

Planning Applications Committee

3 April 2019



Working in Partnership



Time and venue:

6.00pm 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: Thursday, 21 March 2019

Agenda

1 Minutes (Pages 1 - 4)

To confirm and sign the minutes of the previous meeting held on 13 March 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).

6 Written questions from councillors

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

Planning applications outside the South Downs National Park

- 7 LW/18/0773 - 15 Cliff Gardens, Telscombe Cliffs, East Sussex, BN10 7BX**
(Pages 5 - 14)
- 8 LW/19/0012 - 20 Fort Road, Newhaven, East Sussex, BN9 9QF**
(Pages 15 - 22)
- 9 LW/18/0808 - Caburn Field, Anchor Field, Ringmer, East Sussex**
(Pages 23 - 48)

Planning applications within the South Downs National Park

- 10 SDNP/18/03306/FUL - Holdings Farm, The Street, Kingston, Lewes, East Sussex, BN7 3NT** (Pages 49 - 64)
- 11 SDNP/18/06575/FUL - Lower Tulleys Wells Farm, Beechwoods Lane, Cooksbridge, East Sussex, BN7 3QG** (Pages 65 - 74)

Non-planning application related items

- 12 Summary of appeal decisions received from 27 November 2018 – 26 February 2019 (South Downs National Park)** (Pages 75 - 94)
- 13 Date of next meeting**

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 24 April 2019 in the Council Chamber, County Hall, St Anne's Crescent, Lewes, BN7 1UE, commencing at 5:00pm.

General information

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

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

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

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes. Government policy relating to national parks set out in National Planning Policy Framework and Circular 20/10 is that they have the highest status of protection in relation to natural beauty, wildlife and cultural heritage and their conservation and enhancement must, therefore, be given great weight in development control decisions.

Information for the public

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

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

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

Information for councillors

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

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

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

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

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

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

Democratic Services

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 13 March 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 and Peter Gardiner

Officers in attendance:

Andrew Hill (Senior Specialist Advisor, Planning)
Matthew Kitchener (Specialist Advisor, Planning)
Helen Monaghan (Lawyer, Planning)
Jennifer Norman (Committee Officer)
Joanne Stone (Lawyer, Planning)

Also in attendance:

R Little, South Downs National Park Authority (SDNP)

128 Minutes

The minutes of the meeting held on 20 February 2019 were submitted and approved, and the Chair was authorised to sign them as a correct record.

129 Apologies for absence/Declaration of substitute members

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

130 Declarations of interest

Councillor Neave declared a non-prejudicial interest in agenda item 7 (planning application LW/18/0366) as he was a member of Peacehaven Town Council and, for purposes of transparency, also declared that his son was formerly employed by the applicant.

Councillor Amy declared a non-prejudicial interest in agenda item 9 (planning application SDNP/18/05990) as he was a member of Newhaven Town Council's Planning Committee.

131 Petitions

There were none.

132 LW/19/0084 - Chailey School, Mill Lane, Chailey, East Sussex, BN8 4PU

Councillor Mark Evans spoke on behalf of Chailey Parish Council. Mr Collins, Mr Worthington and Mr Sudall spoke against the application. Luke Young, Tim Spencer and Helen Key spoke for the application.

Resolved:

That planning application LW/19/0084 for plan 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 be approved, subject to the conditions set out in the report and supplementary reports, and subject to the following additional informatives:

1. Installation and use of blinds;
2. Investigate the use of grey rainwater harvesting;
3. Restricted use of the east block of the building outside of regular hours;
4. Drainage in relation to the comments made from the occupier of 3 Maplehurst.

133 LW/18/0366 - 81 - 85 South Coast Road, Peacehaven, East Sussex, BN10 8QS

Paul Burgess spoke for the application.

Resolved:

That planning application LW/18/0366 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 be approved, subject to the conditions set out in the report and supplementary report, and subject to the original proposal being amended to read 9 flats (C3).

(Note: Councillor Neave declared a non-prejudicial interest in this item as he was a member of Peacehaven Town Council and, for reasons of transparency, that his son was formerly employed by the applicant. He therefore took part in the consideration, discussion and voting thereon.)

134 SDNP/18/06553/FUL - The Beacon Nurseries, Beacon Road, Ditchling, BN6 8XB

Planning application SDNP/18/06553/FUL was called-in by the South Downs National Park for determination, for reasons detailed in the supplementary report. The planning application was therefore withdrawn from consideration.

135 SDNP/18/05990 - Old Barn adjacent to 8, Bush Road, Newhaven, East Sussex

Councillor Steve Saunders spoke on behalf of Newhaven Town Council. David Collins and Mr C Appleton spoke for the application.

Resolved:

That planning application SDNP/18/05990/FUL for proposed demolition of an existing barn and the construction of a single private dwelling associated with car parking and landscaping on an existing brownfield site be approved.

This decision was contrary to the Officer recommendation, with the Committee considering that the development would enhance the character of the area; the surrounding landscape; and the wider public realm. It would also support and enhance the South Downs National Park in accordance with its 1st purpose, and would comply with the 2nd purpose of the Park.

That the Head of Planning be delegated to approve the application subject to the relevant conditions.

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

136 Written questions from councillors

There were none.

137 Date of next meeting

Resolved:

That the next meeting of the Planning Applications Committee that 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, be noted.

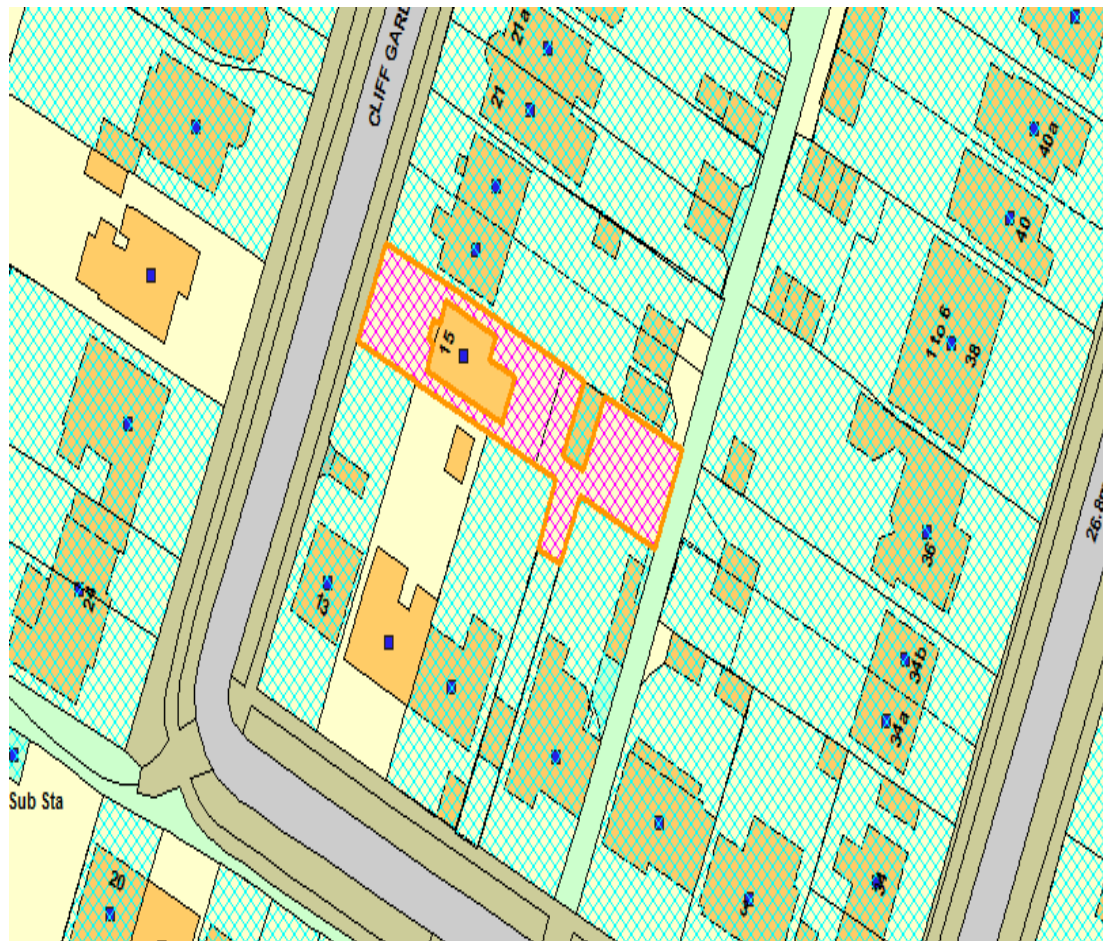
The meeting ended at 7.25pm.

Councillor Sharon Davy (Chair)

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Agenda Item 7

APPLICATION NUMBER:	LW/18/0773		
APPLICANTS NAME(S):	Mr Piers Turner	PARISH / WARD:	Telscombe / East Saltdean & Telscombe Cliffs
PROPOSAL:	Planning application for proposed 1 bedroom single storey detached dwelling (re-application after refusal of LW/18/0198)		
SITE ADDRESS:	15 Cliff Gardens Telscombe Cliffs East Sussex BN10 7BX		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

1.1 The site consists of a plot of land to the rear of 15 Cliff Gardens. The plot is 18.1m by 10.3m in size and covers an area of 186m². The site is accessed from an access road to the south of the site.

1.2 None of the surrounding properties are listed or located in a conservation area. The site lies outside of the South Downs National Park and it is within the Planning Boundary for Telscombe Cliffs. The area is predominantly residential in character and generally comprises of detached and semi-detached bungalows.

1.3 The applicant is seeking planning permission for a single storey flat roofed detached one bedroom dwelling house.

1.4 The dwelling is proposed to have Cedar Cladding on some of the elevations and smooth render on the remaining elevations. The applicants have proposed a bike store that would be approx. 2m by 1.5m and approx. 1.75m in height with a pitched roof. The proposal provides for one parking space at the entrance of Cliff Gardens which would be approx. 5.85m by 3.14m in size.

1.7 Following the previously refused proposal the applicants have reduced the size and height of the dwelling to be single storey and have introduced trees and planting down the access path and around the boundary of the property.

2. RELEVANT POLICIES

LDLP: – CP11 – Built and Historic Environment & Design

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

LDLP: – ST04 – Design, Form and Setting of Development

LDLP: – T07 – Provision for Cyclists

3. PLANNING HISTORY

LW/18/0198 - Proposed 2 storey 2-bedroom dwelling - Refused

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Main Town Or Parish Council – The committee considered the application. Following consideration it was proposed by Cllr Wright, seconded by Cllr Robinson and recommended to make no comment with regards to the application, as the committee were not in agreement if they would support or object the application

Environmental Health – I recommend two conditions which would help protect neighbouring residents from impacts associated with the construction of this proposed building. I request that an advisory comment is attached to any permission in respect of waste management.

1. Hours of operation at the site during any tree works, site clearance, preparation and construction shall be restricted to 08:00 to 18:00 hours Monday to Friday and 09:00 to 13:00 on Saturdays. No working is permitted at any time on Sundays or Bank Holidays. No machinery shall be operated at the site outside these specified times.

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

2. Dust Control. No development shall take place until a scheme to control the emission of dust from the demolition and construction works at the site has been submitted to and approved in writing by the Planning Authority. The approved scheme shall be fully implemented throughout the duration of demolition and construction works, with all equipment maintained in accordance with the manufacturer's instructions at all times until completion of the development.

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

Waste management advisory comment. 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.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

Below is a summary of the objections from 7 neighbours in relation to material planning considerations that have been received:

- Out of keeping with established layout
- Cramped and incongruous appearance
- Impact to neighbourhood amenity
- Precedent for further development
- Inadequate Parking provisions
- Loss of two existing parking spaces
- Noise and disturbance by way of the access
- Contrary to policy
- Inadequate access
- Over development
- Traffic on A259
- Emergency access
- Lack of infrastructure- healthcare
- Loss of garden for no.15
- Future development to create an additional floor
- Poor outlook for future occupier
- Loss of light
- Noise impact from occupants
- Loss of privacy to the North
- Increased intensity of land use

6. PLANNING CONSIDERATIONS

Principle of development

- 6.1 Due to the location of the dwelling within the planning boundary there is a presumption in favour of sustainable development and no objection in principle to the creation of new a dwelling provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity and is in accordance with the Lewes District Local plan 2003, the Lewes District Joint core strategy and the National Planning Policy Framework 2019.

6.2 The site is within the defined Planning Boundary, rather than infill development on an unidentified site which could be supported in principle in accordance with Policy SP2 of the Joint Core Strategy, the proposals are more accurately described as back land development.

6.3 In view of this, retained policy ST4 of the Local Plan applies to this development. This states that planning applications for backland and tandem developments will be refused unless proposals provide for: (a) safe and convenient vehicular access to the proposed new dwelling(s) without causing noise and disturbance to occupiers of other dwellings, and (b) design and landscaping measures which will afford sufficient levels of privacy and freedom from noise disturbance to the occupiers of the existing and proposed houses (c) no erosion of the essential elements of the character and appearance of the area. The plot of land is surrounded by residential back garden land and an unmade track on one side, which provides access to a small number of garages and parking spaces used by existing residents.

6.4 The layout of the existing surrounding development is primarily of homes which front the main streets of Cliff Gardens and Fairlight Avenue. In view of this, the construction of a new dwelling in this position will alter the character of the area from an otherwise tranquil and infrequently used garden setting to a residential use with comings and goings throughout the day and domestic activities thereby intensifying the use of the land and having some impact on neighbouring residents. The level of this impact to the character of the area and neighbours amenity will be assessed as part of this application.

Amendments from previous application Ref LW/18/0198

6.5 The previous application (LW/18/0198) was for a two storey dwelling house that would have been 1-1.2m from three of the four boundaries. The floor area was proposed to be 62 square meters. The overall height was proposed to be 4.7m. This application was refused on the basis of the scale, height and limited space around the building. It was also refused on the basis that the height, scale and parking would have an impact on amenity of the area.

6.6 The proposal in this application would have a footprint of 67m² but would have a garden space of 113m², The distance to the boundaries has also been increased.

Amenity of future occupiers

6.7 The proposed new dwelling would be a approx. 58.7m² in total internal floor space, the bedroom would be 11.7m². These both exceed the Nationally Described Space Standards. The property provides for windows on all sides providing for adequate natural light and ventilation to the property.

6.8 The site provides parking provision of one parking space, the East Sussex County Council's Highways parking calculator states that for a dwelling of this type and in this location there is a parking demand of 1.19 parking spaces. It is considered that the location of the development is not a town centre location with direct access to trains however it is within walking distance of a bus route that provides access to the mainline railway stations such as Newhaven Town the route provides access to small shops on this route within a reasonable distance. The availability and ease of access to these alternative options means that future occupiers of the new dwelling do not necessarily require a reliance on a private vehicle for all of their journeys. As such the proposed parking provision is considered acceptable.

Residential amenity

- 6.9 It is considered that the proposed new dwelling would not result in a significant loss of light or overshadowing to neighbouring properties due to its single storey design. It is also considered that the proposed development would not result in overlooking. The rear elevation of No.15 Cliff Gardens is approx. 9.3m away from the proposed new dwelling; the proposed new dwelling would be approx. 15.8m away from the nearest dwelling to the south. Both elevations would be screened by trees and a 2m boundary fence. To the north is garages and to the East an access road/ track this provides access to the rear of the properties on Cliff Gardens and Fairlight Avenue. The new dwelling by way of its single storey nature, the proposed boundary treatment, the distance between this and the neighbouring properties would not create a significant impact of overlooking or loss of privacy.
- 6.10 Objections have been raised on the basis of concerns that an additional floor will be built in the future causing additional impact, this is not being proposed as part of this application and cannot be considered as part of this application. It is considered appropriate to impose a condition to remove permitted development rights to prevent any extensions or additional windows that could impact the neighbours over and above the proposed.

Visual Amenity

- 6.11 The proposal would be set back behind proposed hedging, trees and 2m high fences, with the entrance facing the access route.
- 6.12 Although the proposed new dwelling would be partially visible from the street scene and would be larger than the existing garage it is not considered to be oversized in comparison to the surrounding properties. The amended proposal with the flat roof would minimise the appearance of bulkiness and visibility. It is also considered that although dwellings in this area have pitched roofs there are outbuildings and garages with flat roofs. In addition there is no singular roof type in this area, there is a variety of hipped, pitched, with dormers and roof lights and even flat roofed properties on Fairlight Avenue. Therefore it is not considered that the proposed flat roofed building would prejudice the existing amenity currently enjoyed by neighbouring occupiers.

Other matters

- 6.13 Concerns have been raised by objectors about method of construction and the impact of large vehicles and delivery vehicles. This is a matter that can be dealt with through condition - a construction method statement to ensure that the method of construction is acceptable.
- 6.14 Concerns have also been raised regarding the provision of utility services to the site. This is not a planning concern and would be addressed by building control under a building control application and building control legislation, and that regarding boundaries and damage to foundations of boundaries as a result would be a private matter between parties and not a material planning consideration that can be taken into account in deciding the application.

Highways impacts:

- 6.15 The proposed dwelling provides a car parking space which would be approx. 5.85m by 3.14m. ESCC Highways Guidance sets out that parking spaces should be a minimum of 5m long and 2.5m wide, therefor the proposal exceeds this guidance. The guidance also

sets out that a 1 bedroom property should provide one allocated parking space which this proposal does.

6.16 The ESCC highways Guidance sets out that a singular vehicular access from an adopted highway should be a minimum of 2.75m wide this proposal exceeds that at 3.14m wide.

6.17 In amended plans the applicant has included provision for the bollards to be collapsible in an emergency to provide access for emergency vehicles. This addresses some of the concerns raised by neighbours.

6.18 It is considered that the proposed parking and access would not cause a significant impact to neighbours, the impact is minimised by locating the parking space by the road and not closer to the property and as such would have a similar impact to cars using driveways on this road as existing.

Summary

6.19 The proposal is considered to have safe and convenient vehicular access to the proposed new dwellings without causing noise and disturbance to occupiers of other dwellings over and above the existing impact of cars parking on driveways in this road and the provision of collapsible bollards allows access to emergency services. The design and landscaping measures will afford sufficient levels of privacy and freedom from noise disturbance to the occupiers of the existing and proposed houses by way of the single storey nature and proposed boundary treatment and natural screening.

6.20. It is considered that there would be no significant erosion of the essential elements of the character and appearance of the area, it is considered that a timber clad outbuilding or annex of the same style could be built under permitted development.

6.21 The proposal would not have a significant impact to the visual and residential amenities of the area or detrimentally impact on the amenities currently and on balance the impact to neighbours as a result would be in accordance with local and national policies and as such is recommended for approval.

6.22 On balance it is considered that the proposal would not cause a demonstrable harm to the surrounding area and would be in accordance with local and national planning policy, as such should be approved conditionally.

7. RECOMMENDATION

7.1. That planning permission is granted.

The application is subject to the following conditions:

1. 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 ST3 Design Form and Setting of Development of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

2. If within a period of five 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 ST3 Design Form and Setting of Development of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

3. The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy T6

4. Before any work, including demolition, commences on site a Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This will detail:

- (i) the estimated volume of spoil to be removed from the site;
- (ii) a designated route or routes that vehicles may use when removing spoil from the site and all the routes of vehicles delivering construction materials
- (iii) vehicle wheel cleaning provisions;
- (iv) road cleaning provisions.
- (v) Location, number and size of any temporary buildings/structures needed for the demolition/construction phases
- (vi) Details of site compound including means of enclosure
- (vii) Details of height of stored materials
- (viii) Details of site hoarding
- (ix) Confirmation that at no times materials, plant and machinery shall be stored within the confines of the site, and additionally shall be kept clear of all public highways and rights of way

Upon approval the Method Statement shall be implemented to the satisfaction of the Local Planning Authority.

Reason:- In the interest of the amenities of the site and surrounding area, including in the interest of capacity of the local highway network to carry large vehicles and to comply with policy ST3

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies ST3 Design Form and Setting of Development

6. The parking space hereby approved must use permeable (or porous) surfacing which allows water to drain through, such as gravel, permeable concrete block paving or porous asphalt, or if the rainwater is directed to a lawn or border to drain naturally.

Reason: To ensure that surface water is dealt with appropriately within the application site and not affect adjoining property by way of localised flooding

7. No building shall be occupied until vehicle parking spaces have been laid out within the site ST3 Design Form and Setting of Development and these spaces shall be made permanently available for that use.

Reason: In the interests of and for the safety of persons and vehicles using premises and/or adjoining road having regard to **** of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

8. Hours of operation at the site during any tree works, site clearance, preparation and construction shall be restricted to 08:00 to 18:00 hours Monday to Friday and 09:00 to 13:00 on Saturdays. No working is permitted at any time on Sundays or Bank Holidays. No machinery shall be operated at the site outside these specified times.

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

9. No development shall take place until a scheme to control the emission of dust from the demolition and construction works at the site has been submitted to and approved in writing by the Planning Authority. The approved scheme shall be fully implemented throughout the duration of demolition and construction works, with all equipment maintained in accordance with the manufacturer's instructions at all times until completion of the development.

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

INFORMATIVE(S)

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

2. Waste management advisory comment. 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>
Proposed Layout Plan	8 February 2019	06/A
Design & Access Statement		
Proposed Layout Plan		02/A
Location Plan		01/A
Proposed Block Plan		01/A
Proposed Floor Plan(s)		05/A
Proposed Elevation(s)		05/A

Proposed Layout Plan

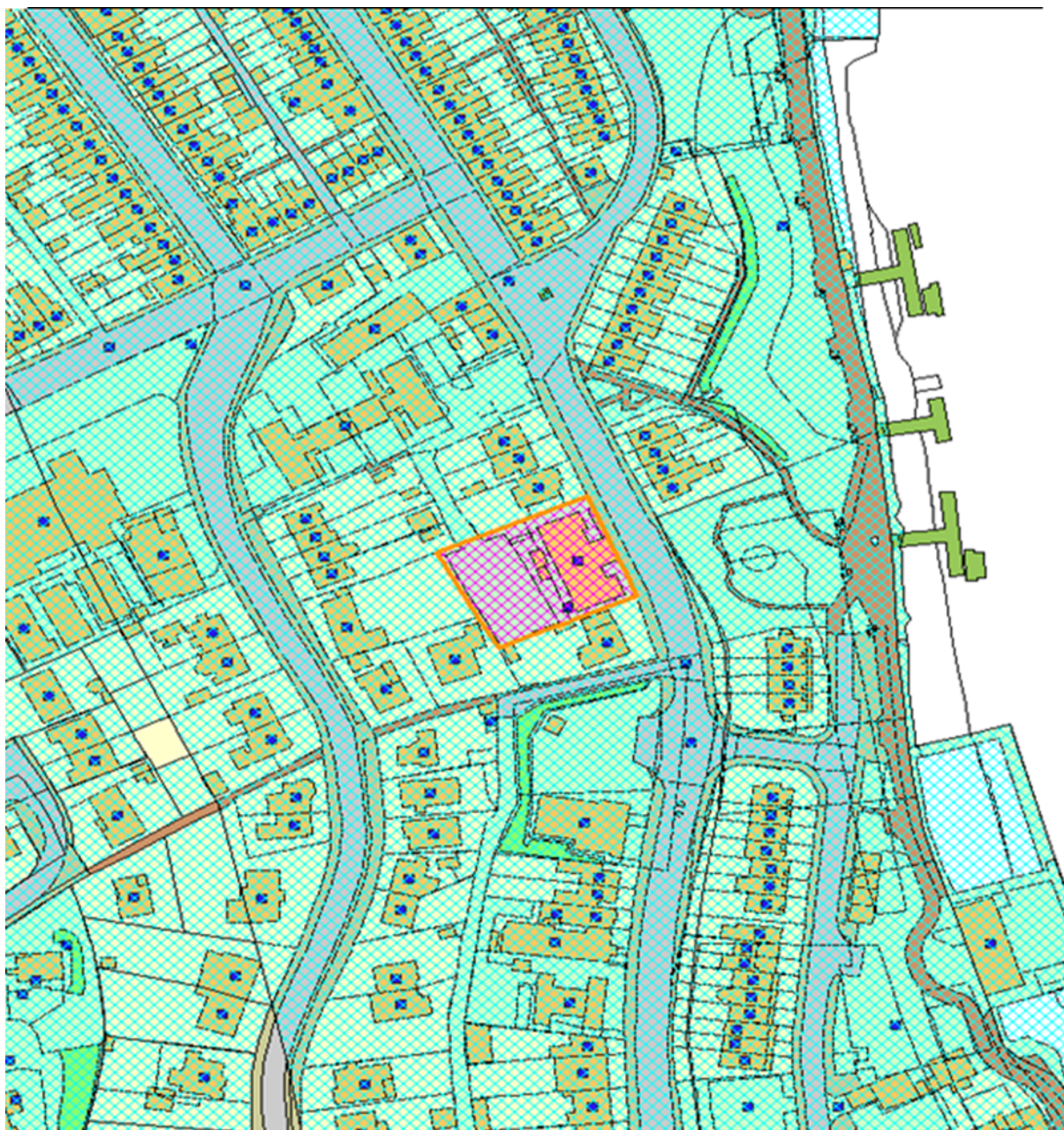
04/A

Proposed Layout Plan

03/A

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APPLICATION NUMBER:	LW/19/0012		
APPLICANTS NAME(S):	Lewes District Council	PARISH / WARD:	Newhaven / Newhaven Denton & Meeching
PROPOSAL:	Local Authority application (Reg 3) for proposal for change of use and demolition of the existing class B1 building and construction of 13 new residential units (C3 use) over three stories. Accommodation includes 6 x 2 bedroom apartments and 7 x 1 bedroom apartments		
SITE ADDRESS:	20 Fort Road Newhaven East Sussex BN9 9QF		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

1.1 The application site is located on the western side of Fort Road between Hill Side to the north and Lorraine Road to the south and consists of a two storey office building fronting onto Fort Road with a car park to the rear. The building has been vacant since late 2015.

1.2 The proposal is to demolish the existing building and to construct a single building providing 13 affordable housing units, (6 x 2 bed and 7 x 1 bed apartments) with its main car parking and servicing to the rear.

1.3 This application is being presented to the Planning Applications Committee as the application has been submitted on behalf of Lewes District Council.

2. RELEVANT POLICIES

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

LDLP: – CP1 – Affordable Housing

LDLP: – CP4 – Economic Development and Regeneration

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP14 – Renewable and Low Carbon Energy

3. PLANNING HISTORY

LW/19/0012 - Proposal for change of use and demolition of the existing class B1 building and construction of 13 new residential units (C3 use) over three stories. Accommodation includes 6 x 2 bedroom apartments and 7 x 1 bedroom apartments -

LW/15/0005 - West bank improvement -

LW/19/0012 - Proposal for change of use and demolition of the existing class B1 building and construction of 13 new residential units (C3 use) over three stories. Accommodation includes 6 x 2 bedroom apartments and 7 x 1 bedroom apartments -

LW/15/0005 - West bank improvement -

LW/19/0012 - Proposal for change of use and demolition of the existing class B1 building and construction of 13 new residential units (C3 use) over three stories. Accommodation includes 6 x 2 bedroom apartments and 7 x 1 bedroom apartments -

P/66/0060 - Use for extension of offices. - **Withdrawn**

LW/03/2485 - Extension for new entrance hall and alterations to council chamber - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Main Town Or Parish Council – The committee raised the following concerns:

- o Not in keeping with street scene
- o Mix of permanent and non-permanent homes, not a good mix of tenure.
- o Side massing unneighbourly to adjacent properties.
- o Although ridge height not exceeded, side elevation intrusive and represents significant bulk.
- o Temporary housing creates social issues for local neighbours in close proximity.
- o Recognise need for temporary housing but not an appropriate site.
- o Ring fence any housing for local people.
- o More proactive for other uses of the building such as B1 uses
- o Write to East Sussex County Council.

ESCC Highways – These comments are issued in response to the original submitted plans and amended plans received from Lewes District Council on 7th March 2019.

This application is for change of use and demolition of the existing office building and construction of 13 flats [6 x two bedrooms and 7 x one bedroom] together with alterations to the rear car park to provide 13 car parking spaces and turning area. The proposal would generate similar [if not lower] vehicular trips per day than the existing office use. I do not object to the proposed development. Request conditions.

Housing Needs And Strategy Division – No objection, satisfactory housing mix, meets affordable housing targets, tenure split acceptable, dwelling sizes comply with DCLG National Described Space Standards.

Natural England – No comments to make on this application.

ESCC SUDS – No objection subject to conditions regarding hydraulic calculations and condition of existing drainage system.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

1 neutral but raising questions - is three floors excessive? Will the building be any higher than it currently stands? Will it block daylight as my property faces west. Will the windows look directly into mine? Where will these people park their cars? what will the hours of work be?

6. PLANNING CONSIDERATIONS

Material Considerations

Background

6.1 The existing building is a two storey brick building constructed at the beginning of the 20th century. It has a pitch roof, which is largely hidden from view by a front parapet. Two small single storey flat roofed extensions have been added to the front elevation in the past to serve as entrance porches. To the rear the land steps up 4.5m higher than street level to a car park which is laid out to provide at least 23 car parking spaces. This area is accessed via a private track which also serves the rear of Meeching Court and also provided access to the rear garages associated with dwellings on Hillcrest Road.

6.2 The building has been vacant since 2015 when the Council moved into shared facilities in Saxon House. The building has deteriorated and requires significant investment to create a modern and desirable commercial building. Therefore the decision was taken to develop a scheme to provide much needed affordable housing in the area. Conversion

was considered but in view of the cost of conversion and the limited amount of units that would be created, the redevelopment of the site was considered to be the most sustainable way forward.

6.3 The wider area is largely residential in character, except for the fire station to the south and Newhaven Town Council offices to the north. There is no defined building style or consistent scale of building in the vicinity of the site. Materials are also varied and include a range of brick tones, timber cladding, render, as well as differing roof forms and pitches. Some dwellings have front gardens whilst others front directly onto the street with no defensible space.

Policy

6.4 The site is located within the planning boundary and therefore there is a presumption in favour of sustainable development. The period of vacancy and the cost of refurbishment together with lack of market demand for older commercial floorspace would support an alternative use for the site.

6.5 Policy ST3 of the Lewes District Local Plan seeks to secure a pleasant and attractive environment by securing good design, and a design which has regard to the characteristics of the surrounding area.

6.6 Policy CP1 of the Joint Core Strategy (JCS) seeks to secure a range of homes to meet the needs of the district, especially through the provision of affordable housing, whilst Policy CP2 seeks to secure sustainable, mixed and balanced communities by delivering a range of housing type, mix and density.

6.7 Policy CP4 seeks to stimulate and maintain a buoyant and balanced local economy by safeguarding employment sites, but does permit other uses where there is a lack of developer interest or where the building is unlikely to perform an employment role in the future.

6.8 Policy CP11 reinforces policy ST3 by securing high quality design in all new developments and creating sustainable places and communities.

6.9 Policy CP14 relates to renewable and low carbon energy and sustainable use of resources, and seeks to encourage such initiatives and support developments for low carbon and renewable energy installations.

6.10 Policy DM25 of the JCS Part 2 relates to design and seeks to approved developments that contribute towards local character and distinctiveness through high quality design, with Policy DM26 ensuring that new developments have accessible and well designed refuse and recycling facilities

6.11 This is not an exhaustive list of all relevant policies but does focus on those that cover the main issues relevant to the determination of the application. Overall it is considered that the proposal complies with the aims and objectives of adopted and emerging policies, and plans.

Design

6.12 As already mentioned within the report, whilst the area is characterised by residential development there is no defined style, form, scale or mass of building in the area.

6.13 The proposed building will be located to maintain the existing front building line that exists along Fort Road. Whilst the accommodation will be provided over three floors, the apex of the building will be no higher than the height of the ridge of the existing building. The building has been located on the plot to retain the separation distances to the existing buildings on either side.

6.14 The three storey flat roofed building will, from Fort Road, appear as two linked blocks of building, articulated by setting back the central link and the northern and southern element of the blocks. This articulation will reduce the perceived mass of the building as well as adding interest and variation in the main facade. This interest/variation will be further enhanced through the use of different materials including aluminium frames windows, profiled metal/timber/polycarbonate cladding. It is considered that the contemporary design approach will enhance the immediate surroundings and the street scene.

6.15 With no windows on the flank elevations and with a separation distance of 18m from the new building to the rear boundary, and between 20 and 40m between rear elevation of the building and the nearest facade of the residential dwellings to the rear (west), it is not considered that the development would detrimentally impact on general amenity or privacy. Being no higher than the existing building it is not considered that the proposal would result in any increased overshadowing to those dwellings located on the eastern side of Fort Road.

Sustainability

6.16 The building will be constructed adopting the 'fabric first' approach which seeks through its materials and construction methods to maximise the efficiency of the built envelope and to minimise energy consumption. The development will also include photovoltaic panels on the roof and provide electric vehicle charging points in the rear car park. Designated cycle parking/storage facilities will also be provided on site.

Summary

6.17 The development will provide much needed affordable housing provision, close to the town centre and all its facilities and transport benefits. The mix of units will meet an identified housing need in a modern sustainable building of similar height and bulk to the existing building, without detriment to amenities of neighbouring occupiers or the wider area in general. The loss of the office use would not prejudice the viability of the nearby town centre.

7. RECOMMENDATION

7.1 That planning permission is granted.

The application is subject to the following conditions:

1. Before the development hereby approved progresses beyond foundation level, details and samples of all external materials including all facing and surfacing materials shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: To ensure a satisfactory development in keeping with the locality having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

2. Before the dwellings hereby approved are occupied details of the means of providing electric car charging points to all car parking spaces shall be submitted to and approved in writing by the Local Planning Authority and shall be installed prior to first occupation.

Reason - In order to provide a more sustainable development having regard to Core Policy 14 of the Joint Core Strategy Part 1 and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

3. 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.

4. No development shall take place, including any ground works or works of demolition, until a Construction and Environment 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.

5. No building shall be occupied until all the car parking and cycle storage spaces have been laid out within the site in accordance with the approved plans and these spaces shall be made permanently available for that use.

Reason: In the interests of and for the safety of persons and vehicles using premises and/or adjoining road 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 2019.

6. If, during development, contamination 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 details of how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Policy Guidance contained in the National Planning Policy Framework 2019.

7. Prior to commencement of development there will be a need to provide hydraulic calculations indicating pre and post development surface water discharge rates. Any increase in discharge rates and/or volume of surface water runoff will require appropriate attenuation, details

of which will need to be submitted to the Local Planning Authority and approved in consultation with the Lead Local Flood Authority.

Reason: To secure a satisfactory standard of 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 2019.

8. The condition of the existing drainage system which will take surface water runoff from the development should be investigated before discharge of surface water from the development is made. Any required improvements to the condition of the drainage system should be carried out prior to occupation of the development.

Reason: To secure a satisfactory standard of 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 2019.

9. No part of the development shall be occupied until the unallocated 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.

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

Reason: In the interests of road safety

INFORMATIVE(S)

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

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).

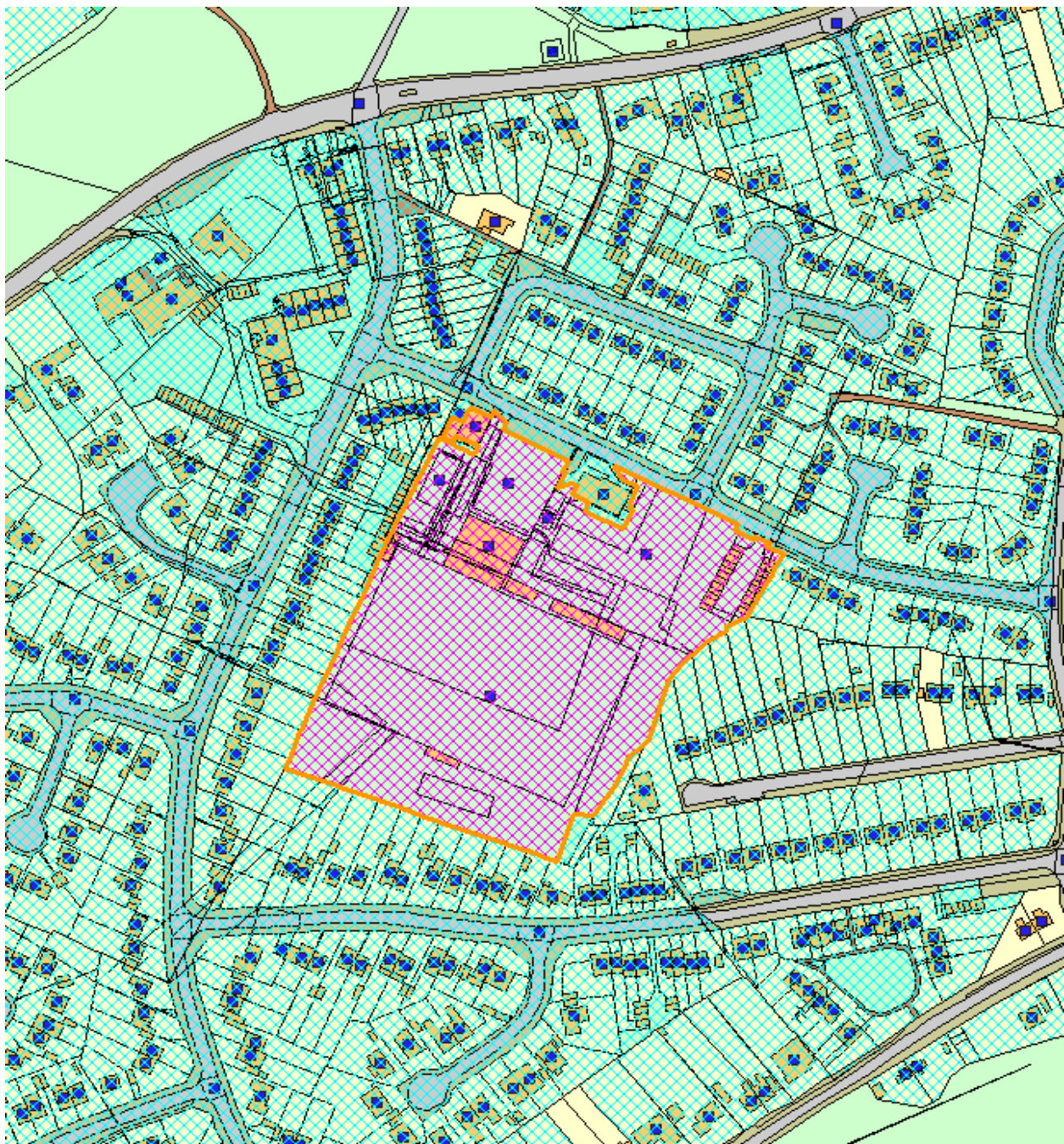
3. The applicant is advised that the erection of temporary directional signage should be agreed with Transport Development Control Team prior to any signage being installed. The applicant should be aware that a Section 171, Highways Act 1980 licence will be required.

4. The applicant will be required to enter into a Section 171 Licence with East Sussex County Council, as Highway Authority, for the minor off-site highway works [remedial works to the adjacent public footway]. 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.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Design & Access Statement	7 January 2019	
Proposed Section(s)	7 January 2019	18062-P-118A
Proposed Elevation(s)	4 March 2019	18062-P-117C
Additional Documents	7 January 2019	18062-P-117A Materials
Proposed Elevation(s)	4 March 2019	18062-P-116B
Proposed Elevation(s)	4 March 2019	18062-P-115C
Proposed Roof Plan	4 March 2019	18062-P-114C
Proposed Floor Plan(s)	4 March 2019	18062-P-113C
Proposed Floor Plan(s)	4 March 2019	18062-P-112C
Proposed Floor Plan(s)	4 March 2019	18062-P-111C
Proposed Layout Plan	4 March 2019	18062-P-110C
Existing Elevation(s)	7 January 2019	18062-P-102A
Street Scene	7 January 2019	18062-P-101A
Existing Layout Plan	7 January 2019	18062-P-100A
Location Plan	4 March 2019	18062-P-001B
Proposed Block Plan	4 March 2019	18062-P-001B

APPLICATION NUMBER:	LW/18/0808		
APPLICANTS NAME(S):	Bedford Park Development	PARISH / WARD:	Ringmer / Ouse Valley & Ringmer
PROPOSAL:	Planning application 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).		
SITE ADDRESS:	Caburn Field Anchor Field Ringmer East Sussex		
GRID REF:			



Supplemental Information

1. A resolution to grant planning approval for this planning application was approved by the Planning Applications Committee on the 20 February 2019 subject to a legal agreement to secure the delivery 23 affordable homes (see para 6.35 below). That decision has not yet been issued. The applicant has been in extensive discussions with Lewes District Council to agree a plan for delivering all 23 homes on-site.

2. The standard procedure for affordable housing to be acquired from a private developer would be for a Housing Association or the District Council to pay a percentage of the open market value of the homes to the developer, usually up to 75% of the open market value, which would be raised by the housing provider's own borrowing facilities. However, neither Lewes District Council nor any of the Housing Associations who work within the District are able to purchase all 23 affordable homes.

3. The majority of housing associations have set a threshold on affordable housing purchases of 25 homes and above. Lewes District Council have been able to negotiate an acceptable purchase price on 11 of the 23 homes, however due to the high open market value of 12 of the homes they are not able to afford to purchase the remaining affordable dwellings.

4. The Section 106 agreement for the planning approval will continue to include a requirement for 23 affordable homes, but will also include a cascade mechanism allowing the Lewes District Council to accept a Commuted Sum payment in lieu of 12 of the affordable homes, which will be used to deliver 12 affordable homes as close to the Caburn Field development as possible.

5. Commuted sums are calculated in a number of different ways, but are subject to viability challenge by an applicant prior to an agreement being made with the Council. A commuted sum payment of £480,000 has been agreed between the District Council and the applicant based upon the following considerations:

a. A valuation report commissioned by Lewes District Council and carried out by the District Valuation Service valued a section of scheme as having capacity for 10 residential units and at a residual land value of £40,000 per plot. For 12 plots of land this would equal £480,000.

b. An appraisal has been undertaken of all of the costs of the District Council purchasing an alternative site developing 12 x 2-bedroom affordable rented homes, with the benefit of the commuted sum.

6. The appraisals showed that a development site purchase and construction of 12 x 2-bed affordable rented homes is viable for District Council to deliver. This would involve the District Council using the £480,000 as a grant to subsidise its total costs for a developing a scheme, the remaining funds would come from borrowing.

7. Therefore it is the view of the Housing Authority that £480,000 is sufficient for Lewes District Council to deliver 12 affordable rented homes on another site or 12 shared ownership homes.

8. It is therefore recommended that paragraph 6.35 point 1 is amended to read as follows -

1. 23 affordable dwellings - mix of accommodation to be agreed with LDC Housing officer, or provision of 11 affordable units on site and a financial contribution of £480,000 to deliver 12 affordable housing units off site.

Original report of the 20 February 2019

1. SITE DESCRIPTION / PROPOSAL

1.1 The site is located in the centre of Ringmer, on the southern side of Anchor Field. The site, which covers an area of approximately 2 hectares, is surrounded by residential development along its east, south and western boundaries. The site currently accommodates Caburn Field (Ringmer Football Club, pitch and pavilion), the rifle club, Council owned garages, open space including skate-park, car park and access road. Adjacent to the site along Anchor Field are the existing 2 storey surgery and single storey pharmacy.

1.2 The site is relatively flat with a very slight slope from SW to NE. The southern and western boundaries are dominated by an extensive conifer hedge in excess of 6m high. There is a more natural native boundary to the east, with some mature trees along the southern edge of the open space.

1.3 The proposal, as originally submitted, was for 96 residential units of which 70 were private and 26 units (flats) were to be affordable. Following negotiations this has now been amended to 77 dwellings, with 54 private and 23 (30%) affordable (consisting of 2 and 3 bed houses). All the buildings on the site will be 2 storey in height, with the large block of flats at the front of the site being replaced with two storey houses.

2. RELEVANT POLICIES

LDLP: – CP11 – Built and Historic Environment & Design

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

LDLP: – CP1 – Affordable Housing

LDLP: – CP14 – Renewable and Low Carbon Energy

LDLP: – RG01 – Caburn Field

LDLP: – RNP62 – Policy 6.2-Affordable Units

LDLP: – RNP74 – Policy 7.4-Outdoor Sports Facilities

LDLP: – RNP91 – Policy 9.1-Design, Massing and Height

LDLP: – RNP92 – Policy 9.2-Housing Densities

LDLP: – RNP98 – Policy 9.8-Housing for Elderly/Disabled

3. PLANNING HISTORY

LW/91/0501 - Variation of Condition 1 attached to planning permission LW/89/1946 to enable the floodlighting column to be maintained in an upright position from 1st Sep to 30th April each year. - **Refused**

E/60/0487 - Outline Application to develop private building estate. - **Refused**

LW/82/1705 - Erection of six sixteen metre high demountable floodlighting columns, each supporting two floodlights. Allowed on Appeal with Restrictive Conditions No.s 1, 2, 5 and 6. - **Refused**

E/58/0049 - Outline Application for residential development. - **Refused**

E/58/0409 - Application for permission to use land as football pitch and agricultural land. - **Permitted Development**

E/57/0378 - Outline Application for residential development. Address continued: 1-19 Sadlers Way & 1-15 Langham Close & Gotelands & Shelleys Gote Lane & 18-55 Harvard Road & 1 Oakmede Way & 1-17 Hayes Close & Brattle & Lovage Lewes Road & Site Part Of 23-31 Anchor Field & Caburn Field Pavilion & Carburn Field & Land Adjacent Car Park Anchor Field & 37 Mill Mead & 34 Mill Road & 2-35 Springett Avenue & 17-27 Langham Close & 10-29 Sadlers Way & 39-61 Harvard Road Ringmer East Sussex BN8 5HJ. - **Refused**

E/57/0531 - Outline Application to erect a maximum of forty dwellinghouses. Amended Plan refused 25/11/1957. & Caburn Field Anchor Field & 5-17 Hayes Close & 6-8 Penn Crescent & 12-31 Harvard Road, Ringmer, East Sussex, BN8 5HJ - **Refused**

LW/18/0808 - 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). -

E/69/0527 - Planning and Building Regulations Applications for spectators enclosure and groundsmans store. Building Regulations Approved. Commenced. - **Approved**

E/71/0885 - Planning and Building Regulations Applications for spectators enclosure and tennis courts and replacement of existing floodlighting system. Building Regulations Approved. Completed. Restrictive Planning Condition No 3. - **Approved**

LW/74/1811 - Outline Application to erect small bore rifle range. - **Refused**

E/64/1101 - Outline Application for residential development at Ringmer Football Field. Restrictive Planning Condition No.5. - **Approved**

E/63/0268 - Planning and Building Regulations Applications for shower baths and sanitary accommodation at football field. Building Regulations Approved. Amended plan Approved 12/09/1963. Completed. - **Approved**

E/64/0940 - Planning and Building Regulations Applications for roofed spectators stand. Building Regulations Approved. Restrictive Planning Condition. Temporary Permission Expires 30/11/1969. - **Approved**

LW/89/1946 - Retention of floodlighting columns in an upright position for the period 1st October to 31st March annually. Restrictive Planning Condition 2. Condition 1 discharged by Enforcement Appeal dated 03/06/99. See File EN/80/179. - **Approved**

E/66/0025 - Outline Application for the erection of changing rooms and toilet facilities. - **Approved**

LW/77/0045 - Planning and Building Regulations Applications for erection of new changing room block including toilets and shower facilities. Building Regulations Approved. Completed. - **Approved**

LW/88/0449 - Planning and Building Regulations Applications for rebuilding rifle clubhouse and range. Building Regs. Approved. Completed. - **Approved**

LW/06/0223 - Extension to stand, trainers boxes, alterations to ticket booth and entrance and portable toilet accommodation - **Approved**

LW/02/1023 - Application to vary conditions attached to permission LW/89/1946 to enable floodlights to be retained permanently in an upright position and illuminated between 7 pm and 9.30 pm on weekdays and not later than 6.30 pm on any Saturday - **Approved**

LW/98/1850 - Deemed Application under section 177(5) of the 1990 Act following the Appeal against Enforcement Notice EN/80/0179 for non compliance with Condition 1 Attached to planning permission LW/89/1946 for retention of floodlighting columns in an upright position for the period 1st October to 31st March annually. - **Approved**

LW/95/0501 - Variation of Condition 1 attached to planning permission LW/89/1946 to enable the floodlight columns to remain in upright position from the 1st September - 30th April in each year - **Refused**

LW/92/0301 - Variation of Cond. 1 attached to planning permission LW/89/1946 to enable the floodlighting columns to remain in upright position from 1st September - 30th April in each year . - **Refused**

APPEAL/83/0026 - Erection of six sixteen metre high demountable floodlighting columns, each supporting two floodlights. - **Allowed**

APPEAL/98/2017 - Appeal against Enforcement Notice EN/80/0179 - non compliance with Condition 1 Attached to planning permission LW/89/1946 for retention of floodlighting columns in an upright position for the period 1st October to 31st March annually. - **Allowed**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Environmental Health – No objection subject to conditions regarding contamination.

ESCC Highways – This HT401 is issued in response to the original documents submitted with the application, including Transport Assessment; additional information including Road Safety Audit and Designers Response and amended plans date stamped 15th and 16th January 2019.

These revised documents include the reduction in the number of dwellings from 96 to 77 and follows extensive discussions between all parties. I am satisfied that the impact of this development [77 dwellings total] can be accommodated on the highway network provided the mitigation measures are carried out.

Thus I do not object to the application subject to highway conditions and a section 106/278 agreement to secure the off-site highway works.

(Full details of the response can be viewed on line).

Housing Needs And Strategy Division – The application at Anchorfield includes a proposal for 23 new affordable homes to be delivered on-site, which will meet a registered need for households requiring two and three bedroomed accommodation in the local area. This site will deliver 30% of the dwellings as affordable housing that falls below the District wide target of delivering 40% affordable housing on-site. The wider benefits being delivered through the scheme have been factored in to assessing the acceptability of delivering less than 40%, including the improvement to local sport facilities and the market housing provision. The applicant approached the Housing Authority at an early stage and included the District Valuation Service in extensive discussions about the design, viability and deliverability of the scheme to ensure the maximum number of affordable homes could be provided.

The Housing Authority finds the amended planning proposal acceptable.

Tree & Landscape Officer Comments – With regards the proposed and revised soft landscaping scheme: The net tree loss appears to exceed the proposed replacement scheme and in any event there is insufficient space for new planting to make up for this loss. The proposed development layout is considered to be too dense and does not, in my view, provide adequate space for soft landscaping. This is an important issue because the revised layout configuration is no real improvement and will result in a harsh urban landscape and this in turn will have a detrimental impact on the appearance of the area for future occupants.

What little planting there is some of it is located within very small gardens, which in themselves provide limited domestic amenity space for the occupants. This limited space would be further eroded by the tree planting in these gardens. Whilst I am quite happy for tree planting to be located in small domestic garden it will be important that these are not included in the plans submitted for approval. This is because the enforcement burden will be too great with the result of residents complaining about a neighbour removing a tree and demanding it is replaced. This would potentially be a divisive mechanism for mischievous neighbours.

The proposal to place some trees in rear gardens will almost certainly result in pressure being brought to bear on the Council to allow lopping, topping or complete removal on the grounds that these trees impact on the reasonable use and enjoyment of the garden spaces.

The revised parking arrangements is not considered to be much of an improvement on the original and it will result in a visually cluttered street filled with parked cars with only a little tree & shrub planting to visually soften the scene. Any small spaces available will, without doubt be used by drivers for additional parking. Not forgetting the absence of spaces for refuse and recycling bins, bicycles and general garden paraphernalia that often makes it way to the front of the property.

It is considered that the palette of tree species used is far too limited in terms of diversity and as a result the tree population will be highly vulnerable to pests and diseases. No doubt the landscape architects were constrained in the design of the soft landscaping scheme but this does not detract from the view that the scheme appears to be uninspired and lacklustre and fails to provide suitable ornament to an otherwise dense urban environment.

It is recommended that where tree planting and soft landscaping is required for a development, particularly if it is for the benefit of the development as a whole, and/or for

the purposes of making the development integrate better with the local environment, such soft landscaping should be located in separate areas, or communal areas and not in the curtilage of domestic properties. This is so that they stand a chance of being retained in the longer term. The maintenance of which should be undertaken by a management company financed by the residents themselves. There should be clear set of objectives drawn up so that it is clear to all residents what is expected and which would make planning enforcement easier and clearer to implement should the need ever arise in the future.

On the subject of maintenance the original application included 'General Maintenance' s 4 of 'Soft Landscape Management & Maintenance Plan RIV 22102 Man Rev A' which is assumed to be applicable for the revised scheme. This suggested that 'Domestic Owners, Bedford Park Development Ltd, ESCC Highways and LDC' will be responsible for maintenance of the some of the soft landscaping subject to agreement. Firstly, LDC will probably not be in a position take on any new responsibilities such as this, I and would think ESCC would be in the same position. The applicants are advised to provide a plan showing management areas for the purposes of clarity and to prevent disputes with future residents.

In the final analysis, the soft landscaping scheme needs to be reconsidered and redesigned - I have contacted the applicant and he has provisionally agreed that the soft landscaping scheme and its associated management plan can be left as a reserved matter. The scheme could be approved subject to conditions.

Natural England – No objection - it is not considered that the proposed development would have any significant adverse impacts on statutorily protected sites.

Sussex Police – No major concerns but additional measures to mitigate against local crime trends should be considered.

Southern Water Plc – No objection subject to condition regarding surface water runoff.

ESCC SUDS – Following our earlier objection on the 21 November 2018, the applicant has submitted revised plans and provided additional information on flood risk and the surface water drainage proposals at the site. Consequently, it is the view of the LLFA that flood risk, both on and off site is capable of being mitigated through the application of suitably worded planning conditions.

Previously we expressed concerns regarding the proposals to culvert the ditch at the south east part of the site, as this ditch intercepts surface water runoff which would otherwise affect surrounding properties. However, it is our understanding that this ditch will be maintained in its existing state and that the adjoining dwellings comprising part of the development will include covenants in the deeds requiring the maintenance and clearance of the ditch. Whilst the proposed covenant is welcomed, we would request a planning condition on any approval granted that secures the appropriate management and maintenance of the ditch. This condition will need to include information on how the occupants of the relevant dwellings will be made aware of their riparian responsibilities, and how the necessary access arrangements to maintain and inspect the ditch will be secured throughout the lifetime of the development. Furthermore, the LLFA may consider whether it would be appropriate to designate the ditch as a flood risk management asset under the Flood and Water Management Act.

The Flood Risk Assessment and our own site investigations confirm an existing outfall into the ditch and the applicant intends to formalise this with a headwall and trash screen, which we would be in support of. We note that the outfall from the ditch into the Southern Water sewer system is a 150mm pipe. To reduce the risk of the ditch flooding adjoining

properties, we request that this is upgraded to a larger diameter pipe, which would require permission from Southern Water. However as previously noted, this ditch is an ordinary watercourse and any works including re-routing of the ditch will require Ordinary Watercourse Consent from ESCC. The LLFA can be contacted on: watercourse.consenting@eastsussex.gov.uk

Due to the complexity of the existing drainage at this site, we request that the applicant undertakes additional surveys of the chamber, the Southern Water system which is connected to the ditch, and any existing drainage which the applicant intends to reuse. This is to ensure that surface water is safely discharged from the site and that the ditch does not present a flood risk to adjoining dwellings.

We previously noted that the proposed drainage system would flood during the 1 in 100 + 40% allowance for climate change event. Following the submission of the requested hydraulic calculations, these issues have now been addressed through increasing pipe sizes and inflow into the drainage system which has eliminated the risk of surface water pooling at the site.

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

1. The principles of surface water management outlined in the Flood Risk Assessment should be taken forward to detailed design and implementation. Surface water runoff rates should be limited to 19.9 l/s and 5.0 l/s for the major and minor parts of the development respectively.
2. The details of the outfall of the proposed drainage system and how it connects into the ditch should be provided as part of the detailed design; this should include cross-sections and invert levels.
3. The condition of the ditch and Southern Water sewer which will take surface water runoff from the development should be investigated before discharge of surface water runoff from the development is made. Any required improvements to the condition of the ditch or sewer should be carried out prior to construction of the outfall.
4. The detailed design should include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely, without increasing flood risk on or off site.
5. 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 the ditch and 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.
 - c) Details on how the relevant occupants will be informed of their riparian responsibilities to maintain the ditch, and details on how access arrangements will be secured throughout the lifetime of the development should be provided to the Local Planning Authority.
6. 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.

7. 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.

Sport England – Sport England objects to the above application as it is not considered to meet our adopted playing fields policy or NPPF Para. 97 for the following reasons: the proposal will result in a quantitative loss of playing field and the proposed replacement facilities (on another site) result in a further loss of playing field and do not provide adequate mitigation for the playing field that will be lost.

(Full comments available to view on line).

Main Town Or Parish Council – Ringmer Parish Council has always supported the principle of redevelopment of Caburn Field for housing, subject to the condition that an alternative football pitch is provided at a suitable alternative location, in accordance with saved policy RG1 of the 2003 Lewes Local Plan. The proposals in the parallel application LW/18/0789 would, if approved, meet that condition. Ringmer Neighbourhood Plan policy 6.4 (RES3) also allocates for residential development for 8 homes two small plots at Anchor Field that are adjacent or close to Caburn Field and included in this application; the derelict former youth club site and the largely redundant Anchor Field garage block. These two plots are owned by Lewes District Council.

However, we are unable to support this application for the following reasons:

1. The excessively high density of the proposed development
2. The negative streetscene impact of the very large affordable housing block
3. The mix of affordable housing units proposed
4. The under-provision of car parking, and the unacceptable consequences of such under-provision at this location on the viability of the Ringmer Shopping Precinct
5. The failure to include provision for the elderly and disabled
6. Inadequate access from the site to Anchor Field
7. Unacceptable loss of public open space and of the Ringmer skateboard park

(Full comments available to view on line)

Parish Council comments on amended plans - Discussion centred on allocated parking provision and loss of public open space and the skateboard park. The Council agreed to support the approval of the application as revised subject to the revision of the parking spaces allocations to provide three allocated spaces (including garage space) for each 4 bed house and two allocated spaces for each 2 bed and 3 bed house, and that the developer offers to hand over the freehold of the remaining public open space and provide an alternative skateboard park being secured by condition.

(A copy of the full response can be viewed on line).

5. REPRESENTATIONS FROM LOCAL RESIDENTS

Responses in relation to the original scheme (96 units) -

Objections

35 notifications raising objections due to - Increased traffic, loss of parking, height of flats unacceptable, loss of play area, overdevelopment of the site, development in excess of the 40 originally proposed, impact on surgery, support is based on the provision of the new pitch, high density, insufficient affordable housing, lack of facilities for the elderly, poor character and scale especially 3 storey block, shortfall of parking against RNP policy,

impact on Earwig corner, inadequate CEMP, not in conformity with Ringmer NP, impact on wildlife, loss of trees will impact on privacy, overlooking, overdevelopment of the village, issues of flooding, crowded development, not sustainable, loss of green space, the site should remain in community use, large blocks out of keeping with surroundings, no evidence of financial viability, impact on schools, inadequate parking on site.

Support

32 notifications of support - what Ringmer needs, need for more family housing, will support local businesses, will lead to new and improved sports facilities within the village which are long overdue, benefit a large amount of people, good location for new housing close to all services, will enrich the community, improve health and wellbeing, well-considered community focused applications, good use of land in the centre of the village, will help the village to grow and keep people in the village.

Responses to the amended scheme (77 units) -

Support – 2 Amended plans meet the needs of the village, cover initial concerns raised by residents.

Object – 1 objection letter on matters of drainage stating that precise mapping should be undertaken, SuDS design should demonstrate emptying under gravity, existing pipe is inadequate diameter, need for regular inspection and maintenance, flood risk higher during construction, need to set up a liaison group especially during construction.

6. PLANNING CONSIDERATIONS

Material Considerations

Overview

6.1 The proposal is to redevelop the site for new housing, a long held aspiration of the Lewes District Local Plan and more recently the Ringmer Neighbourhood Plan. The vast majority of the new housing will be located on the site of the Ringmer Football ground. In order to facilitate this requires the relocation of both the Ringmer FC and the rifle club. Permission has been granted for the construction of new facilities for the rifle club on Cheyney Field (LW/18/0790). Permission for the relocation of the football club to a new 3G all-weather to be constructed within the grounds of Kings Academy has also been issued following referral to the Secretary of State (due to an objection having been received from Sport England) who subsequently Directed the Council to determine the application in accordance with adopted policies.

6.2 The proposal would result in the loss of the small external skate park, currently located on the open space. The developer has agreed to contribute £25,000 towards the relocation of the facility in consultation with the parish council. It will also result in the loss of approximately 0.2 hectares of existing open space, of which approximately 0.13 hectares are poor quality space situated behind the pharmacy in the west and behind the garages to the east.

6.3 The fundamental change to the current proposal is the reduction in the number of units on the site from 96 to 77, and the replacement of the large 3 storey high block of flats,

which was located at the front behind the surgery and which dominated the site, with 11 x 2 bed two storey dwellings.

6.4 A certain quantum of development to facilitate the relocation of the existing facilities to other locations within Ringmer is required.

Policy

6.5 The NPPF sets out a presumption in favour of sustainable development especially where the proposals accord with up-to-date Development Plans (para.11). Amongst other things the NPPF also seeks to ensure that developments and places are well designed, adding to the functioning of an area, are visually attractive, sympathetic to the local character, optimise the potential of a site to accommodate and sustain an appropriate amount and mix of development, and create places that are safe, inclusive and accessible.

6.6 Within the adopted Lewes District Local Plan 2003 Caburn Field was identified under RG1 for residential development to provide a target minimum of 40 dwellings but that no development should take place until replacement playing field of equivalent area and quality is provided elsewhere.

6.7 Within the Lewes District Local Plan (LDLP) Part 2, which has been agreed as a submission document but currently only carries limited weight, this RG1 allocation has been retained, albeit updated with a higher housing figure of 'approximately 90 units'.

6.8 Within the Ringmer Neighbourhood Plan (RNP) this site reiterates the LDC allocation RG1, accepting that the site would be highly sustainable, and a good location to provide for the elderly or people with disabilities, being close to all village facilities. The associated development brief suggests a development for up to 40 dwellings with 16 affordable units, restricting storey height to 2 storey, and should not compromise continued public recreational use of the existing open space. The two parcels of land (council garages and land behind the pharmacy) are identified for residential development under RES3 of the RNP.

6.9 Other policies within both the LDLP and RNP guide issues of design and various standards, and whilst not listed specifically have been taken into account in the assessment of the application.

6.10 Whilst the Council does currently have a 5 year housing land supply it is important to ensure that those sites which are allocated are brought forward to meet the district housing needs. The Parish Council acknowledged that in view of the specific requirements for the football club, identification of an alternative location has proved extremely difficult. Whilst the new location for the football club does not in itself create new playing field space, it would provide a facility in the form of a floodlit 3G pitch that would significantly enhance and encourage sporting activity over what is currently provided on a grass pitch at Anchor Field. With the application for the new football/sports facility not being objected to by the Secretary of State, the development of this site could progress.

Design/Layout

6.11 The scheme will provide 77 dwellings, consisting of 35 x 2 bed and 33 x 3 bed and 9 x 4 bed. This will achieve a density of 38 dwellings/hectare, which is commensurate with the surrounding land use.

6.12 There will be a single point of vehicle access to the site located adjacent to the pharmacy off Anchor Field. The road, which will create a central island, will provide access

to all dwellings and parking areas. The roadway has been designed to accommodate refuse and all service vehicles.

6.13 The development consists of a range of detached, semi-detached, and terrace buildings providing both house and flat accommodation, over two floors. The layout locates properties around the edge of the site surrounding a central square with dwellings along the northern and southern sides. The dwellings are of a traditional form, with clay tiled pitch roofs. A range of design features found in the locality have been incorporated

into the building design, including chimneys, gables, gabled bays, porches, as well as a limited but varied palette of traditional materials incorporating a mix of brick, tile hanging and horizontal boarding, to ensure that the development integrates with the surrounding built form.

6.14 Greater articulation has been achieved both within each of the houses and within the layout as a whole which adds interest to the street scene. The blocks of 3 terraced dwellings have been largely replaced with semi-detached to create a more cohesive design that respects the wider surroundings. The retained apartment block in the north west of the site has also been re-designed to add more interest to the long facade of the building.

6.15 All the dwellings have access to secure cycle storage and refuse storage. Electric car charging will be provided in all properties with garages and associated off street parking spaces as well as a pedestal charger for the visitor space. A condition will be attached to the decision to require all dwellings with off street parking within their curtilage have charging points installed.

6.16 All the dwellings have private rear gardens, ranging in length from 8.2m to 12.5m, providing reasonable external amenity space, which will accommodate refuse and cycle storage. The separation distance between the proposed dwellings and the existing surrounding dwellings is more than sufficient to safeguard residential amenity and privacy.

6.17 The proposed landscaping has been improved with greater emphasis on suitable and more numerous street trees together with enhancement to the boundary planting (which include the removal of the existing conifers).

6.18 All the dwellings comply with the National Spaces Standards. 55% of the dwellings (5 of the ground floor apartments and 37 houses) will comply with Part M4.2 (cat 2) of Building Regulations, which ensures that they will be suitable for the elderly and people with disabilities, and increase the opportunity for residents to remain in the dwellings should their circumstances change.

Sustainability

6.19 All the buildings will be built to ensure that the new homes consume less energy and avoid the need to 'add-ons' to achieve higher sustainability credentials. They will be constructed using the 'fabric first' construction to minimise the need for excessive heating or cooling. The buildings will be highly insulated with high performance windows and doors.

6.20 12 of the dwellings will be fitted with photovoltaic panels on the rear south facing roof slope to provide additional electricity.

6.21 As previously mentioned, electric car charging points will be provided. A condition will be added to the decision notice to require all dwellings with associated off street

spaces have cabling installed to allow future occupiers to install such facilities if they wish/need.

Affordable housing

6.22 The intention is that the application will provide 23 new affordable homes to be delivered on-site, which will meet a registered need for households requiring two and three bedroomed accommodation in the local area. This equates to 30% of the dwellings as affordable housing, falling below the District wide target of delivering 40%.

6.23 The wider benefits being delivered through the scheme have been factored in to assessing the acceptability of delivering less than 40%, including the improvement to local sport facilities and the delivering of market housing provision. The applicant has been in discussion with the Housing Authority from an early stage and included the District Valuation Service in extensive discussions about the design, viability and deliverability of the scheme to ensure the maximum number of affordable homes could be provided as well as delivering the relocation of the existing facilities onto other sites.

6.24 In view of the wider public benefits of bringing this site forward and the improvement of sports facilities locally, together with the form and mix of the affordable housing, it is considered that in view of the support from the Housing Authority, that the current proposal is acceptable.

Ecology

6.25 An ecological assessment was carried out by Aspect Ecology in 2018. The site is not subject to any specific statutory designations. The site is dominated by amenity grassland and therefore the features of ecological importance are limited to the boundary hedgerow and scattered trees.

6.26 There was no evidence of any protected species being present on the site although there is potential, and evidenced, for more common nesting birds and roosting bats to utilise the site. Therefore the report recommends that a series of avoidance, mitigation and compensation measures are employed to ensure that there is no significant harm as a result of the proposal. These will be conditioned.

Drainage

6.27 The Lead Local Flood Authority (LLFA) had originally objected to the application. As a result of that objection the applicant has submitted revised plans and provided additional information on flood risk and the surface water drainage proposals at the site. Consequently, it is the view of the LLFA that flood risk, both on and off site is capable of being mitigated through the application of suitably worded planning conditions. These conditions have been added to the draft decision.
(The full comments from the LLFA can be found in the consultation section of the report).

Highways

6.28 In terms of the impact on the highway, a number of issues have been considered by ESCC.

6.29 In accordance with the NPPF (para 109), the East Sussex County Council and Lewes District Council position is that the cumulative impacts of all development must be mitigated. For a development in this location the junction on which this development causes greatest concern is Earwig Corner. Although the applicant has considered the

impact of the proposed development they have assumed that the Earwig Corner Improvement will be delivered by another development on Bishops Lane under permission LW/14/0127 and ESCC have confirmed that these works to Earwig Corner have been secured through a s106 agreement under that application.

6.30 Having reduced the number of units on this development, the trip rates used for assessing the impact on the proposed access have been shown to be acceptable. A stage 1 Road Safety Audit was satisfactorily carried out by the Auditor and a Designers Response received. The Road Safety Audit did not raise any issues on the aspects of visibility and access to the site.

6.31 In terms of accessibility the site is ideally located close to a range of existing facilities. To improve connectivity a new north bound bus stop with real time passenger information will be provided opposite the existing southbound stop and this will be secured via a financial contribution, together with footway improvement in the immediate vicinity of the site.

6.32 In accordance with ESCC's guidelines a total of 165 parking spaces should be provided. The development would provide 161 parking spaces for the 77 units, thus the site would have a shortfall of 4 parking spaces. Any overspill parking would likely occur on the internal roads which are to remain private. The Highway Authority has considered this to be acceptable provided a robust travel plan is secured through the section 106 Agreement.

6.33 The Travel Plan should include measures such as a car club [or similar] scheme to help reduce the reliance on the private motor car and/or in combination with a School Travel Plan, with a safe walking route between the site and both the Primary school and Ringmer College. Reduced bus/rail fares for a time period, interest free loans for cycles etc for occupants should also be included/considered along with a travel pack for each home upon occupation. It should also include a) targets for the reduction of single occupancy car trips, b) a methodology for monitoring the effect of the TP, c) remedial measures should the targets not be met or be met easily, and d) the TP should be in operation at the time of occupation. The commitment to site travel plans is acceptable as a means of further reducing car borne trips to the site and forms a fundamental highway requirement of this development.

6.34 Overall whilst accepting that some aspects of the development are close to acceptable limits of what would be expected, the scheme offers a reasonable layout that is safe and workable, and thus is acceptable to the Highway Authority.

Section 106

6.35 A legal agreement will be necessary to secure the following:

1. 23 affordable dwellings - mix of accommodation to be agreed with LDC Housing officer
2. Recycling contribution of £1,273
3. £25,000 for skate facility

6.36 Also the following ESCC Highways requirements to be secured by a S106/S278 agreement -

1. New section of footway along the southern side of Anchor Field to connect to the existing footways at each end between the Doctors surgery and No. 18 Anchor Field.

2. Two uncontrolled crossing points in the form of dropped kerbs and/or tactile paving on/across Anchor Field.
3. Uncontrolled crossing points in the form of dropped kerbs and/or tactile paving on Anchor Field across its junctions with Shelley Road and Fairlight Avenue as well as across the access points to the site on Anchor Field.
4. Alterations/improvements to the existing uncontrolled crossing point on Springett Avenue to immediate north of Anchor Field.
5. Improvements to existing southbound bus stop on Springett Avenue to include DDA compliant kerbs and new hardstanding area.
6. Provision of new bus stop northbound on Springett Avenue to include new DDA compliant kerbing, hardstanding area, flag/pole and timetable.
7. Contribution of £12,500 towards provision of one passenger real time information sign in Ringmer.
8. Travel Plan
9. Travel Plan Audit Fee £6,500

Conclusion

6.37 Overall the scheme will provide a well laid out development broadly in accordance with the local plan allocation. It is accepted that the level of affordable housing falls below the threshold of 40% required by policy, however in view of the wider public benefits that would be secured by this development, the proposal is supported by the Council's Housing Officer.

6.38 The reduction in the number of units and the removal of the 3 storey flat block to the front of the site have resulted in a more appropriate form and scale of development the sits comfortably on the site and surroundings without detriment to the wider amenity.

6.39 As such the proposal is considered acceptable and can be recommended for approval.

7. RECOMMENDATION

- 7.1 That planning permission is granted, subject to a S106 agreement to secure the benefits listed in the report, and subject to the following conditions.

The application is subject to the following conditions:

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

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

2. Before the development progresses beyond foundation level details for the provision of electric car charging points and/or cabling for such facilities for all properties with garages or off street parking spaces, as well as those for visitors, shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with that approval prior to the first occupation of the dwellings.

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

3. No external lighting or floodlighting shall be installed on the buildings or the streets hereby permitted without the prior written approval of the local planning authority.

Reason: To protect the amenity and character of the surrounding countryside 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.

4. All works of construction, demolition, deliveries, and general access to the site in connection with this permission shall be restricted to the hours of 0800 to 1800 Mondays to Fridays and 0830 to 1300 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

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

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

6. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [5] and that provision for analysis, publication and dissemination of results and archive deposition has been secured, unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

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

7. No development shall take place, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- o the anticipated number, frequency, type and size of vehicles used during demolition and construction,
- o the method of access and routing of vehicles and all directional signage during demolition and construction,
- o the parking of vehicles by site operatives and visitors,
- o timing of deliveries (which should avoid peak times)
- 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 details of public engagement both prior to and during construction works.
- o address noise impacts arising out of the construction;

- o Demonstrate that best practicable means have been adopted to mitigate the impact of noise and vibration from construction activities;
- o Include details of the use of protective fences, exclusion barriers and warning signs;
- o Provide details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils and fuel;
- o Details of any external security lighting.
- o details of public engagement both prior to and during construction works.

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

8. Prior to the commencement of construction work, a wheel cleaning facility shall be installed at the site in accordance with details first submitted to and approved in writing by the Waste Planning Authority. The approved facilities shall be maintained in full and effective working order at all times and available for use throughout the period of construction works and shall be used by any vehicle carrying mud, dust or other debris on its wheels before leaving the site. No vehicle shall leave the site carrying mud, dust or debris on its wheels.

Reason: In the interests of the amenity of the locality and highway safety 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.

9. Details of how the mitigation and compensation measures set out within the Ecological Appraisal prepared by Aspect Ecology dated August 2018 are to be provided shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved before the dwellings are occupied.

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

10. 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) Further investigation based on Desk study and geo environmental appraisal submitted with the application (Report ref: GE17165-GAR-APR dated 25 April 2018 prepared by Geo Environmental Services Limited) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(b) The site investigation results and the detailed risk assessment (a) 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.

(c) 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.

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].

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].

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].

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

Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

14. The development hereby approved shall not begin on site until replacement facilities for Ringmer FC have been constructed and are available for use.

Reason - to ensure that recreational and sporting facilities are maintained for the benefit of the wider community having regard to Policy CP7 of the LDLP Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

15. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings and excluding residential domestic gardens shall be submitted to and approved in writing by the Local Planning

Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- 1) a scaled plan showing all existing vegetation and landscape features to be retained
- 2) a schedule detailing sizes and numbers/densities of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period.
- 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - a) permeable paving
 - b) tree pit design
 - c) underground modular systems
 - d) Sustainable urban drainage integration
- 3) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
- 4) types and dimensions of all boundary treatments

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

The following British Standards should be referred to:

- a) BS: 3882:2015 Specification for topsoil
- b) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- c) BS: 3998:2010 Tree work - Recommendations
- d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
- e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
- f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- h) BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations
- i) BS: 8601:2013 Specification for subsoil and requirements for use

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate area.

16. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policies ST3 and CP10 of the Lewes District Local Plan and with regard to the National Planning Policy Framework.

17. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority before occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policies ST3 and CP10 of the Lewes District Local Plan and with regard to the National Planning Policy Framework.

18. In the event of the death or destruction of any tree, shrub, hedge to which Condition 16 relates on the site within two years of occupation 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.

19. The principles of surface water management outlined in the Flood Risk Assessment should be taken forward to detailed design and implementation. Surface water runoff rates should be limited to 19.9 l/s and 5.0 l/s for the major and minor parts of the development respectively.

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

20. The details of the outfall of the proposed drainage system and how it connects into the ditch should be provided as part of the detailed design; this should include cross-sections and invert levels.

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

21. The condition of the ditch and Southern Water sewer which will take surface water runoff from the development should be investigated before discharge of surface water runoff from the development is made. Any required improvements to the condition of the ditch or sewer should be carried out prior to construction of the outfall.

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

22. The detailed design should include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely, without increasing flood risk on or off site.

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

23. 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 the ditch and 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.
- c) Details on how the relevant occupants will be informed of their riparian responsibilities to maintain the ditch, and details on how access arrangements will be secured throughout the lifetime of the development should be provided to the Local Planning Authority.

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

24. 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: To secure a satisfactory standard of development having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

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

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

26. No part of the development shall be occupied until the road(s), footways and parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development.

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

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

28. No part of the development shall be occupied until the car parking areas have 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 and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018

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

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

30. No part of the development shall be occupied until such time as the vehicular accesses have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

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

31. 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 and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

32. No part of the development shall be first occupied until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular accesses onto Anchor Field [UC5610] in accordance with the approved plans. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

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

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

Reason: To secure safe and satisfactory means of vehicular access to the site during construction.

34. 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.

35. Before the development hereby permitted is commenced on site, details of the facilities for the storage and removal of refuse from the premises shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that approval. The storage facilities shall be located at the rear of the dwellings.

Reason: To secure a proper standard of 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.

36. No development shall take place until the replacement sports facility for Ringmer FC, approved under LW/18/0789, has been constructed and is available for use.

Reason: To ensure that sports/community facilities are safeguarded for the benefit of the wider community having regard to Policy CP7 of the Core Strategy and to comply with the National Planning Policy Framework 2018.

37. Notwithstanding the submitted plans, an amended plans to show the parking layout amended to relocate all visitor parking away from the front of the dwellings, and the spaces shall be allocated and numbered for each individual dwelling, shall be submitted to and approved in writing by the LPA and no part of the development shall be occupied until the car parking areas have 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 and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018

INFORMATIVE(S)

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

2. The developer is advised to consider ways of reducing contributing causes of climate change including proposals for the implementation of the highest feasible standards of sustainable construction techniques and the use of low carbon and renewable energy installations within the development.

3. 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.

4. The applicant will be required to enter into a Section 278 legal agreement with East Sussex County Council, as Highway Authority, for the off-site highway works. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

5. The applicant's attention is drawn to the requirement for the temporary access to the site [see conditions above]. Whilst there are two access points which the applicant may wish to use for construction vehicles, one access in its present form is not adequate and would require alterations/improvements for construction vehicles and the other currently serves the public car park.

6. 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).

7. 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.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Other Plan(s)	14 January 2019	110.04
Proposed Elevation(s)	14 January 2019	120.07
Proposed Elevation(s)	14 January 2019	120.15
Proposed Elevation(s)	14 January 2019	120.16
Design & Access Statement	14 January 2019	Addendum
Proposed Floor Plan(s)	14 January 2019	120.71
Proposed Elevation(s)	14 January 2019	210.72
Proposed Elevation(s)	14 January 2019	210.73
Proposed Elevation(s)	14 January 2019	210.74
Proposed Elevation(s)	14 January 2019	210.75
Proposed Floor Plan(s)	14 January 2019	150.01
Additional Documents	14 January 2019	FRA-001
Additional Documents	14 January 2019	FRA-01
Additional Documents	14 January 2019	FRA-01
Additional Documents	14 January 2019	FRA-01

Additional Documents	14 January 2019	perspective
	10 October 2018	10.01
Proposed Layout Plan	14 January 2019	110.02
Other Plan(s)	14 January 2019	110.03
Proposed Layout Plan	14 January 2019	110.05
Proposed Floor Plan(s)	14 January 2019	120.01
Proposed Elevation(s)	14 January 2019	120.02
Proposed Elevation(s)	14 January 2019	120.03
Proposed Elevation(s)	14 January 2019	120.04
Proposed Elevation(s)	14 January 2019	120.05
Proposed Elevation(s)	14 January 2019	120.06
Proposed Floor Plan(s)	14 January 2019	120.11
Proposed Elevation(s)	14 January 2019	120.12
Proposed Elevation(s)	14 January 2019	120.13
Proposed Elevation(s)	14 January 2019	120.14
Proposed Floor Plan(s)	14 January 2019	120.21
Proposed Elevation(s)	14 January 2019	120.22
Proposed Elevation(s)	14 January 2019	120.23
Proposed Floor Plan(s)	14 January 2019	120.31
Proposed Elevation(s)	14 January 2019	120.32
Proposed Elevation(s)	14 January 2019	120.33
Proposed Floor Plan(s)	14 January 2019	120.41
Proposed Elevation(s)	14 January 2019	120.42
Proposed Floor Plan(s)	14 January 2019	120.51
Proposed Elevation(s)	14 January 2019	120.52
Proposed Floor Plan(s)	14 January 2019	120.61
Proposed Elevation(s)	14 January 2019	120.62
Proposed Elevation(s)	14 January 2019	120.63

Proposed Floor Plan(s)	14 January 2019	130.01
Proposed Elevation(s)	14 January 2019	130.02
Street Scene	14 January 2019	140.01
Street Scene	14 January 2019	140.02
Street Scene	14 January 2019	140.03
Design & Access Statement	10 October 2018	PART 1
Design & Access Statement	10 October 2018	PART 2
Additional Documents	10 October 2018	GEO ENVIRO REPORT PART 1
Additional Documents	10 October 2018	GEO ENVIRO REPORT PART 2
Additional Documents	10 October 2018	GEO ENVIRO REPORT PART 3
Additional Documents	10 October 2018	HEADS OF TERMS
Additional Documents	10 October 2018	INDICATIVE PERSPECTIVE
Additional Documents	10 October 2018	SOCI APPENDIX 1
Planning Statement/Brief	10 October 2018	PLANNING STATEMENT
Additional Documents	10 October 2018	STATEMENT OF CI
Tree Statement/Survey	10 October 2018	TOPOGRAPHICAL SURVEY LAYOUT 1
Tree Statement/Survey	10 October 2018	TOPOGRAPHICAL SURVEY LAYOUT 2
Additional Documents	10 October 2018	ECOLOGICAL APPRAISAL

Report to	Planning Applications Committee
Date	3 April 2019
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/18/03306/FUL
Applicant	Mr Chris Morrell
Application	Erection of new 2-bedroom detached dwelling on land adjacent to Holdings Farm (amended plans).
Address	Holdings Farm The Street Kingston Lewes East Sussex BN7 3NT

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

On balance, approval is recommended.

1 Site Description

1.1 The application site is located on the southern side of The Street, within Kingston village, opposite The Juggs public house. The site is occupied by a semi-detached dwelling which has been extended to the side and which was originally built in the early 1970s. The property has a relatively shallow back garden and a larger garden area to the side, adjacent to the driveway alongside Holdings Old Farmhouse, which is Grade II Listed.

1.2 The property is not part of an agricultural use or farm. There is a continuing agricultural use behind the application site, but this is now separate.

1.3 The existing house is not listed, but it is situated within the Kingston Conservation Area and is within the South Downs National Park (SDNP) designation. The site lies within the designated Planning Boundary for the village.

2 Proposal

2.1 The application seeks planning permission to build a detached dwelling house within a plot formed by the side garden of the existing house.

2.2 The plot is to be 10m in width and 30m from front to back, including the parking area proposed in front of the side extension to the existing semi-detached dwelling.

2.3 The proposed dwelling would align with the front elevation of the existing house, and would be set back from the façade of neighbouring Holdings Old Farmhouse. The new dwelling would be between 5.5m and 7.1m in width and 11.7m from front to back. The development would retain a gap of just under 2m to the site boundary with Holdings Old Farmhouse to the west, and retain a gap of 4m between the new dwelling and the existing house, Holdings Farm to the east. The back garden to the proposed development would be approximately 5m in length.

2.4 The proposed configuration of the dwelling is to be bedroom and bathroom on the ground floor with open plan kitchen, living and dining room at the rear; and a master bedroom with en-suite on the first floor. The majority of the first floor space is proposed to be a high-ceilinged space over the rear living areas on the ground floor.

2.5 In terms of elevations, the dwelling would have a pitched roof with barn-ends front and rear, and the eaves height would be a single storey level, lining up with those of the existing house, Holdings Farm and the eaves height sitting below the hedge to the boundary with Holdings Old Farmhouse. The entrance to the property is to be on the side elevation and there would be two windows on the front elevation, a single rooflight on the easterly roof slope and the westerly roof slope, with patio doors and a window on the rear elevation.

3 Relevant Planning History

SDNP/14/05956/DCOND - Discharge of condition 2 relating to planning approval

SDNP/14/00638/HOUS. Approved 10 December 2014.

SDNP/14/00638/HOUS - Erection of a two storey side extension. Approved 9 April 2014.

SDNP/14/04289/DCOND - Discharge of conditions 1 and 3 relating to planning approval

SDNP/14/00638/HOUS. Approved 2 September 2014.

E/70/0689 - Semi-detached house with garage. No objection.

E/68/0245 - Proposed new farmhouse. No objection.

4 Consultations

Parish Council Consultee

Kingston Parish Council objects to this Application.

Planning Applications for future development within the Kingston Conservation Area are assessed with reference to a number of documents including the April 2007 Kingston Conservation Area Character Appraisal (KCACA) which was specifically prepared to provide a firm basis for assessments (section 2.3). We are also mindful of the strategic policies in the draft South Downs National Park Authority (SDNPA) Local Plan. Considering these reference documents, our objection is based on the following concerns:

1. The proposed development would create further infill on the land surrounding Holdings Old Farmhouse whereas Section 1.2 of the KCACA recommends that the conservation area is protected from further infill development,

2. The proposed development would be on the main garden area of the dwelling Holdings Farm whereas Section 8.1 of the KCACA recommends that generally there should be a presumption in favour of retaining existing gardens,

3. Were the development to take place, the size of the existing garden of Holdings Farm would be hugely reduced and the new dwelling would also have limited garden space with the front largely taken up by car parking and the rear space being very modest. These changes would be inconsistent with Section 5.32 of the SDNPA Local Plan which states that high quality garden space should be provided for residential occupiers of a size and nature that benefits future occupiers' needs, for example families with children,

4. The proposed new house would be constructed of horizontal unpainted wood cladding with a zinc roof whereas Section 8.2 of the KCACA recommends that the District Council should ensure that all buildings and extensions include traditional materials, particularly flint, brick, handmade clay tiles and traditional details.

5. The proposed development would be inconsistent with the character of the conservation area. As noted in Section 1.1 of the KCACA, an important characteristic of the Kingston Conservation area is the spacious plots on which properties stand and under the proposed development much of the existing plot space around Old Holdings Farmhouse and Holdings Farm would be lost

6. Section 1.1 of the KCACA emphasises the importance of the views of the Downs from the Conservation area, whilst Policy SD6 of the draft SDNPA Local Plan is intended to ensure that any development does not harm views or landmarks. One particularly valuable view is from the east end of The Street approaching the Juggs public house where an exceptional view of the South Downs may be seen to the South West. The proposed development would be inconsistent with these objectives as it would block that view along with the view of Old Holdings Farmhouse. Views from the Street would be further degraded by the sight of additional cars parked in front of the new dwelling as well as cars in front of the Holdings Farm, both on the Street and in the frontage of the house.

7. The proportions and positioning of the chimney for the new dwelling, which is presumably intended to complement the existing tall chimney on Holdings Old Farmhouse, are intrusive and not sympathetic to the overall character of the area or with majority of chimneys along The Street. These are generally modest compared to the size of the buildings. In addition, due to its height there is a strong likelihood that during prevailing westerly wind conditions, fumes from the chimney would be blown through the windows on the first floor of Holding Farm. This could only be avoided with either a higher chimney which would be even more intrusive, or no chimney at all, which would result in the dwelling having more of an industrial character.

8. The new dwelling would create additional traffic and congestion on the Street on the already busy area opposite the Juggs Public House,

9. The principle set out in Policy SD15 of the draft SDNPA Local Plan, and elsewhere, is that any development within a conservation area should preserve and enhance that conservation area. KPC submits that the proposed development meets neither of these tests.

A letter has also been received separately from the Lead Councillor for planning at Kingston Parish Council, criticising the handling of the application and raising further objections.

LE - Design and Conservation Officer

[11 March 2019]

Objection

A consultation response was previously written in support of the application. However, further review of the Kingston Conservation Area has concluded that, on balance, an infill development would not be appropriate on this plot.

The setting of the adjacent listed building is not considered to be adversely affected by the proposal for a new dwelling in this location. While the listed building was originally a farm house with large spaces surrounding it, the adjacent plots have since been developed to result in the listed building sitting within an immediate and predominantly residential setting. For this reason, the addition of a single additional dwelling is not considered to have a significant impact on the listed building.

The design of the proposed new building has been amended through the application process; it is of a smaller scale while still trying to emulate the agricultural history of Kingston. The appearance of the building and materials is considered to not be out of keeping. It has been designed to appear

as a small agricultural outbuilding on the site, using typical agricultural building materials found elsewhere within Kingston; a darker palette to evoke the traditional Sussex barn aesthetic.

The Kingston Conservation Area details the strong positive impact of the informal layout of houses and that it should be "[protected] from further infilling". The garden sizes within the Conservation Area do vary with the arrangement of houses in the centre having smaller garden plots. Holdings Farm is located to the East of the centre where the garden plots start to become more noticeably larger. Previously, the closeness of the plot to the centre of the Conservation Area with the slightly reduced plot sizes was considered to provide justification for a new infill development in this location.

However, it is now, on balance, considered to negatively impact the Conservation Area by reducing the size of the one of the remaining larger plot sizes.

[27 July 2018]

No objection

The application seeks consent to build a new 3-bedroom dwelling in the garden of a property within the Kingston Conservation Area. There are two adjacent properties that are Grade II listed. The Kingston Conservation Area Appraisal notes there have been many infill developments within Kingston which do not make a positive contribution to the rural appearance of the area and they also result in loss of open and green spaces between buildings. During pre-application advice, the previous Conservation Officer noted the initial proposed design was too large for the space and it emulated the modern architectural style of the adjacent property which itself was not a positive contribution towards the surrounding area.

The existing design is of a smaller footprint and is in an agricultural barn style. The existing design is considered to be of an appropriate size for the available space and the style of the building reflects the agricultural history of Kingston. Therefore, no objection is given as the new design is thought to have addressed the points raised during pre-application advice and is a sympathetic development to the surrounding area.

ESCC - County Archaeologist

No objection

Subject to conditions requiring a Written Scheme of Archaeological Investigation and submission of a post investigation assessment for subsequent approval.

The proposed development is within an Archaeological Notification Area defining the historic core of the medieval and post-medieval village of Kingston. The site lies adjacent to the main historic street of the village and is located next to a 17th century (or earlier) former farmhouse. This site therefore has a very high potential to contain buried archaeological remains. In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works, to be either preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss. These recommendations are in line with the requirements given in the NPPF.

5 Representations

Representations have been received from Holdings Old Farmhouse (The Street); and Kingsbrook Farm, objecting to the application for the following reasons:-

The new house would be built in the side garden of Holdings Farm.
Prominent, raised position.

Negative impact on street scene.
 Adverse impact on setting of listed building.
 Adverse impact on rural character.
 Out of character with the vernacular.
 Will not reinforce local distinctiveness.
 Views of South Downs open up and will be blocked.
 Will not preserve character and appearance of the Conservation Area.
 Overshadowing.
 Overlooking.
 Intrusive.
 Infilling.
 Enlarged parking area.
 Impact on dark skies.
 Contrary to Kingston Conservation Area Character Assessment, adopted in 2007.
 Contrary to policies SD6 and SD15 of emerging South Downs National Park Local Plan and policy H2 of Lewes District Local Plan.
 Neighbours have a right to draw water from the application site.
 Drains and electricity supply for the adjoining farm go through the application site.
 Excavations may require re-routing a below ground water course and well.
 Flood risk.
 Historic below-ground wall will need to be investigated.

6 **Planning Policy Context**

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

- South Downs National Park Local Plan - Submission 2018
- Lewes District Council - The Core Strategy (Local Plan Part 1) 2014
- National Planning Policy Framework

Other plans considered:

-

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 **Page 53** 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 - Conserving and enhancing the historic environment

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

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

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

The following policies of the **South Downs National Park Local Plan - Submission 2018** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD6 - Safeguarding Views
- Strategic Policy SD8 - Dark Night Skies
- Development Management Policy SD13 - Listed Buildings
- Development Management Policy SD15 - Conservation Areas
- Development Management Policy SD16 - Archaeology
- Strategic Policy SD17 - Protection of the Water Environment
- Strategic Policy SD19 - Transport and Accessibility
- Strategic Policy SD20 - Walking, Cycling and Equestrian Routes
- Development Management Policy SD22 - Parking Provision
- Strategic Policy SD26 - Supply of Homes
- Strategic Policy SD27 - Mix of Homes

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
- CP10 - Natural Environment and Landscape
- CP11 - Built and Historic Environment and Design
- CP13 - Sustainable Travel
- SP2 - Distribution of Housing

The following policies of the **National Planning Policy Framework** are relevant to this application:

- NPPF - Conserving and enhancing the historic environment

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 Draft South Downs National Park Local Plan

The Pre-Submission version of the **South Downs Local Plan** (SDLP) 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. The Local Plan process is in its final stage before adoption with consultation on relatively minor Main Modifications from 1st February 2019 to 28th March 2019. Based on the very advanced stage of the examination the draft policies of the South Downs Local Plan can be afforded significant weight.

8 Planning Assessment

8.1 The principal considerations in the determination of the application include the principle of development; design and impact on the Conservation Area and the setting of the neighbouring listed building; residential amenity; and accessibility and sustainable transport.

8.2 The comments received from both the Parish Council and from third parties have been taken into consideration and the issues raised are covered in the below assessment.

Principle

8.3 The application site is presently part of the side and rear garden to the existing house. As such, the proposal to sub-divide the plot and construct a new dwelling is infill development.

8.4 The site lies within Kingston Conservation Area for which a Kingston Conservation Area Character Appraisal was produced in 2007 identifying some of the defining characteristics of the Conservation Area to be its informal layout of houses and cottages and other outbuildings main associated with agriculture and having spacious plots. The appraisal goes on to state that the Conservation Area should be protected from further infilling, particularly as the historic layout has been eroded from the 1960s onwards by modern infill development, leading to the incremental infilling of gardens and open space. Policy SD15 of the SDNP Local Plan which states that development proposals within a Conservation Area, or within its setting, will only be permitted where they preserve or enhance the special architectural or historic interest, character or appearance of the Conservation Area.

8.5 The Conservation Adviser has raised concerns which echo the content of the Kingston Conservation Area Character Appraisal, namely that the informal layout of existing houses should

be protected from further infilling. Previously, the Conservation Adviser considered that the closeness of the plot to the centre of the Conservation Area, where plot sizes are smaller, was sufficient to support a new infill development in this location, however, on balance an objection has been raised due to the application site being one of the remaining larger plot sizes. No objection is raised to either the design or appearance of the proposed dwelling.

8.6 Notwithstanding the objection from the Conservation Adviser, it is noted that the existing dwelling which occupies the application site, Holdings Farm, is itself a modern infill development, having been built in the early 1970s. As such the plot in which the existing property sits is not representative of the historic layout of the Conservation Area and has not come about as a result of the agricultural heritage of the village but rather it is a modern plot which the applicant seeks to sub-divide. On balance therefore, it is considered that the development is acceptable in principle.

8.7 Consideration must also be given to policy SD26 of the Local Plan for the National Park, "Supply of Homes", states that the national planning authority must make overall provision for approximately 4,750 net additional new homes over a 19 year period between 2014 and 2033, and eleven new homes are required in Kingston village. The proposed development will contribute one new dwelling within the Planning Boundary, reducing the burden elsewhere in Kingston village.

8.8 Policy SD27 of the SDNP Local Plan identifies a demand of 40% for 2-bedroom market dwellings. The proposed dwelling has been reduced from 3-bed to 2-bed and would achieve this policy objective.

8.9 In terms of the Lewes District Local Plan Part One: Joint Core Strategy, the proposed development meets in principle the requirements of the key countryside policy CT1 because the site is within the defined Planning Boundary for the village and will not result in new development sprawling into the open countryside around the village.

8.10 In principle therefore the proposed development for a 2-bedroom dwelling within the Planning Boundary of Kingston village meets the requirements of policies SD26 and SD27 of the SDNP Local Plan and is compliant with retained policy CT1 of the Lewes District Local Plan Part One. The impact of the scheme on the historic layout and pattern of development within the Kingston Conservation Area is a significant consideration, but owing to the site being relatively modern in itself, further sub-division of the plot would not have a significant adverse impact on the historic layout of dwellings in the Conservation Area.

Design and impact on Conservation Area and setting of neighbouring listed building

8.11 The existing house within the site was built in the late 1960s and represents the type of modern infill development criticised by both the Parish Council, neighbouring residents and the Kingston Conservation Area Character Appraisal 2007. The existing plot is not therefore a result of the historic development of the village over time, but the further sub-division of a relatively modern piece of land.

8.12 As with all development proposals of this nature it is necessary to look at the proportions of the proposed development and the scale, in order to form a view as to whether the development can be accommodated within the site without appearing incongruous or unduly dominant in the street scene.

8.13 In this particular case, having initially been advised that the planning application would not be supported by the case officer, the applicant has produced revised drawings resulting in a dwelling that would not breach the building line set by the existing houses and that has been reduced in scale and height with eaves lining through with those of the existing house and going from a 3-bed dwelling to a 2-bed dwelling. The design and form, with low eaves level and tall pitched roof with barn ends front and rear, pays homage to the nature of agricultural and other outbuildings and is considered to be appropriate and whilst, through planting at the front of the site, the new dwelling would be visible, the applicant has sought to minimise the visual impact of the development and to respect the layout of neighbouring properties by setting the new dwelling

back from the street and ensuring there is space on both side of the property to prevent the development from being built to edges of the plot.

8.14 In terms of the external materials and finishes, it is noted that the Kingston Conservation Area Character Appraisal suggests that the use of non-traditional materials in new development should be resisted, and should development which would impinge on the street scene.

8.15 It is contended that for the above reasons the new dwelling would not impinge on the street scene and the proposed use of stained timber for the walls of the dwelling is a traditional material used in rural areas. The proposed standing seam zinc roofing is less traditional, but would be grey in colour and no objection has been made by the Council's Conservation Specialist with respect to the external finishes.

8.16 The dull colouring and traditional use of timber should assist the roof of the property blending in with the sky and the use of timber is traditional in the construction of rural agricultural buildings and outbuildings. The precise shade of staining can be agreed by condition, and over time will lighten due to weathering.

8.17 The Conservation Officer did not raise an objection to the initial proposals before the scheme was amended and reduced in scale and set further back from the street, stating the design is considered to be of an appropriate size for the available space and the style of the building reflects the agricultural history of Kingston. The amendments to the application go further than this by reducing the scale more and setting the building further back from the street. Indeed the Conservation Adviser states that the design of the proposed new building has been amended through the application process; it is of a smaller scale while emulating the agricultural history of Kingston. The appearance of the building and materials is not considered to be out of keeping. The new dwelling has been designed to appear as a small agricultural outbuilding on the site, using typical agricultural building materials found elsewhere within Kingston; a darker palette to evoke the traditional Sussex barn aesthetic. In view of there being no objection to the proposed development from the Conservation Adviser in respect of the design and appearance of the proposed dwelling, and the fact the plot of land was created in the early 1970s, it is considered that the proposals are compliant with paragraphs 184 and 193 of the National Planning Policy Framework 2019.

8.18 In terms of views between the existing house and Holding Old Farmhouse of the distant downland setting and Kingston Ridge, which rises up to form an attractive backdrop to views from within Kingston village, not only from within the Conservation Area, the reduced height and scale of the proposed dwelling ensures that any adverse impact on these views will be mitigated, and indeed from the various viewpoints from within the Conservation Area, the limited obstruction to view from certain standpoints would not have a significant adverse impact on the third parties' experience of passing through the Conservation Area. In these respects it is considered that the proposals meet the objectives of policy SD6 of the SDNP Local Plan.

8.19 The setting of the adjacent Grade II listed building, Holdings Old Farmhouse, is not considered to be adversely affected by the proposal for a new dwelling in this location. While the listed building was originally a farm house with large spaces surrounding it, the adjacent plots have since been developed to result in the listed building sitting within a much more close knit residential setting. For this reason, the addition of a single additional dwelling is not considered to have a significant impact on the listed building. In this respect the Conservation Adviser raises no objection.

Residential amenity

8.20 Both the proposed dwelling and the existing house will continue to benefit from private and useable amenity space in the form of back gardens. The new dwelling has been designed with only two rooflights and all windows to be front and rear facing, thereby negating any overlooking or loss of privacy to neighbouring residents. The internal floor area of the new dwelling is sufficient to provide adequate circulation and living space for future occupiers.

8.21 In this residential location, characterised also by agricultural uses and rural business, the activities associated with a single new dwelling of 2-bedrooms should not result in undue disturbance or a significant adverse impact on amenity.

8.22 In respect of policy SD8 of the SDNP Local Plan, it is noted that only two rooflights are proposed to the new dwelling, an in comparison with any light emitted at night time by existing neighbouring properties, which have a higher number of windows and openings, the overall impact on Dark Night Skies will be negligible.

Accessibility and Sustainable Transport

8.23 In terms of accessibility to sustainable transport it is noted that the application site is close to a bus stop at the bottom end of The Street which is served by buses travelling between Newhaven and Lewes, in which both towns also have a mainline railway station for connections. There is a public footpath between Kingston and Lewes near to the application site, and there is also a cycle lane along the C7 between Kingston and Lewes. There are no shops or services within the village itself, aside from The Jugs public house. However, future residents of the new dwelling will not need to be solely reliant on private car use for all of their journeys. In view of this, the provision of a single off-street car parking space for this 2-bedroom dwelling is considered to be acceptable.

Archaeology

8.24 The comments from interested parties have been noted, particularly in relation to an underground water course and a below-ground wall. Whilst matters such as the position of electricity cables and pipework beneath the site will need to be managed privately by the developer and the statutory undertakers of those utilities, neighbours' rights to draw water from the site will also need to be resolved privately between the developer and those neighbouring residents. Such private agreements are no impediment to the grant of planning permission in themselves.

8.25 The County Archaeologist has not raised an objection to the proposed development, subject to a condition requiring a Written Scheme of Investigation detailing a programme of archaeological works. These works are likely to uncover historic artefacts, including any below-ground walls. Depending on these findings it is fair to say that the viability of constructing the dwelling may come into question, but in themselves do not give cause to refuse planning permission in themselves.

9 Conclusion

9.1 In view of the above, on balance it is recommended that planning permission is 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. No development shall take place above ground level until samples of all external materials and finishes to the development, including the fenestration, rainwater goods, soffits and eaves, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details/samples.

Reason: To ensure a satisfactory appearance to the development in keeping with the locality having regard to retained policies ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, Policy SD5 of the South Downs National Park Local Plan submission version, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

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

Reason: To enhance the general appearance of the development having regard to retained policy ST3 of the Lewes District Local Plan and Core Policies 10 and 11 of the Lewes District Local Plan Part One: Joint Core Strategy, Policy SD5 of the South Downs National Park Local Plan submission version and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

3. All hard and soft landscape works shall be carried out in accordance with details to be submitted and approved by the local planning authority and provided prior to the first residential occupation of the new dwelling hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enhance the general appearance of the development having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, Policy SD4 of the South Downs National Park Local Plan submission version, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

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

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

5. The residential unit hereby approved shall not be occupied until the car parking area has been provided in accordance with the approved plans. This area shall be retained as such thereafter and not used other than for the parking of motor vehicles used by occupants of, and visitors to, the development hereby permitted.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, and in the interests of safeguarding amenity in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, Policy SD22 of the South Downs National Park Local Plan submission version, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

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

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

7. No development shall be carried out until a Construction Traffic Management Scheme has been submitted to and approved by the Local Planning Authority. This shall include details of the locations for the parking of contractors' and delivery vehicles, and the locations for the stationing of plant/machinery and materials clear of the public highway.

Reason: In the interests of highway safety having regard to retained policy ST3 and Core Policies 11 and 13 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

8. Notwithstanding the provisions of the Town and Country (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development as described in Schedule 2, Part 1 (all Classes) or Part 2 Class A (gates, fences, walls etc.) other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing in an application on that behalf.

Reason: Further extensions, alterations and a more intensive development of the site would be likely to adversely affect the appearance and character of the development, the area and neighbour amenity, having regard to retained policies ST3 and Core Policies 10 and 11 of the Lewes District Local Plan Part One: Joint Core Strategy, Policies SD5 and SD15 of the South Downs National Park Local Plan submission version and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

9. The dwelling shall not be occupied as such until a drainage system has been put in place to prevent surface water run-off from entering the highway and provision is made to direct run-off water from the land to a permeable or porous area or surface within the curtilage of the dwelling. The drainage system shall be maintained as such thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In order to minimise the risks of flooding and in the interests of neighbour amenity, in accordance with retained policy ST3 and Core Policies 11 and 12 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework 2012.

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

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and policy SD16 of the South Downs National Park Local Plan submission version.

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

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and policy SD16 of the South Downs National Park Local Plan submission version.

12. The overall height of the new dwelling hereby permitted, to the ridge of the main roof, shall be no less than 200mm below the height of the eaves to the existing dwelling, known as Holdings Farm, in accordance with approved drawing no. 0842-PR-02 Rev P3 received 20 February 2019.

Reason: To ensure a satisfactory appearance to the development in keeping with the locality having regard to retained policies ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, Policies SD5 and SD15 of the South Downs National Park Local Plan submission version, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

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

Tim Slaney
Director of Planning
South Downs National Park Authority

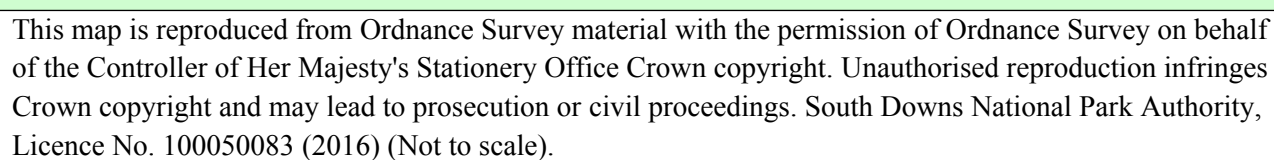
Contact Officer: Chris Wright
Tel: 01273 471600
email: Christopher.wright@lewes-eastbourne.gov.uk

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

SDNPA Consultees

Background Documents

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 -	0842-BL-01-P3		20.02.2019	Approved
Plans -	0842-PR-01-P3		20.02.2019	Approved
Plans -	0842-PR-02-P3		20.02.2019	Approved
Plans -	0842-PR-03-P3		20.02.2019	Approved
Plans -	0842-PR-04-P3		20.02.2019	Approved
Plans -	0842-PR-05-P3		20.02.2019	Approved
Plans -	0842-PR-06-P3		20.02.2019	Approved
Plans -	0842-PR-07-P3		20.02.2019	Approved
Reports -	DA ADDENDUM- P1		20.02.2019	Approved

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

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Report to	Planning Applications Committee
Date	3 April 2019
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/18/06575/FUL
Applicant	Mr Thomas
Application	Construction of an earth banked farmyard manure store
Address	Lower Tulleys Wells Farm Beechwood Lane Cooksbridge BN7 3QG

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

Executive Summary

1 Site Description

1.1 The application site lies to the west of Cooksbridge Village, north of the C6 (Beechwood Lane). The proposed location of the development is a field which forms part Lower Tulleys Wells Farm, a long established 206 acre dairy farm. The site is immediately adjacent to the existing farmyard located off Beechwood Lane, which currently contains three barns and the milking parlour. The site boundary mainly consists of low hedging, with the farmyard forming the southern boundary. A public right of way runs adjacent to the eastern boundary.

1.2 The site is outside of the Cooksbridge planning boundary and is rural in nature. There are three residential properties immediately adjacent to the existing farmyard, one of which is the farmhouse associated with Lower Tulleys Wells Farm.

2 Proposal

2.1 The proposal is seeking permission for the construction of a 25m x 35m earth-bunded farmyard manure store in the south-eastern corner of the field. The manure store would be capable of storing 2450m³ of manure, which is sufficient for the needs of the current farm, and for the proposed increase in the number of cattle that the farm is anticipating.

2.2 This application has been called in to committee by Councillor Linington.

3 Relevant Planning History

SDNP/18/05048/APNW - Construction of an earth banked farmyard manure store - Planning Permission is required

SDNP/16/01129/APNW - Construction of a clay-lined, horseshoe-shaped bank/storage area as a farmyard-manure store - Planning Permission is required

LW/07/0706 - Conversion of cart shed and store to holiday accommodation (formerly ancillary residential) - Refused

LW/06/0019 - Agricultural Determination to replace redundant barn with milking parlour - Details Not Required

LW/05/0869 - Application for determination of prior approval in respect of the erection of a straw barn - Details Not Required

LW/91/0569 - Erection of a covered cattle yard (existing to be demolished) - Approved

LW/80/0446 - Planning Application for portal framed covered cattle yard - Approved

4 Consultations

Parish Council Consultee

Hamsey Parish Council does not object to this planning application for a farmyard manure store, and associated landscaping scheme, on the basis that anticipated herd growth will be from 90 to 120-130 cows, necessary for keeping the farm viable and within capacity for existing infrastructure. The storage is not for farm yard manure in liquid form (slurry). HPC notes that the Environment Agency advised and approved these plans and their letter dated July 2018 (registered on application) indicates that provision of this FYM storage is required for the farm to comply with current regulations.'

LE - Environmental Health

Comments awaited.

Environment Agency (STAT)

No objection

ESCC - Flood Risk Management Team

No Objection

East Sussex County Council

Comments awaited.

5 Representations

One letter of support has been received on the grounds of improved amenity of the public rights of way due to decreased vehicle movements proposed by the development.

Two letters of objection have been received, one jointly signed by both the owners of the properties immediately adjoining the farmyard, and a second submitted by another member of the public, but again, signed by the two owners of the adjoining properties.

The main grounds for objection contained in these letters are: the effect on residential amenity of the two adjoining properties due to the potential for air-borne bacteria, pests, odour and noise, the impact on a small tourism business (5 berth caravan site) operated by the objector, which is located close to the proposed development site, the impact on the adjacent public right of way and the lack of assessment of alternative sites.

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):

- 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:

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:

- CP9 - Air Quality
- CP10 - Natural Environment and Landscape
- CP11 - Built and Historic Environment and Design
- CP13 - Sustainable Travel

The following policies of the **South Downs National Park Local Plan - Submission 2018** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services

- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD17 - Protection of the Water Environment
- Development Management Policy SD39 - Agriculture and Forestry
- Development Management Policy SD54 - Pollution and Air Quality

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 Pre-Submission version of the **South Downs Local Plan** (SDLP) 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. The Local Plan process is in its final stage before adoption with consultation on relatively minor Main Modifications from 1st February 2019 to 28th March 2019. Based on the very advanced stage of the examination the draft policies of the South Downs Local Plan can be afforded significant weight.

8 Planning Assessment

8.1 The proposal would involve the importation of approximately 7,200m³ of inert soil material to create a 3.5m high earth-bund on three sides. The internal walls of the bund will be clay lined to provide an impermeable layer, and the base of the manure store would also be impermeable, with the intention of controlling all runoff and effluent from the existing dairy business. The earth-bund would be landscaped with grass banks to soften the impact of the bund on the surrounding landscape.

8.2 The current arrangements for the storage of manure on the farm involve the transportation of the manure from the barns/milking parlour to a temporary store area located at the north-west corner of the farm. During winter months, this generates a number of daily vehicle movements along Beechwood Lane. The round trip for each of these vehicle movements is 2km.

8.3 Furthermore, whilst the transportation of the manure removes the solid waste from the farmstead area, there is currently significant leaching of foul water/effluent into the adjoining field, due to the natural contour of the landscape.

8.4 The Environment Agency has advised the applicant of the environmental impacts of the leaching, and has been working with the applicant to mitigate the risks associated with the foul-water runoff.

8.5 The location of the proposed manure store has therefore been sited to maximise the reduction in leaching into the field and surrounding area, whilst also minimising the amount of vehicle movements needed to move the manure from the farmstead area. The bund would be constructed immediately adjacent to the existing farmyard, with the open side facing south, towards the farmyard. This is the area mostly affected by the current leaching of foul-water.

8.6 The bund would collect the foul-water runoff directly if it continues to leach from the farmyard. Furthermore, the impermeable surface of the bund would ensure that any further discharge of effluent from the farm into the surrounding area would be minimised. This is in keeping with Core Policies 10 and 11 of the Lewes District Local Plan and Strategic Policies SD2, SD17, SD39 and SD54 of the emerging South Downs National Park Local Plan.

8.7 In terms of vehicle movements there would no longer be a need to transport the manure along Beechwood Lane, thus improving the sustainability of the farm and safety of the road, in line with Core Policy 13 of the Lewes District Local Plan and Strategic Policy SD1 of the emerging South Downs National Park Local Plan.

8.8 The proposed earth bund is sited immediately adjacent to the existing farmyard. The total floor area taken up by the proposed works is 4884sqm, with the bunds rising to a maximum height of 3.5m. The gradient of the slopes varies on each of the three bunded sides, with the gradient being more pronounced on the eastern side, due to the bunds proximity to the field boundary. The intention is to plant grass seed on the slopes to blend in with the surrounding field.

8.9 The isolated location of the farm means that the bund will only be visible to the public from the neighbouring properties, the adjoining train line and the adjoining public right of way. The farmyard is a significant distance away from any raised ground that might overlook the manure store, and the natural gradient of the field means that the bunds can be largely landscaped into the existing contours.

8.10 The exception to this is the bund on the eastern side of the proposed manure store. Due to the proximity of the field boundary, there is less capacity to create a gentle gradient to the top of the bund. This is the side immediately adjacent to the public right of way, and the closest side to the neighbouring properties. It is considered that there is the potential for impact on the visual amenity of the neighbouring properties and the associated caravan park. The corner of the bund will be approximately 15m from the nearest building and 7.5m from the garden curtilage.

8.11 A schedule of planting has been proposed along the eastern boundary of the field, thus screening the manure store from the immediate neighbouring properties and the public right of way and helping to reduce the impact on the visual amenity of the neighbours and from public right of way

8.12 Whilst it is accepted that the proposal has the potential to impact on the visual amenity of the neighbouring properties, the proximity of these properties to an existing working farm, and the distance of separation between the two, along with the proposed planting scheme lessens that impact. It is not considered that visual impact would be a sustainable reason to refuse the application.

8.13 The proximity of the bund to the existing farmyard, along with the proposed landscaping scheme and screening, means that the proposed manure store would have a minimal visual impact on the surrounding landscape, in keeping with Core Policy CP10 of the Lewes District Local Plan and Strategic Policy SD4: Landscape Character, of the emerging South Downs National Park Local Plan.

8.14 In terms of impacts on residential amenity, letters of objection have highlighted the proximity of the proposed manure store to the neighbouring properties and caravan business, and the environmental impacts that could potentially arise from this. These include the transmission of air-borne bacteria from the manure store, increase in pests generated by the proximity of the manure, the increase in odour, and an increase in noise associated with the operation of the manure store.

8.15 The site of the manure store is immediately adjacent to the existing farmyard. The existing three barns located here are used to house the cattle during the winter months (October to March/April), and is also the location of the milking parlour.

8.16 The Council's Environmental Health officer has verbally commented that the proximity of the residential dwellings and caravan field to this existing, working farmyard means that any increase

in odour and pests created by the proposed manure store would be negligible. Significant amounts of manure and foul-water are consistently present on the site, and the aforementioned runoff into the adjoining field means that there is already a constant source of effluent within a few meters of the nearest dwelling. It is not considered that the proposal would demonstrably increase that impact.

8.17 Therefore, it is considered that any impact on the neighbouring properties, in relation to an exacerbation of environmental concerns, would not be significant, and that the proposal complies with Core Policy 9 of the Lewes District Local Plan and Policy SD54: Pollution and Air Quality of the emerging South Downs National Park Local Plan.

8.18 The current arrangements on the farm for the removal and storage of manure requires multiple vehicle trips per day during winter months, and the constant scraping/clearing of the farmyard of manure and effluent. The proposed location of the manure store has been considered with the intention of minimising the amount of time taken to clear the farmyard and the number of vehicle movements associated with its clearance.

8.19 Rather than increase the amount of noise associated with the collection of the manure, the proposed location would reduce the number of vehicle movements within the farmyard along Beechwood Lane, and the required hours of operation to clear and collect the manure. It is proposed that one collection would be required per day, immediately after the cows have been milked in the morning.

8.20 To minimise the effect on neighbouring properties, the hours of operation of the collection and movement of the manure to the proposed manure store can be restricted by condition. For the above reasons, an objection to the proposal on the grounds of increased noise is not sustainable, and the development is deemed to comply with Core Policy CP11 of the Lewes District Local Plan and Strategic Policy SD54 of the emerging South Downs National Park Local Plan.

Summary

8.21 It is considered that the construction of an earth-bunded manure store is acceptable. The siting of the proposed manure store has been chosen so as to maximise the sustainability of the proposal, whilst at the same time combat the known issue of foul-water runoff. By locating it immediately adjacent to the existing farmyard, there would be a significant reduction in both the number of vehicle trips required, and time taken, to clear the waste, reducing the noise associated with the operation and helping to mitigate environmental concerns relating to the leaching of foul-water into the neighbouring field and wider countryside, an issue that has been raised by The Environment Agency.

8.22 The manure store has been designed so as to minimise its impact on the landscape. It would, in effect, form part of the existing working farmyard, and the proposed grass banks and natural contour of the land means that it would be relatively unobtrusive within the wider countryside.

8.23 The bund is located relatively close to the nearest dwelling, with the eastern bund only separated by the public right of way from the rear garden of Lower Tulleys Wells (private dwelling). The visual impact of the bund on this property can be mitigated through the proposed planting schedule.

8.24 The environmental impacts of the manure store on the neighbouring dwellings and small tourism business are also a consideration. However, it is deemed that there will be relatively little accumulative increase in odour, pest and noise from the proposed store, when considered against the existing proximity of the residential properties to the working farm, which currently houses at least 90 head of cattle for 5 months a year, and has a milking procedure in operation all year round.

8.25 Alternative sites for the proposed manure store are not a consideration of this application, but it is apparent that the chosen location is the most sustainable in terms of the continued operation of the farm, and as an effective means of resolving the EA's concern over leaching into the field.

9.1 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. 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.

2. 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

3. 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.

4. No development shall take place until details of proposed wheel washing facilities have been submitted to and approved in writing by the local planning authority. These details should include the location of access to/from the highway and the location of the wheel washing facilities, and shall apply to all vehicles exiting the construction site.

Reason - In the interests of protecting the amenity of adjacent occupiers having regard to Policy ST3 of the Lewes District Local Plan and The National Planning Policy Framework 2019

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment/screening to be erected. The boundary treatment shall be completed before the manure store comes into operation or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason - To enhance the general appearance of the development having regard to Policy ST3 of the Lewes District Local Plan, CP10 of the Joint Core Strategy, and SD4 of the South Downs National Park Local Plan, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

6. No operations of depositing or removing manure from the manure store hereby approved shall take place outside the hours of 0800 to 1800 Monday to Fridays and 0830 to 1300 on Saturdays and Sundays

Reason - In the interests of protecting the amenity of adjacent occupiers having regard to Policy ST3 of the Lewes District Local Plan and The National Planning Policy Framework 2019

11. Crime and Disorder Implications

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

12. Human Rights Implications

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

13. Equality Act 2010

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

14. Proactive Working

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

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer: Mr Russell Pilfold (Lewes DC)
Tel: 01273 471600
email: Russell.pilfold@lewes-eastbourne.gov.uk

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

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
Application Documents -	Landscape Assessment		14.03.2019	Approved
Plans - Location Plan	1:2500		21.12.2018	Approved
Plans -	PROPOSED BUND PLAN		21.12.2018	Approved
Plans - Site Plan	1:2500		21.12.2018	Approved
Plans -	SITE SECTIONS		21.12.2018	Approved
Plans - EXISTING SURVEY & PROPOSED MANURE STORE PLAN	PJB/060918/001		21.12.2018	Approved
Plans - EXISTING SURVEY & PROPOSED MANURE STORE	PJB/060918/002		21.12.2018	Approved

PLAN				
Plans - EXISTING SURVEY & PROPOSED MANURE STORE PLAN	PJB/060918/003		21.12.2018	Approved
Plans - EXISTING SURVEY & PROPOSED MANURE STORE PLAN	JB/060918/003 A		21.12.2018	Approved
Application Documents -	PLANNING STATEMENT		21.12.2018	Approved
Application Documents -	Environment Agency Report		21.12.2018	Submitted

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



Agenda Item 12 Report PCI6/19

Report to	Planning Committee
Date	14 March 2019
Title of Report	Summary of appeal decisions received from 27 November 2018 – 26 February 2019
Purpose of Report	To update SDNPA Members on appeal decisions received

Recommendation: To note the outcome of appeal decisions.

I. Overview

- I.1 The attached table (**Appendix I**), ordered by date of decision, provides Members with a summary and brief commentary on the appeal decisions recently received by the Authority. This covers both those appeals dealt with by the host authorities and directly by the Authority.
- I.2 In summary, in the last 3 months there were:
 - 29 appeal decisions (some dealt with simultaneously), 18 of which were dismissed (62%) and 11 (38%) allowed.
 - 1 application was made by appellants for an award of costs, which was refused.
 - No Judicial Reviews.
- I.3 The Authority's appeal performance in the financial year to date remains good with 69% of appeals being dismissed.
- I.4 Whilst the appeal decisions are individually important none raise issues of wider strategic importance to the National Park as a whole. In the appeal decisions contained in this report there has been varying weight given by Inspectors to the emerging South Downs Local Plan. However, the weight given to the Local Plan is now generally expected to be significant given that the Authority is currently consulting on relatively minor Main Modifications.

TIM SLANEY

Director of Planning

South Downs National Park Authority

Contact Officer: Sarah Nelson
Tel: 01730 819285
email: sarah.nelson@southdowns.gov.uk
Appendices: I. Appeal Decisions
SDNPA Consultees: Director of Planning, Legal Services

Key to Appeals Reporting

Method of decision	All are delegated decisions unless otherwise specified	Allowed	A
Appeal method	All are through written representations unless otherwise specified	Dismissed	D

Planning Appeals				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/00844/FUL APP/Y9507/W/17/3192614	SDNPA (Mid Sussex)	Lower Kents, Clappers Lane, Fulking, BN5 9ND	Conversion of building from office to residential.	A 27 Nov 18 HEARING
Inspector's Reasoning <ul style="list-style-type: none"> The SDNP Local Plan had been submitted for examination at the time of the hearing. While the policies of most relevance to the development are not subject to significant levels of objection the emerging Local Plan as a whole remains subject to change and it was therefore considered that it should be afforded limited weight. A unilateral undertaking was submitted that would restrict the sale of the property to a price less than market value. Lower Kents comprises the office building to be converted, a partly constructed storage building and external space/grounds. The site is enclosed by a combination of hedging, with some interspersed trees, and a mixture of solid timber and post and rail fencing. The site is to the north of the Fulking settlement policy area. The conversion of the building would involve very limited external alterations. The use of a modest self-contained area of land for a garden would not result in any significant visual change in character and appearance of the site. The domestication would be no more significant than Lower Kents' occupation solely for commercial purposes. The development would therefore conserve the National Park's natural beauty. Lower Kents is in the countryside but close to other dwellings. It would not be an isolated home. Fulking is not well served by services and facilities. The occupation of 1 additional dwelling would not be a significant generator of traffic or emissions. Its use for small scale employment would also give rise to high levels of motor vehicle dependency. Although the intention is to use the Lower Kents on a live/work basis, this cannot be secured. Therefore there is potential for the site to be lost as an employment site. However, the building has a gross internal floorspace of 57 m2. Its limited size tempers the contribution it can make to the rural economy and therefore its loss would not be significant enough to withhold planning permission. The existing Mid Sussex Local Plan policies are inconsistent with national policy because as a matter of principle they resist conversion of commercial buildings to dwellings in rural areas. 				

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/01195/HOUS APP/Y9507/D/18/3210613	Winchester	Nurses Cottage, Highfield Avenue, Twyford SO21 1QP	Single storey side extension	D 27 Nov 18
Inspector's Reasoning <ul style="list-style-type: none"> The dwelling was considered to be a non-designated heritage asset. It appears to be the site for the nurse of the Parish. There is an inlaid plaque on it stating that it was erected in 1897 to commemorate the diamond jubilee of Queen Victoria. It has some historic significance for Twyford. It is a single storey late Victorian Cottage. Architecturally, the building retains its original front entrance door with a canopy over it and the plaque adjacent to it. This door is no longer used as the main entrance to the dwelling. The gables, quoins and elevational details give the building an attractive appearance. The proposed extension would obscure the plaque from external views and the front canopy and corner entrance would be lost. Whilst it would not be unduly large or domineering, the extension would infill a part of the building which gives it a distinct charm and a cottage-like character. The view of its principal historic entrance is an important factor in the overall interest of the building. The canopy is particularly characterful. The extension would detrimentally affect the significance of the non-designated heritage asset resulting in a loss of historic and architectural interest of the building. It would not be a sympathetic extension. The Inspector considered that the lack of a formal designation as a non-designated heritage asset was not an impediment to it being treated as one for decision-making purposes and that the building has sufficient significance in historic and architectural terms to warrant being a non-designated heritage asset. The lack of a Local List does not affect the finding that the proposal would cause harm. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/01678/HOUS APP/Y9507/D/18/3209045	Eastbourne	10 Dene Close, East Dean, Eastbourne BN20 0JJ	First floor extension above an existing flat roof.	D 30 Nov 2018
Inspector's Reasoning <ul style="list-style-type: none"> Policy SD31 includes a 30% limit on the increase in floorspace as a result of extensions. The property has been extended as a result of permissions granted in 2009 and 2012. The floorspace, together with the floorspace of the proposals already carried out would represent a cumulative increase in the floorspace of the original building of 97%. Over three times the 30% limit. The Inspector considered the NPA correct to regard the proposed extension as potentially resulting in the loss of a medium sized home in the National Park. The Local Plan is at an advanced stage, there are both representations of support and objection to draft Policy SD31. Having read these, the Inspector 				

considered that the policy is likely to be adopted. The Inspector considered that if he was wrong and there is a material change in the policy or the policy is deleted, any further application for the extension would be determined afresh in the light of the changed circumstances. It was therefore considered that the policies should be afforded considerable weight.

- The grounds of appeal refer to the proposed accommodation being needed for a dependant family member, although no details have been provided so it would be inappropriate to give any steer to whether such a proposal would be acceptable on these grounds.
- The appellant argued that the building is not prominent and that the extension would improve the character and appearance of the existing dwelling with its flat garage roof. The Inspector agreed but noted that the NPA has refused permission solely on the basis of the effect on the mix of housing supply in the National Park and did not consider the points raised to be of either sufficient relevance or weight to overcome its decision.
- In conclusion, the proposed extension was found to have an incremental but harmful effect on the supply of small and medium sized homes in the National Park, in conflict with emerging Local Plan Policy SD31 and Government policy in the March 2010 publication: 'English National Parks and the Broads: UK Government Vision and Circular 2010', which includes policies to 'foster and maintain vibrant, healthy and productive living and working communities'.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/06292/FUL APP/Y9507/W/18/3198137	Chichester	Down Haven, A286 Oldwick Meadows to Sheepwash Lane, Lavant, PO18 0BQ	2 Storey Replacement dwelling	A 4 Dec 2018

Inspector's Reasoning

- The chalet bungalow known as Down Haven is located within an area of low density development. The property shares a boundary with Little Manor, an Arts and Crafts styled house which is listed at Grade II. The listed building is set within extensive grounds and the surrounding area is verdant.
- The new dwelling would have greater physical presence in comparison to the existing bungalow but it would remain subservient to the listed building and the increased height and mass would be offset by the positioning of the dwelling further from the boundary than the current home.
- The glazed gable feature is not unattractive and would not compete with the listed building. Although there would be some light spill this is unlikely to have an adverse effect on the setting of the listed building, and any residual impacts would be mitigated by new trees. The development is on a visually enclosed site within the Settlement Policy Area where some light is to be expected.
- No material harm was considered to result to the setting of the listed building or the Conservation Area.
- The new dwelling would be around 40m from Little Manor, most windows are for bathrooms or circulatory space and additional tree planting would provide further screening. The proposal would not have an unacceptable adverse impact on the living conditions of residents of Little Manor.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/05058/FUL APP/Y9507/W/18/3196923	SDNPA (Arun District)	Land East of Pony Farm, Findon, BN14 0RS	New dwelling	D 4 Dec 2018 HEARING
<p>Inspector's Reasoning</p> <ul style="list-style-type: none"> The site lies outside the settlement policy boundary of Findon where development is restricted. The proposed dwelling would not fall within any of the specified development types allowed for in such areas. There is a more positive approach to rural development in policy SD25 of the emerging South Downs Local Plan but at the time of the Hearing there had been a significant number of responses to the policy and therefore, there was uncertainty as to whether the policy would move forward in its current form. Therefore only limited weight was afforded to it. The encroachment of equestrian uses into the countryside in this area has led to the deterioration in the quality and condition of the landscape and settlement edge. The appeal site has unsightly spoil heaps, disused buildings and an unkempt appearance. Nevertheless, it rises up to the north beyond which there is visible rolling undulating landscape. Vegetation, including trees, is also a dominant feature along boundaries in the area, including the appeal site. The dwelling would be considerably larger than the nearby properties and would be sited on a high part of the site giving it an imposing presence. There would be a large four bay garage/storage building and extensive hard surfaced parking and turning area at the bottom of the site. The design is intended to reflect the nature of traditional rural buildings, in particular, the long pitched roof form has been chosen to reflect the roof forms of surrounding equestrian buildings and vernacular buildings in Findon. However, these design features do little to address the development's significant scale and prominent siting due to its size, width across the plot and elevated position. There would be significant areas of hard surfacing and the narrow gaps between the buildings would limit the scope for meaningful landscaped edges. The development would have an adverse urbanising impact on the character and appearance of the countryside. The appellant's LVIA has unjustifiably downgraded the sensitivity of the landscape receptors and the magnitude of the development's impact on the landscape including its character. The proposal would be an unsympathetic development and would adversely affect the landscape and scenic beauty of the National Park. The dwelling would provide a home in a non-isolated location which has good access to a range of services and facilities. The proposal would be located where it will enhance and maintain the vitality of a rural community and there would be economic benefits through the development's construction phase. The self-build nature of the dwelling is supported by policy HD4 of the Findon Neighbourhood Plan. The design of the dwelling would promote high levels of construction sustainability. Ecological enhancements would take place providing biodiversity benefits. However, these benefits do not outweigh the harm identified. <p>Cost Decision – REFUSED</p> <ul style="list-style-type: none"> The Authority has provided objective evidence to substantiate its case and the lack of a site visit by the Authority's Landscape Officer is not a significant omission. 				

- The Authority's main objections relate to the scenic beauty and landscape. This approach is not unreasonable.
- The Inspector disagreed with the Authority's conclusions on weight for both adopted and emerging policies. Nevertheless, there is judgement required which involves some subjectivity. For these reasons, its position on the weight of policies is not unreasonable given the appeal has been dismissed on scenic beauty and landscape grounds.
- There was no statement on the dialogue the Authority had with the applicant. However, the appeal would still have been necessary and there is no evidence of any additional incurred expense.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/01554/FUL APP/Y9507/W/18/3197845	Chichester	Withies Cottage, School Lane, Fittleworth, RH20 1JB	New detached dwelling	D 5 Dec 2018

Inspector's Reasoning

- The site is within a Conservation Area.
- The southern part of School Lane contains a varied mix of dwellings which tend to be well spaced and set amongst mature vegetation. Many have on-plot parking to the front, but the visual impact of the hard surfacing is softened by trees and roadside hedging which create a verdant corridor, giving the street a distinctive semi-rural character.
- The position of the dwelling within the plot would give rise to a constrained form of tandem development, with one house in front of the other, which would be at odds with the pattern of development and prevailing sense of space in the area. For this reason, the scheme would fail to preserve the character or appearance of the Conservation Area.
- The benefits of the new home to the local economy would be very modest and not outweigh the harm.
- The garden depth (4.5m) would be too shallow to constitute useable outdoor space for a 3-bed family home. It would be directly overlooked from first floor windows in Withies Cottage, leading to poor privacy. The new home would also give rise to a significant loss of outlook from Withies Cottage. This conflicts with the NPPF which seeks to ensure a high standard of amenity.
- The suburban appearance of the proposed house would not be out of keeping with the area and it would not impact on a nearby protected tree. The domestic nature of the garden means the presence of protected species is highly unlikely.
- A permission granted in 1995 for a detached home on the site is not comparable. It was a decision taken before the designation of the South Downs National Park and the scheme is materially different.

Appeal Reference	Authority	Site	Description	Decision
<p>APPEAL A Ref: APP/Y9507/C/17/3179213</p> <p>APPEAL B Ref: APP/Y9507/C/17/3179214</p> <p>Appeal C Ref: APP/Y9507/W/17/3179508</p> <p>SDNP/17/00949/FUL</p>	Chichester	<p>Land known as "Bermuda", Southbrook Road, West Ashling, West Sussex</p> <p>PO18 8DN</p>	<p>Alleged Breach of Planning Control (Appeal A & B)</p> <p>Without planning permission, change of use of the land to use as a residential caravan site</p> <p>Description of Development (Appeal C)</p> <p>The siting of a residential caravan, together with the construction of a timber shed and refuse enclosure, for occupation by Gypsies.</p>	<p>A</p> <p>5 Dec 2018</p> <p>HEARING</p> <p>Enforcement notices are quashed.</p> <p>Temporary permission is granted</p>
<p>Inspector's Reasoning</p> <ul style="list-style-type: none"> In August 2016, an application for planning permission was made by the previous owner of the site for the construction of a three bedroom home following clearance of the site. The application was refused and subsequently dismissed at appeal in February 2017. The site is now the subject of this current enforcement notice and appeal relating to the siting of a residential caravan. The Authority contends that the appellants do not meet the Government's definition of "gypsies and travellers". The Inspector notes that the first question whenever permission is sought for a traveller site is whether the use is acceptable in planning and policy terms; the status of the applicant is only relevant where the case for permitting the use is dependent on the personal circumstances of the applicant. However, it is common ground that Mr Watson is an ethnic Romany Gypsy and Ms Weale is not. However, her status would not prevent a grant of permission for a traveller site subject to a personal condition pertaining to the family. Mr Watson provided evidence of his travelling way of life and intends to travel in school holidays and fully resume a nomadic life once the children have completed their education. The appeal is determined on the basis that he accords with the relevant definition and has ceased to travel temporarily on the grounds of the educational needs of his dependants. The South Downs Local Plan was not considered by the Inspector to be sufficiently progressed to give it much weight and the Chichester District Local Plan contains no current policies relating to sites for gypsies and travellers. The site consists of hardstanding on which the mobile home and shed sit, and garden with well-kept lawn enclosed by ornamental hedges, some trees and shrubs. The area has been highly domesticated and is clearly perceived as residential. The NPPF states that the scale and extent of development within National Parks should be limited, and that would be the case here, given that the proposal is for one traveller pitch. However, the development not only fails to conserve and enhance the landscape and scenic beauty of the National Park, but further, causes significant harm to the character and appearance of this secluded and pastoral area. 				

- On the balance of probabilities, there are currently no other suitable alternative sites available to them in the area. Even if the South Downs Local Plan policy in relation to Gypsies and Travellers remains unchanged, the supporting text acknowledges that the SDNPA could not identify sufficient land to cover the identified need across the National Park because very few sites were put forward by land owners or other interested parties and the SDNPA does not itself own any land on which sites might be provided.
- There is likely to be an outstanding need for gypsy and traveller pitches within both the SDNP and Chichester areas. There are no suitable alternative sites available to the Appellants, and the existing shortfall in provision is unlikely to be addressed through planning policy in the near future. The findings in relation to the need for, availability of, and provision of pitches together carry significant weight in favour of permitting the appeal development.
- If the appeals were dismissed, the requirements of the enforcement notice and the lack of other pitches being available elsewhere would mean that Mr Watson would be made homeless. Refusing permission would also mean that the child would lose the settled base where he lives with his father. It is not clear whether or not dismissing the appeals would necessarily make the child homeless as he may move in with his mother, but if it did, that would plainly be highly damaging to the health, wellbeing and continued education of a small child.
- The personal circumstances of the Appellants and their children carry considerable weight in favour of allowing the appeals.
- Permitting the development would be unlikely to cause harm to the living conditions of nearby occupiers or community cohesion.
- The lack of accessibility to services and facilities via sustainable modes of transport is a consideration which, in these circumstances, does not carry any appreciable weight against permitting the development.
- The consideration that the residential use of the appeal site amounts to intentional unauthorised development does not, in these particular circumstances, carry any appreciable weight against a subsequent grant of permission for that use. The failure of local policy to make sufficient provision for sites has clearly played a role in their ability to find a permanent location.
- The planning policy context is likely to change with the progression of the South Downs Local Plan and CDC are carrying out a new needs assessment. There is a reasonable prospect that suitable alternative accommodation for the appellants and the family may become available within the next 5 years. Granting a 5yr temporary permission would provide the appellants with a settled base for the immediate future. All the children involved would be in school and whether together or apart would have a more settled relationship. The harm caused to the National Park by a temporary planning permission would be of a lesser extent than the harm caused by granting permanent permission. A condition was imposed limiting occupation to Mr Watson and his family.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/02666/OUT APP/Y9507/W/18/3202588	Winchester	Amen Wood Yard Fitzleroi Lane, Fittleworth, RH20 1JN	Demolition of woodyard and replacement with single house	D 5 Dec 2018
<ul style="list-style-type: none"> • Inspector's Reasoning • The site is a timber yard comprising a number of buildings set within a small clearing within a contained area of woodland. It is surrounded by rolling open countryside interspersed with woodland. • Whilst the use of the site is not agricultural it appears to have a clear functional connection to its wooded surroundings, even though the materials may 				

in fact be transported to the site from another location.

- An unrestricted residential use of this site would have no functional connection to the working of the surrounding countryside. It is likely that any proposals would comprise a large freestanding building, with a defined residential curtilage and with associated domestic landscaping and paraphernalia, including a large area of hardstanding. This would have an urbanising effect that is at odds with the appearance of the undeveloped countryside that surrounds the site.
- The use of the site for residential purposes would be likely to create pressure to remove some of the trees.
- The proposal would lead to unacceptable harm to the character and appearance of the area.
- The existing use comprises business floor space. The site is still in use as a woodyard. There is no significant evidence to suggest that it is not viable or could not be otherwise used for business purposes. The loss of the existing employment use has not been justified. It therefore conflicts with policy
- The site is located well away from other residential properties. There is no significant evidence that the existing use is leading to unacceptable noise and disturbance for residential properties in the surrounding area.
- The site is located outside of any settlement. The site would comprise an isolated dwelling in the countryside. It would not involve the re-use of redundant or disused buildings. It has not been demonstrated that the proposals would be truly outstanding or innovative. Accessibility of services and facilities from the site would be poor. The location is inappropriate for the residential development and the appeal was dismissed.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/01075/FUL APP/Y9507/W/18/3205781	Winchester	Narnia, Upham Street, Upham, SO32 1JA	Change of use of 1-bedroom annex to 1-bedroom dwelling. Retention of Narnia on reduced curtilage, creation of new vehicular access and erection of a double bay carport.	D 7 Dec 2018

Inspector's Reasoning

- The outbuilding was constructed following a successful appeal which gave permission for the erection of a garden room. Internal works were subsequently carried out to enable the use of the building as an annexe. The scale and subservient relationship to the host dwelling makes it clearly legible as an outbuilding to Narnia.
- The Winchester District Local Plan Part 1 lists Upham amongst the settlements which have no defined settlement boundary. In such cases, the policy adopts a restrictive approach to development. The proposal would therefore not be consistent with the strategy. Although the structure is already in place, it would nonetheless involve a new dwelling. It was not considered that the provision of a 1 bedroom dwelling is an exception allowed for within policy.
- The creation of a new residential curtilage, an additional vehicular access and the resulting duplication of domestic paraphernalia would cause a noticeable change to the character of the area.
- The personal circumstances of the appellant does not outweigh the harm identified.

Planning Application No	Authority	Site	Description of Appeal	Decision
SDNP/17/04013/FUL	Winchester	Hillcroft, Hazeley	Replacement dwelling	A

APP/Y9507/W/18/3199004		Road, Twyford, SO21 IPY		11 Dec 2018
Inspector's Reasoning <ul style="list-style-type: none"> Hillcroft is a detached 3 bedroom dwelling, just under 120 sqm in size. During the course of the appeal an extension was added under permitted development rights. The size of the property therefore now exceeds the size threshold set out in the explanatory text to Winchester Local Plan policy CE.23(ii). The proposed development therefore falls outside of the scope of this policy which seeks a restrictive approach to proposals for the replacement of smaller homes on the countryside. The proposed development would not comply with draft South Downs Local Plan Policy SD30 which restricts the net increase to 30%. At the point of the consideration of this appeal the Local Plan examination had not commenced and the Inspector could not be certain that the policy would be adopted in its current form. The Twyford NDP is at an early stage. Attention was drawn to the Public Examination Report into the Winchester / SDNPA Joint Core Strategy (December 2013) in which the Inspector noted the particular demand for dwellings in the SDNP. However, the Inspector had no further details and no policies from the JCS were cited by the LPA in its decision notice. Similarly, the LPA referred to, but did not provide evidence of, more recent housing needs studies and therefore limited weight was attached to them. The sources appear to indicate an on-going need for smaller / medium size dwellings but applications have to be determined in accordance with the development plan unless material considerations indicate otherwise. On the basis of the limited information, the housing needs do not outweigh the fact the proposed development accords with the development plan. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/01998/HOUS	Chichester	Burnel, Dodsley Lane, Midhurst, GU29 9AS	Erection of retaining wall, boundary fence and outbuilding	A
APP/Y9507/D/18/3208445				4 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> Retrospective application The Inspector felt that all aspects of the scheme had been carried out to a high standard. It represented a significant improvement to the appearance of the boundary and the property as a whole. None of the individual elements of the development are of an inappropriate scale, material or design. The limited external amenity space available for the residents has been transformed from an unsightly yard into a pleasant sitting out area complete with the necessary privacy and separation from the adverse effects of the adjoining road. The Inspector considered that the NPA's approach was too interventionist and over-critical and he could not see a sufficient or credible basis for the refusal of permission. 				

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/01714/FUL APP/Y9507/D/18/3211151 Refused at East Hants Planning Committee (officer recommendation was to approve).	East Hants	11 The Avenue, Petersfield, GU31 4JQ	Demolition of the side car port. Erection of a two and a half storey side extension and a single storey rear extension.	A 4 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> The building is within the Conservation Area and identified in the Character Appraisal and Management Plan 2017 as one of a well preserved group of Arts and Craft houses that are set back from the road in generous plots along Heath Road, Western Road and The Avenue. The contemporary form of the extension is acceptable because it has been properly informed by an accurate site analysis and a careful character appraisal of the context. The ridge and eaves height of the two storey extension would not exceed those of the main property and the Inspector considered that the size and positioning of the proposed gable would be in keeping with the existing gable of the house. The Inspector held that the gaps of 1.2m from the boundary with No. 13 and 2.5m from that dwelling's north-west elevation would be sufficient to maintain the spatial characteristics of The Avenue, as would the 14m distance from the main elevation to the front boundary of the site. The Inspector concluded that the proposals would not be unduly cramped and harmful to the building or street scene. The impact on dark night skies was mitigated through the use of a condition. There was considered to be no material loss of privacy and limited overshadowing of No 13's garden and the appeal was allowed. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/05947/FUL APP/Y9507/W/18/3199865 Committee decision (officers recommended	Winchester	Hole Farm, Hole Lane, Hambledon, Waterlooville, PO7 4RB	Construction of a new access track	A 7 Jan 2019

refusal)				
Inspector's Reasoning <ul style="list-style-type: none"> The entrance and track would not be an overly intrusive feature due to its restricted size and choice of materials, even when seen from the PRow. It is not out of keeping in an area where there is a nearby road junction and drive/track entrances to buildings. The access track would be constructed of two narrow parallel hard surfaced treads with an intervening central grass strip. They would be surfaced with pale chippings/gravel. This central grass strip would considerably reduce the extent of visible hard surfaced material. It would appear discretely located within the landscape and there would be limited views of it, the development would not harm the landscape, including its character, or appear visually intrusive. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/00843/FUL APP/Y9507/W/18/3204385	Chichester	Bowling Green, June Lane, Midhurst, GU29 9EL	Demolition of existing bowls club buildings and erection of 5 new houses.	D 8 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> Development is in a conservation area. The Inspector considered that the design and scale of the proposal is not worthy of the location. The new dwellings would be uninspiring and overly-large, particularly towards the June Lane frontage. The mass would look over-bearing and out of character. The dwellings would have little or no sense of local distinctiveness and would be jarring on the eye. All five homes proposed would be 4-bedroom. However it is a small site and the scope for a real mix of dwellings is limited. Any contribution to the supply of a particular size of home would be very modest and the 4-bedroom homes would accord with much of the existing character of development in the area. There was considered to be no unacceptable harm to living conditions of adjoining properties and no conflict with development plan affordable housing requirements pertaining at the time. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/05928/FUL APP/Y9507/W/18/3201867	Chichester	Home Farm, Bell road, Kingsley Green, Haslemere, GU27 3LG	New vehicular access to agricultural field	D 8 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> The agricultural open fields and woodland create a strong and well defined character within the setting of the Kingsley Green Conservation Area. 				

- The change from grass surface to GrassCrete either side of the gate along with levelling work will be out of character with the character of the landscape.
- The surfacing within the field is unlikely to look natural and this will be exacerbated by the level changes required.
- The position of the access would mean that the works would be widely visible from either direction on the main road; it would impact upon the agricultural landscape and therefore the setting of the Conservation Area and the appeal was dismissed.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/01704/FUL APP/Y9507/W/18/3209458	Chichester	Dean Lane, Tillington, GU28 9AR	Change of use of a redundant agricultural building and the demolition and erection of another to create a one bedroom holiday let.	A 8 Jan 2019

Inspector's Reasoning

- The site comprises two redundant agricultural buildings, one was formerly used as a bull pen and is considered to be of historical interest. The building is in good condition and is worthy of retention. The second building is a pre-fabricated building constructed around the 1960s used for pheasant rearing.
- The bull pen would form a bedroom and bathroom with sitting and kitchen space in the new area which would have identical dimensions and similar appearance to the building to be demolished. The replacement building would be linked to the bull pen via a small extension.
- The extension would not be significant, materials and the discrete sighting would ensure this hallway addition of 6 m2 floor area would be almost imperceptible.
- The pheasant building is not worthy of conversion because of its condition but has a simple, functionally attractive form and is pleasingly related to the older stone barn. Replacing this building in a similar style and exact size would have aesthetic merit.
- The conversion of the bull pen would be well handled, with openings almost unchanged, and with no suggestion of external paraphernalia or significant surfacing.
- There would not be landscape harm to the National Park or adverse impact upon the setting of the nearby listed building.
- The appeal scheme would bring with it economic, social and environmental benefits. Policy T3 of the Chichester District Local Plan (LP) supports tourist accommodation but only in the reuse of buildings. However the more recent NPPF at Paragraph 83 is clear that "sustainable growth of all types of business in rural areas through the conversion of existing buildings and well-designed new buildings" should be enabled. LP Policy T3 is therefore outdated.
- The South Downs National Park Submission Local Plan (SLP) carries some weight due to the stage it has reached, and it was noted that emerging Policy SD23 does not rule out suitable new build. The appeal was allowed.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/06097/FUL APP/Y9507/W/18/3206790	Winchester	Brentwood, Petersfield Road, West Meon, Petersfield, GU32 1JS	Demolition of equestrian ménage, stable block and workshop; removal of static caravan and containers. Redevelopment to provide a detached chalet bungalow with garage and driveway.	D 8 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> The site lies outside the defined Settlement Policy Boundary of West Meon. Policy states that residential development should be focussed within these boundaries with very few exceptions. There is some policy allowance locally for the re-use of sites no longer required by previous businesses, but residential use is not listed as a potential re-use. The design of the proposal would impinge on the rural character of the area and the existing structures on the site are relatively low key. The development would lead to limited economic benefit and minimal contribution to housing supply but this does not outweigh the social and environmental downsides. Protection of dark night skies could be achieved through the use of conditions. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/01391/FUL APP/Y9507/W/18/3205853	East Hants	Land between 29 - 35 Mint Road, Liss, GU33 7DQ	Erection of two detached houses.	D 8 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> The site has an extant permission for a detached 4 bed home. However permission was granted for a new home on the site at a point when this area was within the Liss SPB. The site is now outside the settlement policy boundary as revised within the Liss NDP. It forms part of an isolated ribbon of properties not representing a sustainable location for new development. Two dwellings rather than one would make better use of the site and assist with housing provision. However, the development of new houses should be in accessible and sustainable locations. As the site now lies outside a SPB, this location does not accord with this principle. The scheme would be of a suitably high quality design and not result in an adverse impact on the character and appearance of the area; however the principle of the development was considered unacceptable and the appeal was dismissed. 				

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/03645/HOUS APP/Y9507/D/18/3215412	Chichester	14 Mill Vale Meadows, Milland, GU30 7LZ	Rear extension to the dwelling; change of loft space to habitable accommodation, and a garage extension.	D 9 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> The increase in floorspace that would result from the appeal scheme, (approx 86%) would be significantly beyond the 30% limit in emerging Policy SD31 of the Submission South Downs Local Plan 2018. With the Submission Plan currently at its final substantive stage, the Inspector gave it significant weight, noting that the proposed increase in floorspace would be almost three times the limit in Policy SD31. The roof extension with its large, flat roofed dormer extending almost the full width of the building, would have a significant impact on its character and appearance. It is overly dominant and bulky. Policy S5 of the Milland Neighbourhood Plan 2016 specifically relates to Mill Vale Meadows and resists the insertion of a second floor under a new roof. The appeal scheme does not comply with this policy. Concerns about the potential to sub-divide the extended building into two dwellings can be overcome by the use of a condition requiring the extension to be ancillary. The scheme would harm the living conditions of neighbouring properties through loss of privacy and light. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/03262/HOUS APP/Y9507/D/18/3215607	Chichester	Wickers, Glasshouse Lane, Petworth, GU28 9PA	One & two storey replacement extension	D 9 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> This appeal relates to a non-designated heritage asset. The aim of the proposal is to remove and replace structurally deficient extensions. This would allow the appearance of the original cottage to be enhanced. The increase in floorspace would be below the 30% increase in draft policy SD31 of the South Downs Local Plan. Concerns about the potential to sub-divide the extended building into two dwellings can be overcome by the use of a condition requiring the extension to be ancillary. However, the Inspector concludes that on balance the scale of the extension together with its design would be harmful to the character and appearance of Wickers as a simple vernacular estate workers cottage. The two storey building when combined with its contemporary design would not be perceived as an extension but rather as a separate building in its own right. The contemporary appearance in this case would compete with the 				

character of the original dwelling rather than complement.				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/05144/HOUS APP/Y9507/D/18/3214130	East Hants	13 Dennis Way, Liss, GU33 7HJ	Shed to front of house (retrospective)	D 9 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> No. 13 is a mid-terrace property with pairs of semi-detached houses to either side of the terrace. The front gardens are fairly short. The shed is a substantial structure and is seen rising well above the front hedge. It is particularly prominent along Dennis Way because of the openness of the parking forecourts. The shed is a far larger structure than might be expected in a front garden and is unsightly and incongruous, harmful to the street scene and the character and appearance of the area. The shed is close to the boundary with No. 15 and is almost directly in the outlook from the main ground floor window of that dwelling. It is overbearing. Letting the hedge grow to provide further screening will not provide sufficient mitigation. Allowing the appeal would make it difficult for the NPA to refuse similar future applications. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/06109/HOUS APP/Y9507/D/18/3199783	Chichester	1 Gibbs Cottages, Surrey Road, Lickfold, Lurgashall GU28 9DX	1.5 storey rear extension	D 10 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> This is a listed building. The narrow width building and the particularly attractive and distinctive cat slide roof to the rear, is fundamental to its historic interest and architectural integrity. The sheer expanse of the cat slide roof across both dwellings is a defining characteristic of both listed buildings. The existing rear dormers have had an adverse impact but are not of sufficient scale to fully compromise the building's character and appearance. The scale of the two storey extension would be dominant and visually intrusive. Additions of a more modern design to an historic building are acceptable in principle but in this case the combination of the extension's excessive scale and clutter of additional features would exacerbate the harm caused. There is a minor public benefit in the improvement of the housing stock in respect to an enhanced layout and facilities, but this would not outweigh the harm caused to the significance of this heritage asset. 				

Appeal Reference	Authority	Site	Alleged Breach of Planning Control	Decision
APP/Y9507/C/18/3195731	Lewes	Kingston Farm, The Street, Kingston	<p>Without planning permission, change of use of the land from agricultural to a mixed use for agricultural with the stationing of a mobile trailer unit used to cook and sell hot food from the land.</p> <p>The requirements of the notice are to:</p> <p>(i) permanently cease the use of the land for the stationing of a mobile food trailer unit and the use of the mobile trailer unit for cooking and selling hot food from the land</p> <p>(ii) permanently remove the food trailer unit from the land along with any debris resulting in its removal.</p> <p>The period for compliance with the requirements is one month</p>	<p>D</p> <p>Enforcement notice is upheld</p> <p>10 Jan 2019</p>
<p>Inspector's Reasoning</p> <ul style="list-style-type: none"> The appeal is on the ground that the requirements of the enforcement notice exceed what is necessary to achieve the purpose of the notice. The purposes of an enforcement notice are to remedy the breach of planning control. In this case the notice requires the unauthorised use to cease and the food trailer to be removed. The purpose of the notice is therefore to remedy the breach of planning control that has occurred. The unit is an alien and incongruous feature in relation to the agricultural buildings and its storage use on the land causes considerable visual harm to its surroundings. It is therefore reasonable of the Authority to seek its removal in the enforcement notice (along with cessation of its use), to remedy the breach of planning control that has occurred. Allowing the storage of the unit to continue would not address all of the harm caused by the development. Therefore the requirements of the notice do not exceed what is necessary to achieve the purposes of the notice and the notice was consequently upheld 				

Appeal Reference	Authority	Site	Alleged Breach of Planning Control	Decision
SDNP/17/06433/HOUS APP/Y9507/D/18/3203320	Chichester	Willow Cottage, High Street, Duncton, GU28 0LB	New side and rear single storey extension and the conversion of a barn building to form a new home office and utility room.	A 15 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> The property neighbours a Grade II listed building. In relation to the proposed side and rear extension, the Inspector recorded that the original building of Willow Cottage is of simple and traditional design, modest proportions and has perfect symmetry in its front elevation. The two storey extension would diminish the character of the building as a whole, given its disproportionate length at full two storey height. The NPA considers that the further addition of the proposed single storey side and rear extension would harmfully exacerbate the perception of the excessive length of the existing rear addition, with little by way of enhancement offered. The Inspector felt that the length of the existing building would be slightly increased by the proposed garden room, but he considered that the presence of this single storey element at the rear in the form of a step down from the full two storey height would restore a degree of balance and proportion to the building as a whole. It would also allow a more practical relationship between the house and the large garden. In relation to the proposed conversion of the barn, the NPA's concern is that insufficient details have been provided and that the proposed glazing would be 'overly domestic, at odds with the rural agricultural character of the existing built form'. However, the context of the outbuilding is a residential garden rather than a farmyard and the details are sufficient for a non-listed building. The proposed alterations on the barn would not impact on the neighbouring Listed Building. It was concluded that the proposal would not have an adverse effect on the character and appearance of the host building. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/00715/FUL APP/Y9507/W/18/3208850	East Hants	Westwood House, London Road, Sheet, Petersfield, GU31 5AJ	Erection of a house	D 17 Jan 2019
Inspector's Reasoning <ul style="list-style-type: none"> The development would lie outside the settlement policy boundary and is not a use that is usually allowed in the countryside. The proposal would visually consolidate development between two dwellings and would be unsympathetic, urbanising the character and appearance of the surrounding area. A new dwelling would add to housing supply, residents would be able to access a broad range of shops and services but the contribution of one dwelling would be small. The sustainable construction would not be out of the ordinary and the environmental benefits of residents not requiring 				

<p>vehicles is overstated.</p> <ul style="list-style-type: none"> The proposal would not conserve and enhance the landscape and scenic beauty of the National Park. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/03618/HOUS APP/Y9507/D/18/3217993	Chichester	Heath End Lodge, Station Road, Petworth, GU28 0JG	Two storey rear extension, alterations and replacement garage	D 6 Feb 2019
<p>Inspector's Reasoning</p> <ul style="list-style-type: none"> The dwelling is two storey with a long catslide roof and low eaves to the front, and is sited close to the highway behind a stone wall. The depth of the extension would be significant, being greater than that of the original dwelling. The span of the extension would visually overwhelm its original rear façade. The dormers on the front catslide roof would also dominate an original, distinctive and important feature of the dwelling. The width and depth of many of the extension's glazed windows and doors would be extensive and dominant out of keeping with the dwelling. However, due to the stage of the South Downs Local Plan, policy SD31 restricting the size of extensions has been given limited weight. The excessive increase in glazing would result in localised light disruption to the tranquillity of this rural location and would be detrimental to an intrinsically dark landscape The introduction of flat-roofed elements within the extension would detract from the predominantly steep pitched roof character and appearance of the dwelling. The replacement garage with gym above would be located a significant distance from the dwelling. However, it would not be visually read as a subordinate building to the main dwelling but rather as a separate dwelling given its overall size, raised roof eaves line and three dormers. Such a form, design and scale would result in an incongruously designed building in this location. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/04201/LIS APP/Y9507/Y/18/3200634	Winchester	Kings Farm, High Street, Meonstoke, SO32 3NH	Replacement of 4 windows	D 11 Feb 2019
<p>Inspector's Reasoning</p> <ul style="list-style-type: none"> The property is Grade II Listed. There is no supporting Heritage or Planning statement which seeks to describe the building and its significance and there is very little which assesses the impact of the proposed replacement windows on the importance of the listed building. The NPPF adds that any harm to or loss of significance of such a historic asset should require clear and convincing justification The submitted details indicate that the replacement windows would follow the same overall pattern as the existing ones. However, there are no cross- 				

sections by which to judge the profile of various parts of the proposal, including the details of the double glazing and glazing bars. The NPA's statements indicate that they object to the use of double glazing, the applied (rather than true) glazing bars, black seals and the absence of a puttied finish, as well as other differences in the exact dimensions.

- The Inspector considered that it is clear that there is some historic interest in the windows and frames that are proposed to be removed, notwithstanding that some elements have been the subject of alteration. The Inspector agreed with the NPA that any decision must be informed by a full assessment of the historic interest of the windows, as well as the effects of the removal and by a full assessment of the condition of the windows. The possibility of repair with retention of some of the existing/historic fabric may well be possible and would be preferable to the full removal. However, in the absence of sufficient detail, no informed judgement can be made in this regard.
- In the absence of such an assessment, the proposal could lead to an unjustified and unnecessary alteration to the listed building, which would harm its significance.