South Coast Road. For these reasons future residents of the proposed development would not need to be reliant on private car use for all of their journeys, and indeed less car use would help to reduce the impact on congestion of the A259 which occurs at peak periods and which objectors have highlighted in their comments on the planning application.

6.16 Ten unallocated parking spaces would be provided for the nine flats and one for a member of staff to the office/retail use of the site during office hours and made available to be used by the residential occupants during evenings and weekends. This would be accessed to the west from Vernon Avenue. The amended plans also show the parking forecourt onto South Coast Road [A259] altered to provide 9 car parking spaces provided clear of the signalised pedestrian crossing on the A259 and the altered pedestrian entrance to the site.

6.17 Vernon Avenue can be heavily parked and the concern of local residents about the ability of vehicles to travel along it is understood, but it is not considered that traffic generation from the proposed development would materially add to existing access and parking conditions in the road. The County's Highway raised no objection to the proposed works subject to planning conditions.

6.18 The proposals therefore accord with the aims of Core Policy 13 of the adopted Joint Core Strategy, which seeks to encourage more sustainable methods of transport whilst in turn reducing congestion, or not materially adding to existing congestion, and reducing harmful emissions and pollution. It is acknowledged that local residents may consider this to be an unusual or inappropriate approach, but the provision of alternative means of transport and encouraging behavioural change is necessary to address the issues of pollution and congestion in the long-term.

6.19 The building will be air tight with will eliminate heat loss. It will exceed current building regulation standards. The southern aspect for many of the flats will provide passive solar gain. Electric vehicle charging points for the car park will be conditioned. Cycle storage will be provided and also conditioned.

Conclusion

6.20 The objection from Peacehaven Town Council is acknowledged and the impact of the proposed development on the highway, parking, neighbour amenity and the appearance and character of the area have been considered.

6.21 The development is considered to be well designed, retains commercial floorspace whilst maximising the potential for this brownfield site by creating 9 new residential units. The building will enhance the streetscape and maintain the vitality of this part of South Coast Road without having an undue impact on residential amenity.

7. RECOMMENDATION

That planning permission is granted.

The application is subject to the following conditions:

1. No development shall take place above ground floor slab level until details and samples of all external materials including the fenestration; hard surfaces; roof materials and external finishes to the walls, 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 and samples and retained as such thereafter.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policy ST3 of the Lewes District Local Plan, policy CP11 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

2. The development hereby permitted shall not be occupied 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 or commercial units, whichever is the sooner, 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 2018.

3. No development shall take place until details of electric vehicle charging points have been submitted to and approved in writing by the local planning authority. The electric vehicle charging points shall be installed in accordance with the approved details prior to the first residential occupation of the development hereby permitted and retained as such thereafter.

Reason: To encourage the uptake of electric vehicles in the interests of reducing harmful emissions in accordance with policies CP9, CP13 and CP14 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework 2018.

4. No part of the development shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. 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.

5. No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved details. 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.

6. 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:

- the anticipated number, frequency and types of vehicles used during construction,
- the size of vehicles (contractors and deliveries),

- the routing of vehicles (contractors and deliveries),
- the location of any site huts/cabins/offices,
- traffic management in the adjoining highways,
- site operatives' travel plan,
- the method of access and egress and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- measures to control all environmental effects of the development including artificial illumination, noise, vibration, dust, air pollution and odour, including the effects of decontamination, and site illumination during construction,
- 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),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

7. No part of the development shall be occupied until such time as the vehicular access has been constructed 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.

8. No part of the development shall be occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority, to prevent surface water draining onto the public highway.

Reason: In the interests of road safety.

9. No part of the development shall commence until details of:-

a) the footway along the eastern side of Vernon Avenue between the access point on Vernon Avenue and the A259 South Coast Road and; b) bollards to be erected across the western end of the forecourt at the back of the footway on the A259; have been submitted to and approved by the Local Planning Authority and the works shall be completed prior to occupation of the development.

Reason: In the interests of road safety.

10. Any opening fenestration or ventilation inlets incorporated into the design of the replacement building at 81-83 South Coast Road must be a minimum distance of 3 metres from the vent pipes situated at the neighbouring filling station.

Reason: To ensure that the standards set out in Local Air Pollution Prevention and Control (LAPPC) process guidance note PG 1/14 (2013) are maintained.

11. If, during development, contamination not previously identified is found to be present at the site then no further development 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 any 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].

12. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To ensure that risks from any 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].

13. Hours of operation at the site during any demolition, site clearance, preparation and construction shall be restricted to the hours of 0800 to 1800 Monday to Fridays and 0900 to 1300 on Saturdays. No working is permitted at any time on Sundays or Bank Holidays. No machinery shall be operated, no process shall be carried out and no deliveries or collections shall be made at the site outside of these specified times.

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

14. An assessment of the acoustic impact arising from the operation of any internally and externally located plant at the completed non-residential premises shall be undertaken in accordance with British Standard 4142: 2014 (Method for Rating and Assessing Industrial and Commercial Sound). The assessment shall be submitted to the Local Planning Authority together with a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment. The scheme shall be approved in writing by the Local Planning Authority and shall be fully implemented before the use commences. The scheme shall then be tested to confirm that it meets the predictions on completion, and a written report submitted to the LPA for its written approval.

REASON: To protect the amenity of the locality in accordance with policy ST3 of the Lewes District Local Plan.

15. Deliveries and collection to and from all non-residential units (A1 and B1 usage classes) shall be restricted to 07.00 to 18.00 hours Monday to Saturday. No deliveries or collections shall be made outside of these specified hours, or on Sundays and Public Holidays.

REASON: To protect the amenity of the locality in accordance with policy ST3 of the Lewes District Local Plan.

16. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified:

- (i) all previous uses
- (ii) potential contaminants associated with those uses
- (iii) a conceptual model of the site indicating contaminants, pathways and receptors
- (iv) potentially unacceptable risks arising from contamination at the site.

(b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure that risks from any 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].

17. All demolition and 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.

INFORMATIVE(S)

1. The applicant will be required to enter into a Section 171 Licence with East Sussex County Council, as Highway Authority, for the minor 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 licence 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. The applicant will be required to obtain a permit for any highway works in accordance with the requirements of the Traffic Management Act, 2004. The applicant should contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the permit being in place.

5. All waste material arising from any clearance and construction activity at the site should be stored, removed from the site and disposed of in an appropriate manner. It is an offence to burn trade waste, so there should be no bonfires on site.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	8 May 2018	EXG100
Existing Block Plan	9 October 2018	EXG100
Existing Elevation(s)	8 May 2018	EXG102
Existing Elevation(s)	8 May 2018	EXG103
Proposed Floor Plan(s)	24 January 2019	PL100
Proposed Floor Plan(s)	24 January 2019	PL101
Proposed Elevation(s)	24 January 2019	PL102
Proposed Elevation(s)	24 January 2019	PL103
Additional Documents	8 May 2018	DAYLIGHT SUNLIGHT ASSESSMENT
Additional Documents	9 October 2018	DRAINAGE
Flood Risk Assessment	8 May 2018	
Planning Statement/Brief	9 October 2018	
Transport Assessment	9 October 2018	
Design & Access Statement	24 January 2019	

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Report to **Planning Applications Committee**
Date **13 March 2019**
By **Director of Planning**
Local Authority **Lewes District Council**
Application Number **SDNP/18/06553/FUL**
Applicant **Mrs C Robinson**
Application **Demolition of existing horticultural barn and erection of new single storey dwelling with associated landscaping**
Address **The Beacon Nurseries
Beacon Road
Ditchling
BN6 8XB**

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

IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.

Executive Summary

1 Site Description

1.1 The application site the subject of this proposal is located to the south of Ditchling, outside of the defined settlement boundary and within the National Park. The site itself is a paddock with a horticultural/stables building accessed off of Beacon Road by a private track which serve 5 existing dwellings. The site is located outside of the planning boundary. The site is located to the south of the track with residential properties and their associated curtilages to the south, east and west.

2 Proposal

2.1 The proposal is for the demolition of existing horticultural/stables building and erection of new single storey dwelling with associated landscaping.

3 Relevant Planning History

N/A.

4 Consultations

Parish Council Consultee

Ditchling Parish Council wish to object to the above application as it is contrary to the following policies:

Policy DS1 of the Ditchling, Streat and Westmeston Neighbourhood Plan; Strategic Policy SD25 - Development Strategy SDNP Local Plan; and as defined by the Lewes Core Strategy 2016, saved Local Plan Policy RES6.

5 Representations

67 representations received supporting the proposal as it is considered to compliment the adjoining properties and is an improvement of a "brownfield site", "the design of the building is unobtrusive and blends in nicely with the surrounding countryside" and "the existing horticultural barn and concrete hardstanding has not been used for several years and I consider this small one story dwelling would be a practical way of using this space" and "although the plot is outside the village boundary, the neighbourhood plan allows for development outside the boundary under certain circumstances. The plot was part of Beacon Nurseries and originally was occupied by greenhouses. It is surrounded by other houses" and "the proposed replacement, in my opinion, blends well with the existing housing and has been designed to be a visually appealing development which meets all the legal criteria determined by the South Downs National Park".

One representation received supporting the application however concerned with the repair of the drive to the property during construction works.

Eleven objections received commenting that it "is contrary to the development aims of the Neighbourhood Plan and if allowed will set a precedent for the conversion of any "horticultural barn" into a dwelling". Also concerns about the repair of the private shared access track.

The Ditchling Society - expressed concern about this application. "On the face of it, the site and design of the dwelling appear perfectly acceptable. However, the location is outside the settlement boundary of Ditchling Village and within the South Downs National Park, and therefore should be subject to rigorous scrutiny.

The Beacon Villages Neighbourhood Plan Development Strategy supports development within the settlement boundary but lays down strict criteria for development outside this area. We believe that this application meets none of these, nor SD25 of the draft South Downs Plan.

The intention of the Neighbourhood Plan (and that of the South Downs Park Authority) is to prevent creeping development outside the settlement boundary or identified and approved development sites. It should be noted that The Beacon Parishes Plan contains more than the allocated number of new dwellings.

This application rests on the premise that it is 'previously developed land' and therefore can be regarded as an exception to DS1 and SD25. The site was once part of Beacon Nurseries but has for many years been used as an equestrian facility with the building used as loose boxes, the concrete base as hard standing with a grazing field beyond.

The NPPF definition of 'previously developed land' reads as follows:

"Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape."

Horticulture, along with fruit and seed growing, comes under the definition of Agriculture, and therefore is excluded from this classification, and in turn, does not meet the criteria in Clause (g) of DS1 and SD25.

Were change of use to be granted because it has in recent years been used for equestrian purposes, this would create a threatening precedent. There are stable blocks scattered throughout our parish both isolated and alongside clusters of housing, and our fear is that by approving this application it will set a precedent for the potential to develop such sites. As an example of this we would draw

your attention to application SDNP/18/02906/FUL to convert a stable block at 44 Beacon Road, Ditchling. Outside the settlement boundary, this was refused by the SDNPA in part on the grounds of creeping development, but has now gone to appeal.

Conversion of stables and other outbuildings is not in line with the aims and policies of the Neighbourhood Plan which are designed to encourage desirable and controlled development and resist the potential for disparate change of use.

We have no doubt that approval of this application SDNP/18/06553/FUL for change of use to residential land will open the floodgates for similar development and The Ditchling Society urge the Planning Authority to consider its potential effect together with the vision, and restrictions, of the Beacon Villages Neighbourhood Plan".

Westmeston Parish Council - objected to the application "Westmeston, Street and Ditchling prepared The Beacon Villages Neighbourhood Development Plan (NDP) based on extensive public consultation and overwhelming referendum support. Ditchling Parish Council has voted to oppose this proposal. Westmeston Parish Council similarly opposes the proposed development.

This proposal is outside the settlement boundary and contrary to the NDP. The argument that this is a single low profile house must be resisted to protect the area of the SDNP outside the settlement boundary. Likewise any extension of the boundary".

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 **South Downs National Park Local Plan - Submission 2018** and the following additional plan(s):

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

Other plans considered:

- Ditchling, Westmeston & Streat Neighbourhood Plan

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 on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

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

NPPF - Requiring good design.

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 **South Downs National Park Local Plan - Submission 2018** are relevant to this application:

- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD25 - Development Strategy

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

- CP2 - Housing Type, Mix and Density

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:

The Draft South Downs National Park Local Plan

The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the **saved policies within the South Downs National Park Local Plan - Submission 2018**, the policies within the **Submission South Downs Local Plan (2018)** are currently afforded **considerable** weight, depending on the level of objection received on individual policies.

The following policies are of particular relevance to this case:

- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD25 - Development Strategy

8 Planning Assessment

Policy

National Planning Policy Framework (NPPF)

8.1 Paragraphs 77, 78 & 79 of the NPPF specifically relate to rural housing. Paragraph 77 says that "in rural areas, decisions should be responsive to local circumstances and support housing developments that reflect local needs". Paragraph 78 states that "to promote sustainable

development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services". It is considered that the application property would provide an additional dwelling within Ditchling suitable for occupation by a broad range of occupants. The dwelling is small in size and single storey which result in it being suitable for future occupants with differing needs. This also reflects policy CP11 of the Lewes District Local Plan which requires that developments be "accessible to all".

8.2 Paragraph 79 relates to development of isolated homes in the countryside. However in this instance it is not considered that the application proposal would constitute an isolated development as the property would sit within a cluster of existing residential dwellings.

South Downs National Park Local Plan (SDNPLP)

8.3 Although the South Downs National Park Local Plan has not been formally adopted it is at an advanced stage and therefore is a material consideration which should be afforded significant weight.

8.4 Policy SD5 (Design) states that development proposals will only be permitted where they adopt a landscape-led approach and respect the local character, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area. Development should "integrate with, respect and sympathetically complement the landscape character" and "contribute to local distinctiveness and sense of place through its relationship to adjoining buildings, spaces and landscape features". It is considered that the design and materials of the proposed dwelling complies with the objectives of SD5 in relating the proposed development to the surrounding residential properties as well as the character of the existing paddock and semi-rural nature of the surrounding area. The scale of the proposed dwelling is similar to that of the existing building and significantly less than that of the other residential dwellings along the lane.

8.5 SD5 also requires that "new housing needs to be appropriate for the widest range of households and should therefore be adaptable, accessible and durable over time to accommodate people of all ages and abilities, without diminishing overall appearance and function". The proposed dwelling is single storey in design and offers three bedrooms. It is considered that the design of the dwelling allows it to be fully accessible to a wide range of users.

8.6 Policy SD25 (Development Strategy) relates to developments within and outside settlement boundaries. The application site is outside the defined settlement boundary. SD25 states that "exceptionally, development will be permitted outside of settlement boundaries, where it complies with relevant policies in this Local Plan, responds to the context of the relevant broad area and it is an appropriate reuse of a previously developed site, excepting residential gardens, and conserves and enhances the special qualities of the National Park". It is considered that the size and design of the proposed dwelling respects and compliments the character of the area. The palette of materials proposed will reflect the wider appearance of the buildings within the local area and would not look out of place in a rural location. It is considered that the reuse of this land for the siting of a dwelling would not result in a detrimental impact on the appearance of the site, indeed it is considered that it would fit in with the surrounding residential character of the area to the east, south and west. The design of the dwelling also allows it to respect the open countryside across the access road to the north of the site and the green roofs will enable the property to blend into the rural vernacular.

8.7 Paragraph 7.13 of policy SD25 encourages the efficient use of land. The policy recognises that "Throughout the National Park, development pressures are great, whilst availability of land suitable for development is scarce. Furthermore, many of its villages and towns are characterised by relatively densely clustered, small buildings. Therefore it is important to make efficient use of land that does become available and is suitable for development. This approach is likely to encourage a design of new development that respects traditional patterns of built form, whilst reducing demand for additional land supply to meet local communities' needs". It is considered that a relatively small, single storey, well designed dwelling in this location would be an efficient

use of previously developed land and allow for an additional residential dwelling within the local area.

8.8 Strategic policy SD8 (Dark Night Skies) is also relevant to this proposal. This policy states that development proposals must demonstrate that all opportunities to reduce light pollution have been taken". The north and west elevations of the property have been designed with minimal openings. The southern elevation has been designed with louvered blinds to screen any light emitted from the habitable room within. It is considered that the design of the dwelling allows for the protection of the immediate area for additional light pollution.

Lewes District Local Plan

8.9 One of the key strategic objectives of policy CP2 (Housing Type, Mix and Density) is "To conserve and enhance the high quality and character of the district's towns, villages, and rural environment by ensuring that all forms of new development are designed to a high standard and maintain and enhance the local vernacular and 'sense of place' of individual settlements". CP2 states that housing developments should "reflect the site context including character of the surrounding area". It is considered that the design and size of the proposed dwelling reflects the character and appearance of the surrounding area as well as the previous use of the land as stables and horticultural barn with paddock area. The soft landscaping proposed is considered to reflect the character of the residential properties that surround three sides of the application site.

8.10 One of the key objectives of policy CP11 (Built and Historic Environment) is "to conserve and enhance the high quality and character of the district's villages, and rural environment by ensuring that all forms of new development are designed to a high standard and maintain and enhance the local vernacular and 'sense of place' of individual settlements". In order to meet this key objective CP6 states that development should "respect, and where appropriate, positively contributes to the character and distinctiveness of the district's unique built and natural heritage and responds sympathetically to the site and its local context and is well-integrated with the surrounding area". Development should also be "accessible to all". It is considered that the single storey, small scale nature of the design as well as the proposed external finishes of the dwelling positively respond to the aims and objectives of CP11 and will help relate the property to the surrounding area.

8.11 It is considered that the proposed dwelling has been designed so as to appear as a small scale agricultural building in character and materials and it is considered that this style of building reflects the semi-rural nature of the site as well as echoing the surrounding residential properties and would not look out of keeping within the wider area and it is considered that the design and the proposed materials comply with CP11 (Built and Historic Environment).

Ditchling, Streat and Westmeston Neighbourhood Development Plan

8.12 Paragraph 1.6.3 (Housing) states that the parishes will support residential development that:

- I. provides a broad mix of housing, including shared equity and shared ownership housing, for rent or purchase for residents of all generations and economic circumstances and particularly for young people who have grown up or are employed in the area;
- II. is small scale and sustainably designed and constructed, and blends with the local style and character of the area;
- III. is contained within the settlement boundary as revised herein;
- IV. has adequate provision for residents' off-street parking;
- V. provides for traffic calming on the adjacent main highway in conjunction with ESCC.

8.13 Policy DS1 (Development Strategy) states that "exceptionally, development will be permitted outside of the settlement boundary where it complies with relevant policies in the development plan, and: it is an appropriate re-use of a previously developed site, excepting residential gardens". It is considered that the proposed dwelling is small in scale and designed to reflect the local character as well as being an appropriate re-use of a previously developed site

Design

8.14 The application site the subject of this proposal is a paddock with a stables building, accessed off of Beacon Road. The site is outside of the planning boundary. The proposal is for the demolition of existing horticultural barn and erection of new single storey three bedroom dwelling with associated landscaping. The dwelling will have an 'L' shaped footprint.

8.15 The existing building was originally a horticultural barn but has been used as a stables/horticultural use for some time. The site itself previously contained greenhouses for horticultural purposes prior to 1988 when they were destroyed in storms. The existing building is a timber clad with a dual pitch roof and measures approximately 10.0m wide, 5.0m deep and 3.7m high. The paddock is surrounded on its eastern, southern and western sides by detached residential dwellings siting within good sized plots. To the north of the site is open countryside. The dwelling is screened from the countryside to the north by established hedge planting on the north side of the shared access track.

8.16 The proposed dwelling would measure approximately 15.0m long and is 5.0m deep. The overall height of the dwelling is 3.5m. The two 'wings' of the L shaped building will have mono-pitch green roofs and where the two 'wings' meet the front corner of the property will have a flat roof.

8.17 The dwelling has been designed in an 'L' shape with two 'wings' that meet at a corner point that acts as the entrance to the dwelling. The walls will be finished in vertical timber cladding which is considered to reference the appearance of the stables structure that is currently on the site. The green roofs are considered to replicate the feel of the paddock that the building is located within and also helps tie the building to the semi-rural character of the surrounding area. The design is considered to be contemporary in appearance whilst being constructed from a palate of materials that reflects the previous use of the site as well as the semi-rural location of the property.

8.18 The property is set back from Beacon Road behind existing dwellings and is accessed via a shared drive off of Beacon Road that serves five other dwellings. The plot is directly behind the property known as 'Three Oaks' and has limited presence when viewed from the public realm. The site currently has two off-road parking spaces and an area of hardstanding across the centre of the site and the proposal will result in the retention of two car parking spaces and also the removal of the unsightly hardstanding. The access will remain unchanged.

Comments on Representations

8.20 Ditchling Parish Council objected to the application they considered it contrary to the following policies: Policy DS1 of the Ditchling, Streat and Westmeston Neighbourhood Plan; Strategic Policy SD25 - Development Strategy SDNP Local Plan; and as defined by the Lewes Core Strategy 2016, saved Local Plan Policy RES6.

8.21 The above comments are noted and the policies DS1 and SD25 are addressed in the 'Policy' section above. Policy RES6 (New Development in the Countryside) of the Local Plan is no longer relevant. The policy is considered to be inconsistent with the National Planning Policy Framework (NPPF) and therefore this policy cannot be used as a material consideration, and the policies within the NPPF become prevalent. The policies within the NPPF are considered above within the 'Policy' section.

8.22 Paragraph 12 of the NPPF states that "The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed". It is considered that the material conditions above support the proposal for the residential dwelling in this location. It is also worth reiterating that it is considered that the proposal does comply with policy DS1 of the Neighbourhood Plan as outlined in the 'Policy' section above.

8.23 It is considered that the replacement of the stable building with a residential dwelling is acceptable in this instance. Although the application site is outside of the planning boundary and not identified for residential development in the Neighbourhood Plan the application site is not part of an existing residential garden and the proposal is considered to be a re-use of previously developed land due to the stable/ horticultural building currently located on the site. The relatively small scale of the design and the character of the proposal appearing similar to the existing stable block in terms of scale and massing allow the existing character of the site to be retained. The location of the application site within the central core of surrounding residential dwellings also allows the dwelling to respect the character and appearance of the surrounding area, reflecting both the residential nature of the site as well as the green roof and timber cladding reflecting the rural nature of the area to the north which borders the access track. The creation of a new dwelling on this plot would not be out of character with the surrounding land uses or pattern of development.

8.24 It is considered the proposal will not have a detrimental impact on the character or appearance of the surrounding area and the wider National Park, and will not unduly impact on the residential amenities of local residents, in accordance with Policies CP2 (Housing Mix, Type and Density) and CP11 (Built and Historic Environment) of the Lewes District Local Plan and SD5 (Design), SD8 (Dark Skies) and SD25 (Development Strategy) of the South Downs Local Plan (Pre-submission) and DS1 (Development Strategy) of the Ditchling, Streat and Westmeston Neighbourhood Development Plan.

8.25 The development is not considered to be contrary to the objectives of the South Downs National Park Partnership Management Plan, which is the over-arching strategy document for the management of the South Downs National Park, and accords with Policy 50 which deals with housing, design, and supporting balanced communities.

9 Conclusion

9.1 It is recommended that planning permission 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.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. 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.

3. Before the development hereby approved is commenced on site, details/samples of all external 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 policy SD5 of the South Downs Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works

shall be carried out as approved. If within a period of two years from the date of the planting any tree, or any tree planted in replacement for it, is removed, uprooted destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason; To enhance the general appearance of the development having regard to policy SD5 of the South Downs Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the dwelling or in accordance with the programme approved in writing with the Local Planning Authority.

Reason: To enhance the general appearance of the development having regard to policy SD5 of the South Downs Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

6. 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 SD5 of the South Downs Local Plan.

7. All waste materials to be stored; removed from the site and disposed of in an appropriate manner to an approved site. There should be no bonfires on site.

Reason: In the interest of residential amenities of the neighbours having regard to Policy SD5 of the South Downs Local Plan.

8. 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 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 in accordance with SD5 of the South Downs Local Plan.

9. 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.

10. Details of the siting and design of the external electric car charging points to be provided, shall be submitted to and approved in writing by the Local Authority prior to installation. The works hereby permitted shall be carried out in accordance with the approved details before the units are occupied.

Reason: To secure a proper standard of development having regard to policy CP14 of the Lewes Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

11. 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 1, classes A-E 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 CP2 of the South Downs Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

12. No external lighting, either on the building or within the curtilage 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 2012.

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

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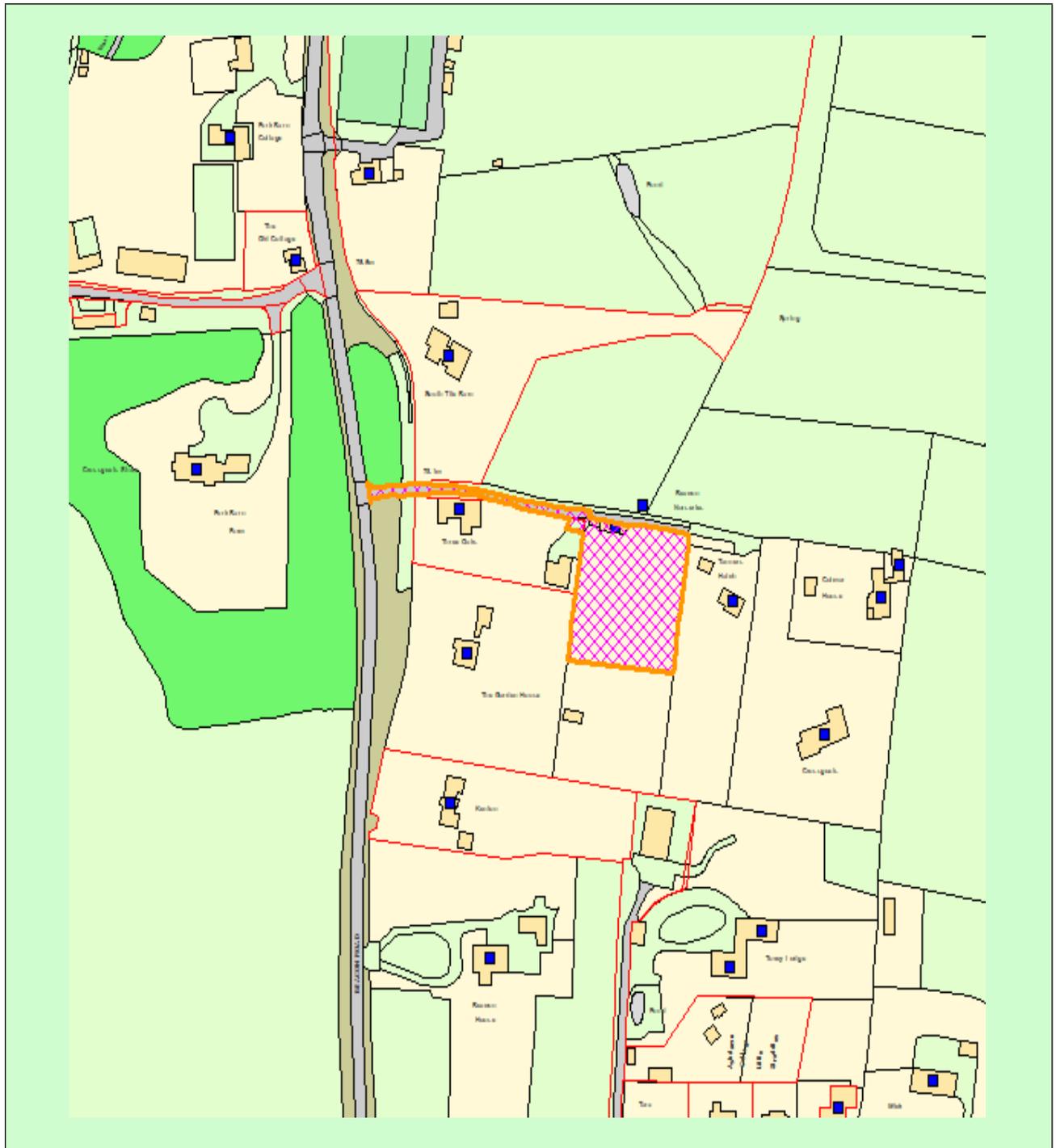
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix 1

Site Location Map



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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 - LOCATION PLAN	1851-P-001		24.12.2018	Approved
Plans - BLOCK PLAN	1851-P-002		24.12.2018	Approved
Plans - EXISTING SITE SURVEY	1851-P-003		24.12.2018	Approved
Plans - EXISTING ELEVATIONS	1851-P-004		24.12.2018	Approved
Plans -	1851-P-005		24.12.2018	Approved
Plans - PROPOSED FLOOR PLAN	1851-P-006		24.12.2018	Approved
Plans - PROPOSED NORTH ELEVATION	1851-P-007		24.12.2018	Approved
Plans - PROPOSED EAST ELEVATION	1851-P-008		24.12.2018	Approved
Plans - PROPOSED SOUTH ELEVATION	1851-P-009		24.12.2018	Approved
Plans - PROPOSED WEST ELEVATION	1851-P-010		24.12.2018	Approved
Application Documents - DESIGN & ACCESS STATEMENT			24.12.2018	Approved
Application Documents - LANDSCAPE & VISUAL IMPACT ASSESSMENT			24.12.2018	Approved
Application Documents - NOISE IMPACT ASSESSMENT			24.12.2018	Approved
Application Documents -	Ecological Appraisal		05.02.2019	Approved

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

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Report to **Planning Applications Committee**
Date **13 March 2019**
By **Director of Planning**
Local Authority **Lewes District Council**
Application Number **SDNP/18/05990/FUL**
Applicant **Mr & Mrs Appleton**
Application **Proposed demolition of an existing disused barn and the construction of a single private dwelling with associated car parking and landscaping on existing brownfield site**
Address **Old Barn adjacent to 8
Bush Road
Newhaven
East Sussex**

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

IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.

Executive Summary

1 Site Description

1.1 The proposed site is located at Sheepfold Farm, Bush Road, Newhaven. Bush Road lies to the north of Newhaven and sits on the western side of the Lewes Road, which runs north from Newhaven to Lewes. It is located outside the planning boundary and within the designated South Downs National Park (SDNP).

1.2 The application site lies at the north-eastern corner of a large field within a semi-rural setting with a cluster of private detached dwellings immediately adjacent to the northern and eastern boundaries, and open fields to the south and west. A public footpath runs along the northern edge of the site.

1.3 The existing barn on site is concrete framed with corrugated metal cladding to the elevations and asbestos cladding to the roof and an in-situ concrete slab.

2 Proposal

2.1 The application seeks planning approval for the proposed demolition of an existing derelict concrete framed barn and construction of a two storey detached dwelling with associated car parking and landscaping.

2.2 The proposed dwelling would be approximately 7 metres wide and 14.3 metres long. It would have an eaves height of 4.5 metres and ridge measuring 7.3 metres. Vehicular and pedestrian access to the application site will remain as existing off the end of Bush Road which is a private road that leads onto Lewes Road.

2.3 This application was called-in to planning committee as requested by Councillor Steve Saunders.

3 Relevant Planning History

SDNP/17/00233/FUL - Conversion of an existing barn into holiday let accommodation with associated car parking and external works - Refused on 14 March 2017 due to following reasons:

1. Insufficient information has been submitted with the application to demonstrate that the building is structurally sound and capable of conversion without substantial reconstruction which may constitute a re-build and new structural elements may be necessary to support the first floor level accommodation, roof and newly clad walls and bay windows. As such the proposals are not considered to constitute a conversion of the barn and the scheme is thereby contrary to retained policy CT1 and Core Policies CP5, CP10 and CP11 of the Lewes District Local Plan Part One: Joint Core Strategy, policy SD49 of the South Downs Local Plan Preferred Options (September 2015) and National Planning Policy contained in the National Planning Policy Framework, including paragraph 55.
2. The proposed use of the site as three 2-bedroom holiday lets will intensify the use of the land and result in additional vehicular movements to and from the development with associated noise and disturbance that will be detrimental to the amenity of existing residents in Bush Road. As such the proposal is contrary to retained policy ST3 and Core Policy CP11 of the Lewes District Local Plan Part One: Joint Core Strategy and National Planning Policy contained in the National Planning Policy Framework.
3. The proposed development will, by reason of the nature of the use and the design of the scheme, result in increased artificial light being emitted from the building inside the South Downs National Park which will adversely affect the darkness of the sky, contrary to policies SD9 and SD20 of the South Downs Local Plan Preferred Options (September 2015), Core Policy 10 of the Lewes District Local Plan Part One: Joint Core Strategy and National Planning Policy contained in the National Planning Policy Framework.

SDNP/18/01630/FUL - Proposed demolition of existing disused barn and erection of single private dwelling on existing brownfield site - application withdrawn.

4 Consultations

LE - Environmental Health

No comment.

LE - Waste & Recycling

Comments awaited.

LE - Tree & Landscape Officer

No comment.

ESCC - Rights of Way Officer

Comments awaited.

Parish Council Consultee

The committee welcomed the improvements made to the original plan and raised no objections to the application. They asked for the application to be considered by the SDNPA committee.

5 Representations

3 letter of support - benefit visually, building is fire damaged, used for anti social behaviour, existing barn is an eyesore

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 Council - The Core Strategy (Local Plan Part 1) 2014 and the following additional plan(s):

- SDNPA Partnership Management Plan 2014
- South Downs National Park Local Plan - Submission 2018

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 on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

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

- NPPF02 - Achieving sustainable development
- NPPF05 - Delivering a sufficient supply of homes infrastructure
- NPPF09 - Promoting sustainable transport
- NPPF12 - Achieving well-designed places
- NPPF - Conserving and enhancing the natural 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 Council - The Core Strategy (Local Plan Part 1) 2014** are relevant to this application:

- CP10 - Natural Environment and Landscape
- CP11 - Built and Historic Environment and Design
- CP13 - Sustainable Travel
- CP14 - Renewable and Low Carbon Energy

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 Draft South Downs National Park Local Plan

The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the **saved policies within the Lewes District Council - The Core Strategy (Local Plan Part 1) 2014**, the policies within the **Submission South Downs Local Plan (2018)** are currently afforded **considerable** weight, depending on the level of objection received on individual policies.

The following policies are of particular relevance to this case:

- Core Policy SD1 - Sustainable Development
- Strategic Policy SD5 - Design
- Strategic Policy SD6 - Safeguarding Views
- Strategic Policy SD8 - Dark Night Skies
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD19 - Transport and Accessibility
- Strategic Policy SD20 - Walking, Cycling and Equestrian Routes
- Development Management Policy SD22 - Parking Provision
- Strategic Policy SD25 - Development Strategy
- Strategic Policy SD29 - Rural Exception Sites
- Core Policy SD2 - Ecosystems Services

8 Planning Assessment

BACKGROUND

8.1 This application follows a refusal for the conversion of the barn into holiday let accommodation (SDNP/17/00233/FUL) and a withdrawn application (SDNP/18/01630/FUL) which was for the demolition of the existing disused barn and erection of single private dwelling.

8.2 The positioning, scale and massing of the proposed dwelling does not differ from that shown on the previously withdrawn proposal.

Policy

8.3 The two statutory purposes of the SDNP designation are:

- o To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- o 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 wellbeing of the local community in pursuit of these purposes.

8.4 The following SDNP Local Plan Submission Policies are the most relevant:

SD1: Sustainable Development - Planning permission will be refused where development proposals fail to conserve the landscape, natural beauty, wildlife and cultural heritage of the National Park unless, exceptionally: a) The benefits of the proposals demonstrably outweigh the great weight to be attached to those interests; and b) There is substantial compliance with other relevant policies in the development plan.

SD25: Development Strategy - Exceptionally, development will be permitted outside of settlement boundaries, where it complies with relevant policies in this Local Plan, responds to the context of the relevant broad area or river corridor, and:

- a) It is allocated for development or safeguarded for the use proposed as part of the Development Plan; or
- b) There is an essential need for a countryside location; or
- c) In the case of community infrastructure, there is a proven need for the development that demonstrably cannot be met elsewhere; or
- d) It is an appropriate reuse of a previously developed site, excepting residential gardens, and conserves and enhances the special qualities of the National Park.

8.5 In terms of the Lewes District Local Plan the site is located outside of any planning boundary as defined by Policy CT1. This is the Council's key countryside policy and seeks to contain development within the defined Planning Boundaries, except in certain circumstances. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential dwelling; or
- e) the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

8.6 The National Planning Policy Framework defines previously developed land as follows:- Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings.....and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time. In this case the land is not considered to be brownfield or previously developed land.

8.7 It also goes on to state at paragraph 79 that 'Planning policies and decisions should avoid development of isolated homes in the countryside unless one or more. ...' of a number of criteria are met. In this case whilst the site is not in itself isolated being located close to a number of existing dwellings, it would represent a new dwelling on land that is not previously developed, outside a defined planning boundary and within the South Downs National Park.

Design and appearance

8.8 The existing barn has a footprint measuring 128sq.m, which the new dwelling would have a footprint of 88sq.m. The ridge height of the building would be the same as the existing barn. The building will be located further to the south, only slightly overlapping the existing footprint of the barn.

8.9 The new dwelling would have a barn like appearance, with a pitch roof covered in clay tiles, horizontal timber clad walls, with mono pitch roofed outshot to the east. A recessed balcony will be incorporated into the west facing gable elevation, with the larger areas of glazing screened in vertical timber slates to minimise light pollution.

8.10 The building is considered to be well designed and with a form and massing that retains an appearance of an agricultural barn.

Sustainability

8.11 The submitted Design and Access Statement says that 'the proposed development will introduce sustainable materials and technologies in order to deliver the most sustainable development possible, such as dual flush toilets, low flow taps, low energy light bulbs and A rated appliances. In addition, after the comments on the latest withdrawn application for future, sustainable design, PV panels have been placed on the south-east elevation of the development and an electric vehicle charger has been placed in the garage area'.

Conclusion

8.12 The addition of a new dwelling together with associated boundary fencing, domestic garden area and parking and manoeuvring area cannot be said to conserve the character and appearance of the surrounding landscape. It is accepted that the existing barn is in a dilapidated and unsightly condition, but such structures are evidence of the agricultural uses which characterise the National Park as a working landscape and in time the barn will either be consumed into the natural landscape or it may be removed and the land restored.

8.13 Notwithstanding the provisions set with paragraph 79 of the NPPF, the proposed dwelling is not considered to be of exceptional design; neither would the location at the edge of the agricultural land would lead to an enhancement to the immediate setting. The site lies at the bottom corner of a field, which opens out onto a hillside. The location is considered to be separate from the small number of properties in Bush Road because it clearly sits within the wider landscape as opposed to the short cul-de-sac of Bush Road.

8.14 Therefore, and on balance, it is not considered that the replacement of the dilapidated barn with a new dwelling overrides the policy objection or the circumstances as stated within policy CT1 and paragraph 79 of the NPPF, and is recommended for refusal.

9 Conclusion

9.1 That planning permission is refused.

10 Reason for Recommendation and Conditions

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

1. The application has been assessed and determined on the basis of the plans noted below.

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

2. The application site is not previously developed land in accordance with the definition in the NPPF, and the site is not located within a defined planning boundary. The proposed dwelling is not considered to be of exceptional design, and would not lead to an enhancement to the immediate countryside setting. Therefore, the proposal is considered contrary to the objectives of Policy CT1, of the Lewes District Local Plan, Policy SD1 of the South Downs Local Plan, and paragraph 79 of the NPPF.

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.

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

SDNPA Consultees

Background Documents

Appendix 1 Site Location Map



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 -	1750-P-200		20.11.2018	Submitted
Plans -	1750-P-201		20.11.2018	Submitted
Plans -	1750-P-202		20.11.2018	Submitted
Plans -	1750-P-203		20.11.2018	Submitted
Plans -	1750-P-204		20.11.2018	Submitted
Plans -	1750-P-205 A		20.11.2018	Submitted
Plans -	1750-P-206 A		20.11.2018	Submitted
Plans -	1750-P-207 A		20.11.2018	Submitted
Plans -	1750-P-208 A		20.11.2018	Submitted
Plans -	1750-P-209		20.11.2018	Submitted
Plans -	1750-P-210 A		20.11.2018	Submitted
Plans -	1750-P-211 A		20.11.2018	Submitted
Application Documents -	design and access statement		20.11.2018	Submitted
Application Documents -	noise impact statement		20.11.2018	Submitted
Application Documents -	planning statement		20.11.2018	Submitted

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

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