

Planning Applications Committee 24 April 2019



Working in Partnership



Time and venue:

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

Membership:

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

Quorum: 5

Published: Thursday, 11 April 2019

Agenda

1 Minutes (Pages 1 - 4)

To confirm and sign the minutes of the previous meeting held on 3 April 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/18/0472 - Land at western end of Riddens Lane, Plumpton, East Sussex**
(Pages 5 - 26)
- 8 LW/18/1011 - Land adjacent to Neaves House, Laughton Road, Ringmer, East Sussex** (Pages 27 - 40)

Planning applications within the South Downs National Park

- 9 SDNP/18/06575 - Lower Tulleys Wells Farm, Beechwood Lane, Cooksbridge, BN7 3QG** (Pages 41 - 52)
- 10 SDNP/18/03306 - Holdings Farm, The Street, Kingston Lewes, East Sussex, BN7 3NT** (Pages 53 - 68)
- 11 SDNP/19/00076/FUL - 2 South Street, Lewes, East Sussex, BN7 2BP**
(Pages 69 - 74)
- 12 SDNP/19/01139 - 6 Hill Road, Lewes, East Sussex, BN7 1DB** (Pages 75 - 82)

Non-planning application related items

13 Date of next meeting

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 5 June 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

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Working in Partnership



Planning Applications Committee

Minutes of the meeting held in the Council Chamber, County Hall, St Anne's Crescent, Lewes, BN7 1UE on 3 April 2019 at 6.00pm

Present:

Councillor Sharon Davy (Chair)

Councillors Stephen Catlin, Graham Amy, Tom Jones, Dave Neave, Tony Rowell and Richard Turner

Officers in attendance:

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

138 Minutes

The minutes of the meeting held on 13 March 2019 were submitted and approved, and the Chair was authorised to sign them as a correct record.

139 Apologies for absence/Declaration of substitute members

Apologies for absence had been received from Councillors Liz Boorman, Jim Sheppard and Vic lent.

140 Declarations of interest

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

141 Petitions

There were none.

142 Written questions from councillors

There were none.

143 LW/18/0773 - 15 Cliff Gardens, Telscombe Cliffs, East Sussex, BN10 7BX

Joanna Wilkins, Sandra Mitchell and Richard Bushnell spoke against the application. Kim Claerhoudt and Jane Stroomberg spoke for the application.

Resolved:

That planning application LW/18/0773 for proposed 1 bedroom single storey detached dwelling (re-application after refusal of LW/18/0198) be approved, subject to the conditions set out in the report with condition 4 (ix) and condition 7 being amended for clarity.

144 LW/19/0012 - 20 Fort Road, Newhaven, East Sussex, BN9 9QF

Resolved:

That local authority planning application LW/19/0012 (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, with included accommodation of 6 x 2 bedroom apartments and 7 x 1 bedroom apartments be approved, subject to the conditions set out in the report and supplementary report, and subject to condition 3 being amended to include no deliveries to site before 09.00.

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

Councillor John Kay spoke on behalf of Ringmer Parish Council. Ben Ellis and Max Pengelley spoke for the application. Councillor Johnny Denis spoke in his capacity as a Lewes District Ward Councillor.

Resolved:

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

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

146 SDNP/18/03306/FUL - Holdings Farm, The Street, Kingston, Lewes, East Sussex, BN7 3NT

This application was deferred until the next scheduled meeting of the Planning Applications Committee on 24 April 2019, due to a technical error which extended the neighbour notification period to 23 April 2019.

147 SDNP/18/06575/FUL - Lower Tulleys Wells Farm, Beechwoods Lane, Cooksbridge, East Sussex, BN7 3QG

Jenny Begeman spoke against the application. Dan Page spoke for the application. Councillor Isabelle Linington spoke in her capacity as a Lewes District Ward Councillor.

Resolved:

That planning application SDNP/18/06575/FUL for construction of an earth banked farmyard manure store be deferred to the next scheduled meeting of the Planning Applications Committee on 24 April 2019, to allow for a site visit by the Committee.

148 Summary of appeal decisions received from 27 November 2018 – 26 February 2019 (South Downs National Park)

Resolved:

That the appeal decisions received from 27 November 2018 – 26 February 2019 (South Downs National Park), be noted.

149 Date of next meeting

Resolved:

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

The meeting ended at 8.30pm.

Councillor Sharon Davy (Chair)

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Agenda Item 7

APPLICATION NUMBER:	LW/18/0472		
APPLICANTS NAME(S):	Landacre Developments (Plumpton Green) Ltd	PARISH / WARD:	Plumpton / Plumpton Streat E.Chiltington St John W
PROPOSAL:	Outline planning application for up to 20 dwellings (including 40% affordable), access, landscaping, footpath diversion and associated infrastructure (Amended Site Plan and Drainage Strategy - Public Footpath No Longer Diverted).		
SITE ADDRESS:	Land At Western End Of Riddens Lane Plumpton East Sussex		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

SITE DESCRIPTION

1.1 The application site comprises an open field forming part of Riddens Farm, which is accessed via Riddens Lane on the western side of Station Road, the main north-south road through Plumpton Green, and adjacent to the village Post Office and stores.

1.2 The length of Riddens Lane to the northern boundary of the site is unmade and continues west along the route of public footpath 12B, and providing access to a private track. Footpath 13A runs through the application site between Riddens Lane and the Bevern Bridge/Grantham Stream that bounds the southern perimeter of the application site.

1.3 The lower third of the site is within Flood Zone 2 and the immediate vicinity of the stream is Flood Zone 3. Ground level within the site slopes downwards, from north to south, in the direction of the stream.

1.4 To the south-east of the site lies East View Fields, a looping road characterised by detached and semi-detached properties. To the north-east, and also accessed via the unmade length of Riddens Lane there are three detached houses: South View Nursery; Brambles; and Winklepatch. To the west lies open countryside and to the south, across the stream, is Riddens Farm House and the mainline railway.

1.5 There is well established tree planting around the perimeter of the application site.

PROPOSAL

1.6 The application seeks outline planning consent for the development of the site by way of 20 residential units - 12 houses, 4 affordable houses and 4 affordable flats.

1.7 The proposal includes 40% affordable housing, 25% of which to be intermediate housing and 75% for affordable rent. The proposed mix of units is as follows:-

- 4 x 2-bed houses
- 4 x 3-bed houses
- 6 x 4-bed houses
- 2 x 5-bed house
- 2 x 1-bed flats
- 2 x 2-bed flats

Plots 5 and 6 have been moved further to the north so that they are now fully within Flood Zone 1.

1.8 The application seeks approval for the principle of development, the access, landscaping, and layout. The details of the scale and appearance of the proposed development and individual buildings will be subject to subsequent planning applications for approval of reserved matters.

1.9 A total of 41 car parking spaces are proposed throughout the development site.

2. RELEVANT POLICIES

LDLP:

CT1 - Planning boundary
ST3 - Design form and setting

Joint Core Strategy : SP1 - Provision of Housing
SP2 - Distribution of housing
CP1 - Affordable Housing
CP2 - Housing mix
CP10 – Natural Environment
CP11 – Built and historic environment
CP12 – Flood Risk

Plumpton Neighbourhood Plan – PNPP5

3. PLANNING HISTORY

LW/14/0863 - Change of Use of agricultural land to residential and the erection of 12 x residential dwelling houses and 4 x flats - **Withdrawn**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Planning Policy Comments – Partial Objection

The proposal appears to be in general conformity with the requirements of the Plumpton Neighbourhood Plan overall, insofar as the extent of this Outline application will allow, with the exception of the number of dwellings proposed as part of the planning application (i.e. in excess of 16).

Although a portion of the site lies within Flood Zone 3, this part of the site is not to be developed. Some of the site lies within Flood Zone 2 and although most of this area of the site is not proposed for development, two of the dwellings are to be partially located within this Zone. The Flood Risk Assessment (FRA) states that the risks associated with this should and can be mitigated against. It is noted that the FRA concludes that the ground is unlikely to accommodate soakaways, or similar mechanisms, but recommends that Geocellular Storage is used to mitigate against the impact of significantly increasing the impermeable area within the site. It is also proposed that surface run-off is discharged into the existing watercourse (which lies in Flood Risk Zones 2 and 3). Nevertheless, the FRA recommends further investigation at detailed design stage.

(Officer note – the scheme has since been amended so that none of the dwellings are located within Flood Zones 2 or 3).

Parish Council – Objection

Despite this site being in the Plumpton Parish neighbourhood Plan, the Planning Committee does not support the 20-unit scheme as it is does not accord with the made Plumpton Parish Neighbourhood Plan (Policy 5.1 in the Plan).

The Planning Committee supports in principle the 16-unit scheme on the basis of its inclusion in the made Plumpton Parish Neighbourhood Plan.

However, the current application does not accord with the proposed development supplied by the applicant during the Neighbourhood Plan public consultation process in two material aspects:

- Contrary to what is stated in the design statement, a small part of the development is located in flood zone 2, in violation of Policy 5.2 of the made Plumpton Parish Neighbourhood plan

- The 'developed' site has been extended to provide larger gardens for the new dwellings, requiring diversion of the footpath that previously had been stated as being retained and enhanced. This takes the area of development outside that designated in the 'made' plan

Both of these are capable of satisfactory resolution, and the Planning Committee would encourage the applicant to engage constructively with Lewes District Council and Plumpton Parish Council to expedite that.

In addition, and acknowledging that this is an outline rather than a detailed planning application, the Planning Committee notes a number of major concerns about the proposed development. These have also been raised by statutory bodies in their formal responses and by residents of neighbouring properties in the Riddens area and East View Fields in particular.

1. Surface water flooding. There is concern about the practicality and level of detail in the application about surface water flooding risk and mitigation. This is of major concern to adjacent residents, including those downstream in East View Fields, with properties bordering on the Bevern. Some expressed concern that the currently available risk assessment data do not adequately reflect the frequency of flooding events. Even at the outline application stage it would be useful to confirm how the proposed SUDS design will function at full capacity and the implications for residents of the new development and of East View Fields if it should prove inadequate. In addition, longer term ownership and maintenance responsibilities for the system should be clearly set out. This is for LDC and ESCC to address and we hope they will do so to parishioners' satisfaction.

2. Access. A repeatedly raised and key concern is access at the Station Road junction and along Riddens Lane itself. The junction is at the brow of the hill, and directly adjacent to the village shop. Visibility to the north is very poor, and delivery lorries are frequently parked outside the shop when the parking area is full, reducing visibility still further. Cars are also parked south of the junction, in the bus parking area, with similar impact on visibility. We share residents' concern about the safety, especially that the times of peak usage coincide with school starts and deliveries at the shop. A further concern is the traffic management along the length of Riddens Lane and proposed passing spaces. Both must demonstrably meet safety requirements, both for vehicular and pedestrian access, and noting the legal requirements for disability access. It was noted by residents that large farm vehicles frequently use the lane and the proposed passing spaces would not accommodate two delivery lorries or a tractor and a council rubbish lorry. This is a public footpath as well as a pedestrian access route to properties all along Riddens Lane and the proposal makes no provision for a designated pedestrian walkway.

In addition, and especially noting the considerable amount of spoil removal necessitated by both construction and the proposed SUDS, the Planning Committee requests that specific control measures should be implemented around site access in peak times, in particular limiting ingress/egress to the site at the start and end of the school day, with effective intervention measures to ensure the requirements are adhered to. A clear agreement on accountability for remediation/reinstatement of the existing road surface along the entire length of Riddens Lane post-construction is also required. Responsibility for maintenance of the lane must also be clearly specified within the ongoing management arrangements for shared areas of the site.

3. Public right of way. The Planning Committee notes ESCC correspondence indicating that there has been no contact from the applicant regarding their proposal to divert the footpath. The Planning Committee endorses the concern raised by several residents that the footpath will be diverted through Flood Zone 3, and so likely to be impassible for much of the winter months. A raised boardwalk should be built to maintain the current all-year access through the site, and a hedgerow buffer of suitable native species planted so that

walkers are not hedged between a blank fence and the stream. Note should be taken of ESCC minimum recommended minimum width for the diverted footpath.

4. Design. The mix of housing should more fully reflect Policy 5 of the made Plumpton Parish Neighbourhood Plan, which explicitly welcomes the provision of one-to-three bedroom dwellings and/or dwellings that meet the needs of young families and those wishing to downsize. This also reflects the local housing needs survey, which stresses the need for smaller homes. Currently the number of 5- and 4-bed houses is disproportionate, in our view. We are also concerned that the 'affordable' one and two-bed houses are separated off from the rest of the development, with their own access road and their backs to the other houses, which all front onto the main entrance/access road. This appears to be a deliberate separation, with no design justification. It does not, we feel promote cohesiveness and inclusion within the new community to fence off these houses in this way.

5. Landscape & biodiversity. Screening around the site on all sides, including along the diverted footpath, should respect the rural location and comprise native species, not fencing. We note that screening to the west may be needed to conceal the houses from walkers using the footpath that feeds into Riddens Lane.

6. Foul water drainage. The application makes no mention of how the development of the site will impact on existing and acknowledged (by ESCC) major sewage management problems in Plumpton Green.

ESCC Rights Of Way – No objection

The proposal to divert Footpath Plumpton 13a in conjunction with this application is noted. A suitable diversion under Section 257 of the Town and Country Planning Act would be required. It would be expected that the application would be made to the Planning Authority. However, the applicant is invited to contact our offices at an early opportunity with further details on the diversion proposal. There has been no discussion with our offices to date and provision of a view on whether the proposal is suitable is not therefore possible

A width of 2.5 metres for the diverted path is requested and assessment of the route would be required to ascertain whether the ground conditions are suitable or whether surface improvements would be needed.

If approved, a condition should be imposed requiring an application for diversion of the footpath. Subject to that condition and our assessment of the diversion no objection is raised to the proposal at this stage.

[Officer Note: The amended plans no longer seek to re-route the public footpath]

ESCC SUDS – No objection

Following our formal response dated 11th July 2018, the applicant submitted additional information on 20th February 2019. The additional information has addressed our concerns regarding detailed hydraulic calculations for the entire proposed hardstanding area and a detailed drainage layout.

It should be noted that the Bevern Stream is adjacent to the application site and as a consequence part of the site is within the extent of flood zones 2 and 3. It is a designated Main River, making the management of the flood risk associated with it the responsibility of the Environment Agency.

British Geological Survey (BGS) data shows that there is a potential for groundwater flooding at the surface which indicates that groundwater levels are very high at the

application site. Impacts of high groundwater on the surface water drainage system can result in increased flood risk if groundwater is not managed appropriately. Geocellular storage systems are very susceptible to impacts of groundwater, particularly their hydraulic capacity and structural integrity. Therefore the applicant should demonstrate a good understanding of the expected groundwater levels and mitigation measures to manage impacts of high groundwater on the drainage system.

The Bevern Stream, which will receive surface water runoff from the development, is a Water Framework Directive waterbody with the objective to achieve Good Ecological Status by 2027. Therefore the applicant should assess the possibility of using above ground SuDS structures that improve the water quality, and contribute towards the WFD objective instead of further deterioration of the watercourse. Such an approach would also accord with Core Policy 12 of the Joint Core Strategy, which includes "requiring new development to incorporate Sustainable Drainage Systems (SuDS), unless it is demonstrated that SuDS are not technically appropriate."

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

1. Surface water discharge rates not exceeding the 1 in 1 (2.8 l/s) 1 in 30 (7.4l/s) and 1 in 100 (10.4l/s) for all rainfall events, including those with 1 in 100 (+40% for climate change) annual probability of occurrence. Evidence of this (in the form hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.
2. The details of the outfall of the geocellular tank and how it connects into the Bevern Stream should be provided as part of the detailed design. This should include cross sections and invert levels.
3. The condition of the main river which will take surface water runoff from the development should be investigated before discharge of surface water runoff from the development is made. Any required improvements to the condition of the watercourse should be carried out prior to construction of the outfall.
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.
5. The detailed design of the geocellular storage should be informed by findings of groundwater monitoring between autumn and spring. The design should leave at least 1m westernunsaturated zone between the base of the tank and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the drainage system should be provided.
6. A maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following:
 - a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details.
 - b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.
7. 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.
8. 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.

ESCC Archaeologist – No comments.

ESCC Highways – No objection

The preferred option would be that both passing places as shown on drawing 003 revision A are provided. However, given that the lane is private, the highway authority cannot insist on them being provided. It is noted that it would appear that any driver would be able to see from the remaining proposed passing place [and from the position of Riddens Close to where the lane is to be widened to 5 metres]. Therefore a vehicle travelling in either direction should be able to wait, where the carriageway is wider, for another vehicle travelling in the opposite direction.

With regards to the contribution of £6,500 that is just for the administrative costs involved and any lines and signs required with any possible TRO such as parking restrictions, or extending/altering the bus stop clearway under notice.

It does not include the other physical works/improvements at the Station Road/Riddens Lane junction and or to the bus stop itself. These details would need to be agreed through the 106, but could include footway alterations on Station Road between the carriageway of Riddens Lane and the bus layby to provide more of a footway here with tactile paving both sides of Riddens Lane. Our public transport team have previously requested that alterations are made to the bus stop layby here too.

As such no objection is raised to the revised plan T-003-Revision B.

This HT401 is issued in response to the planning application which includes a Transport Statement and additional information/amended plans [No. 101598-T-003 revision B dated 14th January 2019 & plan No. 101598-T-004 dated 21st August 2018] which follows extensive discussions between all parties.

The proposal is for up to 20 new residential units of variable sizes with an alternative layout for only 16 units.

Although this is for OUTLINE purposes only the Access, Layout and Landscaping is to be dealt with at this stage. The development would be accessed from an existing unadopted road, Riddens Lane. This provides access to the local shop and approximately 46 other residential properties on Riddens Lane, The Paddocks, Riddens Close and The Bevers. The proposal represents approximately a 43% increase in dwellings that would be served from Riddens Lane through Riddens Lane/Station Road junction.

A transport statement accompanies this submission and is based on the full 20 units. The site is within the Draft Neighbourhood Plan for Plumpton whereby the Highway Authority has not objected to 16 units on this site subject to certain conditions and off site highway improvements being carried out to mitigate the development. This proposal of an additional 4 [total 20] units includes all these requirements and as such I do not object to the application.

I recommend highway conditions and off site highway works with details to be agreed and secured through a s106 Agreement.

Response

1. Riddens Lane/Site Access

The junction of Riddens Lane with Station Road is in principle constructed to standard and offers the required visibility splays of 2.4 metres x 43 metres conforming with guidance within Manual for Streets 2007.

To the south of the junction is a bus lay-by, however, vehicles also stop and park in this area which can accommodate 3 – 4 cars. It is noted that there is a hatched section of carriageway on the corner of the junction to protect the driver sightlines. The bus stop does not pose any issues here as a bus would stop if requested to and the rest time is short, not affecting the operation of the junction. Vehicles that are parking here are, on occasion, poorly parked [i.e. too far from the kerb edge; covering the hatched section; tall vans parked too close to the junction] and driver visibility for vehicles emerging from Riddens Lane is obscured. Some on street parking also occurs to the north of the junction restricting visibility at times here also.

It is considered there is scope to provide improvements here and these will be discussed under 'highway requirements' below.

Riddens Lane being an unadopted private road, and partly surfaced, it should be realised that landowner consent is required for access between the adopted road [Station Road] and the site, and is a matter for the applicant. It is noted that Riddens Lane is included within the red site area and paragraph 4.5 of the Transport Statement states that "*Riddens Lane is a private road, which is under the control of the applicant...*" There is also a public right of way over Riddens Lane [footpaths 12a/b] that should be safeguarded as a result of the improvements works proposed and increase in traffic. It is noted that the public footpath across the site is proposed to be diverted as part of this application. However, it is noted that this aspect is covered by my colleague in ESCC Public Rights of Way team.

The access to the site shown on the plan falls within the private road [Riddens Lane]. The distance between the site entrance west of the property 'Winklepatch' and the junction with the adopted highway [Station Road] is approximately 200m in length and the proposed changes to the road varies in width through this section. The minimum width for 2 cars to pass one another is 4.1m (MfS) and the access road exceeds this width for the most part other than 2 short sections where the width is 3.5m. The amended plan [No. 101598-T-003 revision B] intends to widen the road which intend to keep speeds low and identify areas that vehicles can wait to allow other vehicles to pass. They also benefit users of the public footpath by effectively slowing flows and establishing a shared space.

2. Trip Generation

The TS has referred to TRICS database to determine the trip rates to the site, resulting in 13 vehicular trips in both the AM and PM peak, thus 1 trip every 4½ minutes. The development would generate approximately 120 vehicular trips a day which is acceptable.

3. Accessibility

The site is within walking distance of Plumpton railway station being approximately 700 metres from all parts of the site. This is within the acceptable walking distance to a railway station. The railway station provides an hourly train service to London/Lewes/Brighton. These services enable non-car access to mainline stations to London and Lewes, and changes at Lewes to coastal stations.

The nearest bus stops [north and south bound are on Station Road (C110) around 160m from all parts of the site access and are well within the 400 metre desirable walking distance to bus stops.

ESCC supported bus routes 166 and 167/168 provide services pass the site. The 166 route provides an approximate 2 hourly daytime service Monday to Fridays only, providing links to Lewes and Haywards Heath. The 167/168 also provide some journeys to local villages and Burgess Hill on weekdays. There are no evening or weekend bus services for Plumpton.

The site is centrally located within the village and has a local shop, primary school, village hall, public houses, post office and other small businesses which are able to eliminate shorter journeys by car as mode of travel, given there is access provision on foot or cycle. Station Road is subject to a 30 mph restriction and with footways connecting to the available services. Journeys to work can be made by non-car modes to a wide range of employment centres covered by these services.

4. Highway Requirements

To encourage occupiers of this development/villagers to use public transport bus stop infrastructure needs to be improved.

- The nearest northbound bus stop is just south of Riddens Lane which has a brick bus shelter. However, the stop is not accessible to all persons due to parked vehicles. Providing the necessary protection to ensure compliance with accessibility regulations would normally be by way of a raised kerb. However, to minimise the loss of parking in this location, I would wish to see the entry to the layby [southern end] re-profiled to effectively provide a bus stop build out “pier” of sufficient width and height to be accessibility compliant.
- There is currently no marked southbound bus stop in the location of the site/Riddens Lane. It is therefore recommended that a new stop opposite the northbound bus stop (or in the vicinity of) be provided. The exact position to be agreed and will need to be accessible to all with provision of DDA compliant kerbing, bus stop pole, flag/timetable and shelter.
- Also in order to connect the site to the bus stops dropped kerbs and/or tactile kerbing is required across Riddens Lane at its junction with Station Road and across Station Road in the vicinity of the bus stops and may require further alterations to the bus layby profile at the northern end.
- Due to vehicles currently parking on Station Road to the north of Riddens Lane it may be necessary to introduce some form of parking restrictions at this point.
- A Traffic Regulation Order and appropriate signing will be required for both the alterations to the bus stop and possible parking restrictions to the north and therefore a £6000 contribution would be sought for the administrative costs of the Traffic Regulation Order.

All these off site highway works and contribution would need to be secured through a s106 and detailed design agreed through a s278 Agreement with ESCC.

5. Parking

Based on the proposed 20 units and assuming the 4 flats and 4 x 2 bedroom houses would be affordable/social housing then in accordance with ESCC's car parking standards [October 2017] 43 spaces should be provided. This is based on 1 space allocated per flat and 2 spaces allocated for all other units. The submitted amended plan No.101598-T-004 indicates that 43 spaces would be provided by the provision of 38 spaces and 5 spaces within the 15 garages. This is in accordance with ESCC parking guidelines [October 2017] and I am confident that there should not be overspill into Riddens Lane, the parking shown is now acceptable.

If cycling facilities are to be provided within the garages then 5 of the garage spaces would need to be extended by at least 1 metre to accommodate this facility.

A tracking plan for refuse vehicles has been provided and indicates that 10.595m refuse vehicle can be accommodated. Whilst I would prefer to see vehicle tracking for the largest

refuse vehicle currently 12m I understand LDC's Waste Team have accepted this size vehicle.

6. Travel Plan Issues

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

7. Mitigation Measures

A Section 106 agreement (including provisions for a S278 Highway agreement to cover the physical works detailed below) would be required to include provision of:-

- The existing layby to the south of Riddens Lane shall be reprofiled to effectively provide a bus stop build out "pier" of sufficient width and height to be accessibility compliant and/or provide further alterations to the bus layby profile at the northern and southern ends.
- New southbound bus stop on Station Road opposite the northbound stop [or in vicinity of] to be provided. The exact position to be agreed and will need to be accessible to all with provision of DDA compliant kerbing, bus stop pole, flag/timetable.
- Dropped kerbs and/or tactile kerbing across Riddens Lane at its junction with Station Road and across Station Road in the vicinity of the bus stops.
- A Traffic Regulation Order Contribution of £6,500 towards administrative costs of a Traffic Regulation Order for alterations to parking restrictions and bus stop cage.

With all details to be agreed and subject to necessary Safety Audit procedure.

All these off site highway works and contributions would need to be secured through a s106 and detailed design agreed through a s278 Agreement with ESCC.

Tree & Landscape Officer Comments – Objection

- Detrimental impact on local landscape and change to fabric, character and local distinctiveness of the area.
- Detrimental impact on local views of the landscape from locally accessible public paths
- Intrusion into local countryside
- With regards to existing trees no objection in principle to development of the site as a whole
- Layout and hard surfacing unacceptable due to areas of hardstanding that will give the development an urban landscape on which is essentially a rural site
- Soft landscaping may not be adequate on the western boundary is not clear.

Environment Agency – Objection

The Flood Risk Assessment (FRA) submitted with this application does not comply with the requirements set out in the National Planning Practice Guidance. The submitted FRA does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

The submitted FRA is not appropriate in its current form as more information would be needed to determine the level of risk of the proposal.

The mitigation measures following flood risk standing advice for the two properties in Flood Zone 2 would only be appropriate when risk is well known. However the Flood Zone in the concerned area was derived from the original National Flood Mapping exercise in 2004 and has not been improved since. The model used was coarse and does not provide enough detail for site specific conditions.

Given the medium size nature of the development we would expect more detail to be provided by the development to either improve the flood information quality or for the mitigation measures to be more conservative.

Housing Needs And Strategy Division – No objection

Number of units - acceptable (40%)

Tenure split - acceptable (75/25 split between affordable rent and intermediate units)

Size of units - more information required (not stated)

Dwelling mix - more information required (more 1-bed units required)

[Officer note: size of units is not stated as this is an outline application]

Forestry Commission – No objection

Natural England – Natural England has previously commented on this proposal and made comments to the authority in our e-mail dated 12 July 2018.

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Natural England has been contacted by a member of the public who has raised concerns for the impact that the above-mentioned planning proposal will have on the protected species present, and the lack of perceived survey effort undertaken for these species.

In determining a planning application, it is the responsibility of the Local Planning Authority, to ensure that protected species issues are fully considered and that ecological surveys have been carried out where appropriate. Natural England has issued Standing Advice to assist Local Planning Authorities and developers in deciding whether there is a reasonable likelihood of protected species being present on a proposed development site. It provides detailed advice on those protected species most often affected by development to enable an assessment to be made of the suitability of a protected species survey and, where appropriate, a mitigation strategy to protect the species affected by the development.

Natural England recommends that the planning authority seek advice from their own in-house or the County Ecologist for advice in relation to this matter.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

A representation has been received from 47 East View Fields raising no objection subject to no hard surfacing to areas of back garden adjacent to river.

Representations have been received from 1 and 5 The Paddocks; Western House Station Road; Riddens Farm, 19, 21, 23, 29, 39, 41, 43, 45, 49, 51, 53 and 55 East View Fields; Downsvie Cottage, Rylands Cottage, Winklepatch, Southview Cottage, Brambles, 1, 3, 4,

7, 14 Riddens Lane; Raymar, Brookside 5 Riddens Close; 11 Montacute Road (Lewes) on behalf of Plumpton and District Footpath Society; 2 and 3 Old School Cottages Station Road; Old Plumpton Post Office, objecting to the application for the reasons listed below:-

Conservation significance
Historical significance
Contextual significance
Effect on AONB
Loss of open space
Loss of trees
Over-development
Out of character
Building in countryside
Effect on wildlife
Inadequate Great Crested Newt and reptile surveys
Contrary to policy
Contrary to NPPF
Outside planning boundary [Officer Note: this is factually incorrect.]
Not sustainable
Traffic generation
Highway hazards
Congested and dangerous junction with Station Road
Parking issues
Construction vehicles
Inadequate access
Drainage
Flooding
Applicant has made assumptions in relation to land ownership, such as the verges in Riddens Lane
Re-routing of public footpath near to stream
[Officer Note: this is no longer the case, refer to amended plans.]
Lack of infrastructure
Effect on town centre viability
Insufficient information
Overlooking, loss of privacy
Loss of light
Noise and disturbance
Loss of tranquillity
Does not promote healthy community
Overbearing building/structure
Overshadowing
Smell/fumes

Following an additional round of neighbour notification a small number of further objections have been received although no new material concerns have been raised in addition to the above.

6. PLANNING CONSIDERATIONS

PRINCIPLE OF DEVELOPMENT

6.1 The letters of objection received are acknowledged and it has been noted that the number of units proposed, and the conflict with the adopted Neighbourhood Plan for the village, are key concerns locally.

6.2 Historically this site has been identified as capable of delivering 16 residential units in the Council's Strategic Housing Land Availability Assessment (most recently in 2018 - Site 14PL on Map 6) and the planning history for the site indicates that a proposal was put forward for 16 units in 2014, but the application withdrawn prior to determination.

6.3 The Neighbourhood Plan for Plumpton Parish was adopted by Lewes District Council in May 2018. Policy 5.1 allocates the Riddens Lane site for residential development of up to 16 new dwellings. The allocation is subject to conditions which include:

- Upgrading Riddens Lane with a suitable surface to provide safe access for vehicles and pedestrians between the site and Station Road
- Locate housing within Flood Zone 1

6.4 The scheme put forward by the applicant is for 20 residential units, therefore exceeding the number set out in the Neighbourhood Plan. In these respects the proposed development conflicts with the Neighbourhood Plan, and the Neighbourhood Planning Officer within the Council has raised objections, along with the objections of Plumpton Parish Council. All new dwellings are shown on the amended plans to be within Flood Zone 1.

6.5 In terms of the built form, the 20 unit units scheme when compared to a 16 unit scheme is of limited additional visual impact, not least because units such as the proposed flats occupy only one level with a building which from the outside has the appearance and scale of a single two storey house. The benefits of the scheme include provision of affordable housing and a higher proportion of smaller units, as well as locating all new dwellings within Flood Zone 1 and incorporating improvements to Riddens Lane, as per the Neighbourhood Plan policy. The applicant has also demonstrated that this number of units can be accommodated within the site without affecting the route of the public footpath or the established planting around the edge of the application site.

6.6 In view of this it is considered that the proposals are in broad conformity with the policy allocation and the benefits brought about by the scheme are considered to be acceptable in principle.

LAYOUT AND LANDSCAPING

6.7 Details of the proposed layout have been submitted for approval, but details of the scale are reserved for subsequent approval. (Government guidance states that the definition of scale includes the size of the development, including the height, width and length of each proposed building, but the indicative plans submitted are for two storey buildings).

6.8 The applicant has submitted details of the mix of dwelling sizes, which again provides some indication of scale, and on this basis the proposed layout has been considered.

6.9 The spaces between each proposed residential unit would be tighter than the layout of nearby Winklepatch, Brambles and South View Nursery, but not dissimilar to the layout of nearby Riddens Close or East View Fields, and still maintaining the edge of settlement spaciousness. Due to the proposed dwellings occupying only the top part of the site area, in order to remain within Flood Zone 1, a large proportion of the site will remain green and landscaped, and, notwithstanding the objections from the Tree and Landscape Specialist, this will aid the softer and more natural integration of the development into its rural surroundings. The comments received in respect of a gap in the landscaping along the western edge of the site are noted and further details of this area can be secured by imposing an appropriate condition.

6.10 Ensuring that surface water can be managed in a sustainable manner is of great importance if the layout is to be approved at this outline planning permission stage. The letters of objection received indicate the flood risk is also a major concern for local people.

6.11 The applicant has worked closely with the Lead Local Flood Authority (East Sussex County Council), which, having initially raised objections to the scheme, is satisfied that the site can accommodate the proposed development subject to detailed and relatively technical planning conditions, which should where appropriate be satisfied before the development commences.

6.12 The proposed parking areas and roadways have, as is usual, been kept to the minimum required, and the layout proposals incorporate soft landscaping throughout the development. The footpath across the south-eastern portion of the site will remain in its current position, leaving an expanse of grassland down to the banks of the Bevern Stream, and this will be managed as per the landscaping within the development itself, by a management company in which each property owner will have a stake. Around and in between the proposed dwellings and parking areas tree planting and lower level shrub planting is proposed in order to break up and soften the overall appearance of the development and reduce the area of hard surfaces within the scheme. This approach is considered reasonable and acceptable because it takes into account the requirement for off-street car parking and the necessity for paved areas to the entrances and side gates leading to the back gardens of each property which seeking also to make the overall scheme green and attractive.

ACCESS

6.13 The junction between Riddens Lane and Station Road is already used by at least 59 properties and it is noted from the objection letters received that the impact of the proposed development on the junction with Station Road is of great local concern, as is the ownership and scope of carrying out improvements to the unmade length of Riddens Lane.

6.14 The highway authority has confirmed that the amount of car parking provided for the development is acceptable and also that the re-surfacing and widening of Riddens Lane and provision of a passing bay, is acceptable. The plan submitted, T-003 Revision B, indicates that the private verges of neighbouring residents will not be compromised. On this latter issue, it should be pointed out that if local residents partly own areas of Riddens Lane, this does not prevent the local planning authority from issuing a decision and determining the planning application, but the applicant may have to enter into private discussions with other landowners, if necessary, in order to implement the scheme.

6.15 The highway authority has also recommended that a financial contribution is sought as part of the S106 Agreement in order to amend the Traffic Regulation Order to allow for modifications to parking restrictions, line painting, signs and extending and altering the bus stop clearway notice at the junction with Station Road. Off-site highway works will also include alterations and improvements to the bus layby/footway to the immediate south of Riddens Lane and across the junction with Station Road; improvements to the bus stop and alterations to provide more of a footway, with tactile paving, on both sides of Riddens Lane.

6.16 The proposals set out by the applicant in an agreement with the highway authority can be secured by entering into a S106 Agreement and will bring about the improvements outside of the application site which are necessary due to the additional demand and pressure brought to bear as a result of the housing development.

RESERVED MATTERS

6.17 The scale and external appearance of the proposed development have not been submitted for formal determination at this stage and will be subject to subsequent planning approval as reserved matters. The applicant has submitted a statement requesting that the standard expiration of the outline planning and reserved matters stages are reduced so that the development can be delivered sooner than the default time period could allow, and this in itself will help achieve the objectives set out in the Plumpton Neighbourhood Plan and bring much needed housing and affordable housing to the village.

S106 HEADS OF TERMS

6.18 The development if approved will require a S106 agreement to secure the following -

- 40% affordable housing (8 units), of which 75% to be affordable rent and 25% intermediate units.
- £6,500 in order to amend the Traffic Regulation Order to allow for modifications to parking restrictions, line painting, signs and extending and altering the bus stop clearway notice at the junction with Station Road.
- A new southbound bus stop on Station Road opposite the northbound stop (or in vicinity of), exact position to be agreed. The bus stop will be accessible to all with provision of DDA compliant kerbing, a bus stop pole and flag/timetable.
- Off-site highway works including alterations and improvements to the bus layby/footway to the immediate south of Riddens Lane and across the junction with Station Road; improvements to the bus stop; and alterations to provide more footway, with tactile paving, on both sides of Riddens Lane and the opposite side of Station Road.

There shall also be a s278 Agreement with the highway authority.

7 Recommendation

7.1 That planning permission is granted, subject to a S106 agreement and subject to the following conditions –

1. Outline Permission

- (a) Approval of the details of the scale of each building and the appearance of each building (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
- (b) Plans and particulars of the reserved matters referred to in condition 1(a) above, relating to the scale of each building and the appearance of each building, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
- (c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
- (d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

2. No development shall take place until details of electric vehicle charging points have been submitted to and approved in writing by the local planning authority. The electric vehicle charging points shall be installed in accordance with the approved details prior to the first residential occupation of each individual residential dwelling unless otherwise agreed in writing by the local planning authority.

Reason: To encourage the uptake of electric vehicles in the interests of reducing harmful emissions and minimising the impact of the development on air quality, in accordance with policies CP9, CP13 and CP14 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework 2012.

3. No development above ground shall take place until a detailed landscape plan identifying all planting outside of the private domestic gardens and including a plan identifying all communal areas to be managed separately has been submitted to and approved in writing by the local planning authority.

Reason: For the avoidance of doubt and in the interests of amenity in accordance with retained policy ST3 of the Lewes District Local Plan, Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and the National Planning Policy Framework 2019.

4. Arboricultural Method Statement & Tree Protection Measures

a) No development shall take place until an arboricultural method statement, to include details of all works within the root protection area, or crown spread [whichever is greater], of any retained tree, has been submitted to and agreed in writing by the District Planning Authority. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the District Planning Authority.

b) This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.

c) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during site clearance operations, site preparation and subsequent development operations and up until completion and full occupation of the buildings for their permitted use within 2 years from the date of the occupation of the buildings for their permitted use, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

d) No development shall take place, including site clearance or installation of temporary plant or structures associated with the construction of the development, until full details of the measures to be implemented in order to safeguard and protect the hedgerows to be retained have been submitted to and approved in the writing by the local planning authority.

Reason: To enhance the general appearance of the development and in the interests of preserving the amenity of the locality having regard to Policy ST3 and policies CP10 and CP11 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

5. No development shall take place until full details of both hard and soft landscape works, including particular details of tree/hedge planting and boundary treatment have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out

as approved. If within a period of 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 and to protect residential amenity having regard to Policy ST3 and policies CP10 and CP11 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

6. A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscaped areas other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the 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: To enhance the general appearance of the development having regard to Policy ST3 and policies CP10 and CP11 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

7. No development shall take place until a schedule and samples of all external materials and finishes including the fenestration; hard surfaces; roof materials and external finishes to the walls, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policy ST3 of the Lewes District Local Plan, policy CP11 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

8. Notwithstanding anything contained in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any amendment or replacement thereof), prior to the commencement of any building or engineering operations for the development, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. The CEMP shall include the following information and the development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority:-

- 1) the temporary arrangements for access and turning for construction traffic together with reinstatement as necessary at the end of each construction period;
- 2) the size and frequency of vehicles (contractors and deliveries);
- 3) the routing of vehicles (contractors and deliveries) and traffic management (to allow safe access and turning for construction vehicles);
- 4) the temporary arrangements for parking of vehicles associated with deliveries, site personnel, operatives and visitors;
- 5) a contractors' parking and Travel Plan;
- 6) facilities for the loading and unloading of plant and materials;
- 7) the location(s) for storage of plant and materials used during construction;
- 8) the location(s) of any site huts/cabins/offices
- 9) details of temporary lighting during construction;
- 10) details of the proposed security arrangements for the site including temporary site security fencing and site hoardings;
- 11) details of the precautions and facilities put in place to guard against the deposit of mud and substances from the application site on the public highway, to include washing facilities by

which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed in order to be free of mud and similar substances prior to entering the public highway;

12) details outlining the proposed range of dust and dirt control measures and noise mitigation measures during the course of construction of the development, having regard to Section 61 consent under the Control of Pollution Act 1974;

13) details of off-site monitoring of the CEMP; and

14) assurance that the construction will be undertaken in accordance with the Considerate Constructor's Scheme.

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

9. No development shall take place until the information listed below has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the local planning authority:

- o Evidence (in the form of hydraulic calculations) and detailed drawings to demonstrate that surface water discharge rates will not exceed the 1 in 1 (2.8 l/s); 1 in 30 (7.4l/s); and 1 in 100 (10.4l/s) for all rainfall events, including those with a 1 in 100 (+40% for climate change) annual probability of occurrence. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.

- o Design details, including cross sections and invert levels, of the outfall of the geocellular tank and how it is to connect with the Bevern Stream.

- o A written investigation into the condition of the main river which will take the surface water runoff from the development along with details of any required improvements to the condition of the watercourse to be carried out prior to construction of the outfall.

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

- o Design details of the geocellular storage informed by findings of groundwater monitoring between autumn and spring. The design should leave at least 1m unsaturated zone between the base of the tank and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the drainage system should be provided.

- o A maintenance and management plan for the entire drainage system to include:

- o Details of who will be responsible for managing all aspects of the surface water drainage system, including piped drains.

- o Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development.

- o Details of the measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a stand-alone document or be incorporated into the Construction Management Plan for the development.

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

Reason: In the interests of amenity and to manage flood risk in accordance with Core Policies 11 and 12 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 2019.

10. Prior to the first residential occupation of the development hereby permitted, the reconstructed access road, including passing bays and any raised tables, shall be implemented

in accordance with details to include gradients, surface water drainage and surfacing, which shall be submitted to the local planning authority for approval.

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

11. 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, amenity and in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

12. The development hereby permitted shall not be occupied until full details of covered and secure cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be implemented prior to the first residential occupation of the development, and be retained thereafter for the parking of cycles associated with residents and visitors to the development hereby permitted.

Reason: To provide alternative travel options and encourage use of alternatives to the use of the private car, in the interests of sustainability in accordance with current sustainable transport policies including retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

13. Prior to the first residential occupation of the development hereby permitted, the car parking areas shall be provided in accordance with the approved plans. The parking areas shall be retained as such thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and sustainability and to provide sufficient off-street car parking for the approved development, in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

14. The development hereby permitted shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected within and, where necessary, around the perimeter of the application site. The approved boundary treatment shall be completed in accordance with the approved details prior to the occupation of the dwelling units and retained as such thereafter.

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

15. 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, with no deliveries between 08.00 and 0930 and 14.30 to 15.30 (to avoid school drop off/pick up). 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.

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

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

INFORMATIVE(S)

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

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

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 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).

6. 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.

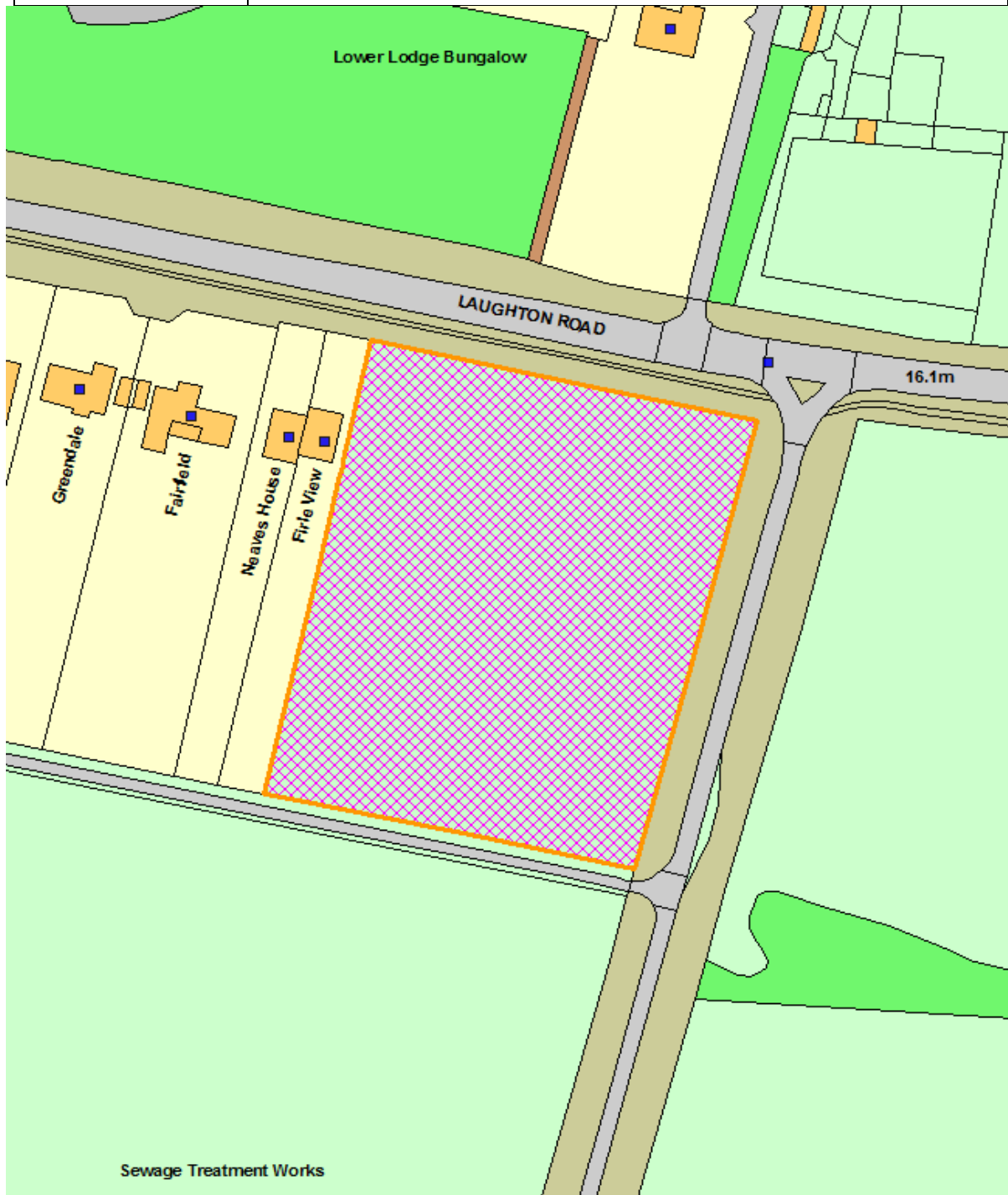
This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Proposed Layout Plan	5 September 2018	1206/PA/024
Location Plan	12 June 2018	PA 002
Existing Block Plan	8 June 2018	002
Other Plan(s)	8 June 2018	Over Aerial Photograph PDA-RID-004
Other Plan(s)	8 June 2018	PDA-RID-001
Other Plan(s)	8 June 2018	002
Survey Plan	12 June 2018	1206-PA-003
Other Plan(s)	20 March 2019	Drainage Strategy Layout
Proposed Layout Plan	14 February 2019	Amended Site Plan 1206/PA/010 Rev B
Technical Report	12 February 2019	FRA and SWDS 3763 FRA/3764 SWDS
Other Plan(s)	30 January 2019	Swept Path Analysis/Access Road 101598-T-003 Rev B
Survey Plan	8 June 2018	Indicative Mitigation Proposals PDA-RID-003
Planning Statement/Brief	8 June 2018	Planning Statement
Technical Report	8 June 2018	Transport Statement Report 101598 F1
Technical Report	8 June 2018	Arboricultural Impact Assessment
Technical Report	8 June 2018	Arboricultural Method Statement (Preliminary)

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Agenda Item 8

APPLICATION NUMBER:	LW/18/1011		
APPLICANTS NAME(S):	Mr G Parsons	PARISH / WARD:	Ringmer / Ouse Valley & Ringmer
PROPOSAL:	Outline planning application for erection of 6 dwellings (four affordable), resubmission following refusal of planning application LW/17/1000		
SITE ADDRESS:	Land Adjacent To Neaves House Laughton Road Ringmer East Sussex		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

1.1 The application site the subject of this proposal is an area of open countryside situated to the south of Laughton Road between Neaves House to the west and Neaves Lane to the east. The proposal is for the erection of six dwellings (four affordable).

1.2 Two of the proposed dwellings will be open market dwellings, one has been identified as self-build, these properties are shown on the indicative plan submitted as being large detached properties situated to the west of the site adjacent to Neaves House. The four affordable dwellings are shown as a two pairs of smaller semi-detached dwellings located on the east of the property adjacent to Neaves Lane.

1.3 A short distance south of the application site is a Sewerage Treatment Works. The plot of land is outside of the Planning Boundary to Broyle Side, and also the Planning Boundary to Ringmer, the main village lying west of the application site.

1.4 The plot is identified in the adopted Ringmer Neighbourhood Plan as an exception site for affordable housing development - Neaves House Paddock, policy allocation RES24.

1.5 The plot measures some 79m across and 45m deep, aligning with the rear boundary of Neaves House and taking up approximately half of the paddock area, in line with allocation boundary drawn in the Ringmer Neighbourhood Plan.

1.6 Details of access, layout, scale, external appearance and landscaping, are to be determined at a later date as reserved matters. The application seeks approval only for the principle of development and the proposed access.

1.7 The application form submitted indicates that 2 x 4 bed market houses and 2 x 2 bed and 2 x 3 bed affordable homes are proposed for rent. The tenure breakdown is 2 x 2 bed and 1 x 3 bed will be socially rented and 1 x 3 bed will be shared ownership.

1.8 An indicative block plan has been submitted. This indicates two pairs of semi-detached affordable homes, and two detached market properties. Access to the remainder of the paddock behind the plot is indicated between the market homes.

1.9 The applicant has stated that the affordable dwellings will be provided by 'Ringmer Area Community Land Trust'. The affordable housing allocation would need to be secured by the completion of a S106 agreement.

2. RELEVANT POLICIES

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

LDLP: – CP2 – Housing Type, Mix and Density

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – RNP62 – Policy 6.2-Affordable Units

3. PLANNING HISTORY

E/59/0129 - Outline Application to erect five pairs of semi-detached bungalows. - Refused

E/59/0333 - Outline Application to erect five detached houses, bungalows or chalet-bungalows. - **Refused**

LW/17/1000 - Outline planning permission for erection of 4 affordable homes and 2 market homes - **Refused**

LW/18/1011 - Erection of 6 dwellings (four affordable), resubmission following refusal of planning application LW/17/1000 -

E/71/0829 - Outline Application for twelve detached bungalows. - **Refused**

E/64/0855 - Outline Application for seven houses with garages and service road at rear. - **Refused**

APPEAL/59/0333 - Outline Application to erect five detached houses, bungalows or chalet-bungalows. - **Dismissed**

APPEAL/71/0829 - Development Appeal - **Dismissed**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

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

Planning Policy – The Lewes District Council (LDC) Affordable Housing Supplementary Planning Document (SPD) provides an explanation of how the Council's affordable housing policy as set out in the Lewes District Local Plan Part 1 - Joint Core Strategy is to be implemented. The LDC Affordable Housing SPD webpage explains:

'July 2018 update - Lewes Affordable Housing SPD

Since the adoption of the Lewes Affordable Housing Supplementary Planning Document government has published an update to the National Planning Policy Framework (NPPF). Paragraph 63 states that "Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas". The NPPF defines major developments as "For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more."

Therefore, the requirement for 40% affordable housing will now apply to developments of 10 or more homes, rather than 11 or more, or a site area of 0.5 hectares or more. This should be noted when reading the Lewes Affordable Housing SPD.'

However, I understand that this site has been identified as an exception site for affordable housing. Exception sites are where planning permission is granted for an affordable housing scheme on land that is outside a Planning Boundary for a settlement. Paragraph 77 of the National Planning Policy Framework (July 2018. P.21) states: 'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.'

Number of affordable dwellings

The Design & Access Statement states the proposed development would consist of 4no. affordable housing units and 2no. market housing units (to include 1no. self-build unit).

Ideally, of the six dwellings, the development would include a higher number of affordable housing units than the four affordable dwellings proposed.

However, Ringmer Parish Council appear to support the planning application (among the publicly available planning documents is a letter from Ringmer Parish Council expressing 'No objections'). Ringmer Area Community Land Trust would be the affordable housing provider and support this application (the Design & Access Statement states that Ringmer Area Community Land Trust will build and manage the four affordable housing units).

As the proposal appears to have local support, If the Section 106 Agreement can be worded so that all of the affordable housing units (to remain affordable in perpetuity) are completed prior to the market housing being occupied, this may be a satisfactory position.

Dwelling mix

Housing Register figures show the following need for dwellings in Ringmer and the surrounding area:

Lewes District Council Housing Register	1 bed	2 bed	3 bed	4 bed	5 bed	Total
Ringmer and surrounding area	124	74	48	12	2	260
Ringmer and surrounding area %	48	28	18	5	1	100

The Design & Access Statement states that the dwellings will consist of a total of 2no. four bedroom market houses; 2no. two bedroom affordable houses; and 2no. three bedroom affordable houses.

The Housing Register indicates that one bedroom dwellings are the most needed, followed by two bedroom dwellings, followed by three bedroom dwellings.

With reference to the Affordable Housing Financial Viability Review, and given that the development consists of only two bedroom houses, three bedroom houses, and four bedroom houses, the dwelling mix for this particular development is satisfactory. The requirement for affordable two and three bedroom houses suitable for young families is stated in Policy 7.2 of the Ringmer Neighbourhood Plan 2010 - 30 (P.34).

Tenure Split

Core Policy 1 of The Joint Core Strategy states: 'The guideline affordable housing tenure split will be 75% affordable rented and 25% intermediate (shared ownership). The local planning authority will negotiate the appropriate tenure split on a site by site basis based upon the latest evidence of needs in the site locality.'

A 75/25 tenure split would result in three affordable rent dwellings and 1 intermediate dwelling ($0.75 \times 4 = 3$; $0.25 \times 4 = 1$).

From the documents available it is not clear what the proposed tenure split is for this development.

Consequently, it would be useful to have further discussions regarding the tenure split of this development.

Size of dwellings

The Council's guideline for internal space to be provided with affordable housing to ensure that development protects the residential amenity of existing and future residents, taken from the DCLG document Technical housing standards

At a size of 240 sqm (self-build) and 220 sqm (the remaining market dwelling) the market housing units appear to be disproportionately large. However, the sizes of the affordable dwellings for this particular development are satisfactory.

Main Town Or Parish Council – No objections.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

Four representations received in support of the application commenting "the site is allocated for such development in the Ringmer Neighbourhood Plan and positively assessed in the SHELAA. It is included in the Ringmer Proposals Map of the emerging Local Plan part 2. The application has the unanimous support of Ringmer parish council. The development overall appears in accordance with NPPF paragraph 77. I hope you will be able to reach a speedy and positive decision that it represents sustainable Plan-led development in accordance with policy. Under NPPF paragraph 11c such proposals should be approved without delay".

Ringmer Area CLT comment "I am contacting you on behalf of the Ringmer Area Community Land Trust(RACLT) in support of planning application no: LW/18/1011. The intention of the applicant (Mr.Parsons) and ourselves is that the RACLT will build and manage the four affordable homes. Under our CLT constitution, the freeholds of these homes will be held on behalf of the Ringmer Community in perpetuity, the making an ongoing valuable contribution to the availability of locally affordable homes to the people of Ringmer for the foreseeable future.

This application proposes two 2-bed and two 3-bed affordable houses. This is in accordance with the Ringmer Neighbourhood plan (RNP) policy 6.2, which (for reasons explained in detail in the RNP evidence base) seeks the majority of new affordable homes to be 2-bed and 3-bed houses suitable for young families.

It should be noted that the approved affordable rented housing on the largest Ringmer development site on which work is now starting (LW/18/0331) includes 16 1-bed flats (which are no use at all for young families) but only four 2-bed and two 3-bed affordable houses of 110 new homes. Accordingly, we urge you to support this application".

6. PLANNING CONSIDERATIONS

Policy

6.1 Appendix F of the Ringmer Neighbourhood Plan (RNP) describes the allocation of this site in more detail as follows. The paddock is the site of a long-abandoned poultry farm, of which no visible sign remains. It is bound on the west by Neaves House, on the north by the B2124, on the east by Neaves Lane and on the south by a land serving the Hunt Kennels. Neaves House is the last house of the inter-war ribbon development along the south side of Laughton Road. The whole paddock is considered as a potential residential development site, but considered less suitable than other alternatives. However, a part of

the paddock's frontage to the B2124 is considered suitable for development as a small-scale exception site.

6.2 Paragraph 6.2.3 of the RNP states that affordable housing can be provided:

- (i) Through the affordable housing component of market developments;
- (ii) Through development of small sites identified for affordable housing only;
- (iii) Through identification and development of exception sites for affordable housing.

6.3 As an exception site therefore, it is expected that the land adjacent to Neaves House should provide affordable housing.

6.4 It is noted that Ringmer Parish Council support the application in principle and Core Policy 1 of the Joint Core Strategy for the district states that due to the largely rural nature of the district, Rural Exception Sites for local needs affordable housing outside the planning boundary of rural settlements will continue to be considered according to the requirements of Policy RES10 carried forward from the Lewes District Local Plan 2003.

6.5 Policy RES10 states that outside planning boundaries of villages the District Council may exceptionally grant planning permission for affordable housing to meet local needs provided that:

- a) there is clear evidence of an unsatisfied housing need in the village or parish for the type or scale of proposed dwellings
- b) the proposal is small in scale
- c) the proposal is subject to a planning agreement, planning condition or alternative secure arrangement, establishing the local criteria for eligible persons
- d) the proposal is subject to a legal agreement or other secure arrangement, establishing a mechanism for the management of the scheme by a housing association or similar body
- e) the proposed development complies with all relevant District-Wide Policies

6.6 Paragraph 77 of the National Planning Policy Framework (NPPF) states that "In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this".

6.7 In terms of the site itself, on paper it represents a continuation, and finish, to the line of existing housing along the southern side of Laughton Road to the west of the site and is bounded to the east by Neaves Lane. The topography is generally flat and features low hedges to the field network and is clearly in an open countryside location. Development of the site will result in an incursion of residential development into the open countryside, which would be readily visible for some distance, and on this basis the site should only be developed in exceptional circumstances, such as providing affordable housing units.

6.8 The applicant has submitted a 'Rural Exception Site Justification' statement. The statement outlines three separate proposal examples and their financial breakdown. The examples are (a) for four affordable dwellings plus two market dwellings. (b) Four affordable dwellings plus one market dwelling and (c) four affordable dwellings with no market housing.

6.9 The statement concludes that : " it is only scheme A which has been submitted for planning approval that delivers a positive residual value. This is the key indicator that the value generated by a development is more than the cost of developing it".

"The size of the residual value is the value of the land to the Landowner. Land will not be released unless the residual value is a positive value. The residual value of scheme A is modest and approximately 50% of the figure that a 100% open market site would deliver".

6.10 This point is noted however it should be made clear that 100% market housing on this site would be contrary to policy in this rural location and therefore any such application would be likely to be refused in any case.

6.11 The fundamental decision then is to whether the deliverability of the current scheme and its provision of two market dwellings and subsequent financial uplift for the benefit of the Landowner of the site justifies the provision of only four affordable dwellings on this rural exception site rather than six solely affordable dwellings that would normally be expected on a rural exception site. Therefore it is considered, on balance, that this current scheme provides a reasonable and acceptable uplift for the site owner to facilitate the delivering of the four affordable units on this exception site, which otherwise would not be forthcoming.

6.12 The Council's 'Policy and Engagement Officer' has commented on the affordable housing element of the proposal; "ideally of the six dwellings, the development would include a higher number of affordable housing units than the four affordable dwellings proposed. However Ringmer Parish Council appear to support the application. As the proposal appears to have local support, if the Section 106 Agreement can be worded so that all of the affordable housing units (to remain affordable in perpetuity) are completed prior to the market housing being occupied, this may be a satisfactory position".

Layout and Design

6.13 An indicative block plan has been submitted. This indicates two pairs of semi-detached affordable homes, and two detached market properties. The Design and Access indicates that the properties will be two storey in nature, no other details of the design have been submitted.

6.14 Each dwelling will have its own private rear garden and parking provision will be at the front of the dwellings.

Housing Mix

6.15 The proposal accounts for four affordable dwellings, and two open market dwellings of which one is proposed to be self-build.

6.16 Policy 6.2 of the RNP states that where affordable housing is included within a market development, the majority of units shall be 2-bed or 3-bed houses, suitable for young families.

6.17 The applicant has indicated by way of the block plan submitted that the affordable houses will be semi-detached and consist of 2 x 2 bedroom and 2 x 3 bedroom dwellings. This mix of units complies with the Ringmer Neighbourhood Plan. The tenure breakdown is that the 2 x 2 bed and 1 x 3 bed will be socially rented and the 1 x 3 bed will be shared ownership.

6.18 The indicative block plan submitted indicates that the affordable homes would have internal floorspace of approximately 80-100 square metres. The two x two bedroom properties would be 80 square metres and the two x three bedroom dwellings would be 100 square metres. The Design and Access Statement states that the dwellings will be two

storey in nature. The exact details and design would be the subject of a 'reserved matters' application.

6.19 The Council's 'Policy and Engagement Officer' commented that "at a size of 240 square metres (self-build) and 220 square metres (the remaining market dwelling) the market housing units appear to be disproportionately large. However, the sizes of the affordable dwellings for this particular development are satisfactory".

6.20 The affordable housing will be the subject of a Section 106 agreement to secure its retention in perpetuity.

Highway Access and Parking

6.21 The two detached properties have their own individual highway access from Laughton Road. The affordable housing properties share one vehicular access from Laughton Road. Details of the parking layout and provision would need to be submitted at 'reserved matters' stage although it has been indicated that the development will provide for a total of 16 car parking spaces. Details of the provision of bicycle storage would also be required.

6.22 The proposed development will require a large amount of off-street car parking and turning space in order to meet both the requirements of the Ringmer Neighbourhood Plan and the standards of the highway authority. This will result in large areas of hard surfacing, in turn affecting the character and the visual impact of the proposed development on this rural location in the countryside. The indicative layout plan submitted shows that there will be three new vehicular accesses onto Laughton Road, in advance of the 40mph speed limit signage. However, the current application seeks outline planning permission with all matters other than the means of access, reserved for subsequent approval. The indicative plan indicates that good visibility can be obtained at the access points and that matters of highway safety, visibility and the capacity of the site to accommodate safe turning can be satisfactorily provided.

Electric Charging Points

6.23 A condition has been recommended requiring that each new dwelling provides for one electric car charging point.

6.24 Compliance/Exception Statement with Core Policies CP9 (Air Quality), CP13 (Sustainable Travel) and CP14 (Renewable and Low Carbon Energy)

6.25 Policy CP9 requires applications within 'Air Quality Management Areas' to seek to improve air quality. The application site is not within an Air Quality Management Area.

6.26 Policy CP13 supports development that "encourages travel by walking, cycling and public transport and reduces the proportion of journeys made by car, in order to help achieve a rebalancing of transport in favour of sustainable modes".

6.27 There is a public footpath along the western side of Laughton Road, which connects with the B2192 Lewes Road approximately 600m to the west. This footpath is narrow and in poor condition and does not meet current standards in terms of width and would not be readily useable by wheelchair users. The nearest bus stops are in Lewes Road some 750m (a 9 minute walk) from the application site and services from these stops provide access to Lewes, Tunbridge Wells, Uckfield, Eastbourne and Hailsham.

6.28 The nearest convenience shops and local services are in the centre of Ringmer, approximately 1.8km from the application site, which is approximately a 22 minute walk or a 3 minute drive. By foot and bus this journey would take approximately 13 minutes. The application site is therefore not considered to be particularly sustainable in terms of location.

6.29 Policy CP14 encourages renewable and low carbon energy in all development. No information has been submitted with the application outlining how this will be addressed, however the application is outline and the details of renewable methods would need to form part of any subsequent application for 'Reserved Matters'.

Impact on Surrounding Countryside

6.30 The application site is outside of the planning boundary and is considered to be a paddock, rural in character. This proposal divides the paddock in half with the dwellings on the north half and the other half remaining undeveloped countryside. To the south of the paddock is a lane that leads off of Neaves Lane and serves 'Hunt Kennels' several 100 metres to the east. The paddock is sited between existing dwellings to the west and Neaves Lane to the east which form as a natural boundary on the development.

6.31 Although the land is currently rural in character due to its location bounded between a road and existing dwellings it is considered that the impact the development would have on the wider countryside would be limited as the plot is considered to be relatively self-contained. It is considered that dwellings in this location would not necessarily lead to pressures for further housing in this countryside location due to its contained boundary.

S106

6.32 If the application is approved then the applicant will need to enter into a Section 106 agreement to secure the four affordable dwellings in perpetuity. Three will be secured as affordable social rented accommodation and one as shared ownership.

Conclusion

6.33 On balance it is considered that the provision of four affordable dwellings supported by the market housing would be beneficial to the village of Ringmer and therefore for this reason the proposal is considered to not have an unduly detrimental impact on the character or appearance of this rural location outside of the planning boundary in accordance with Policies ST3 (Design, Form and Setting of Development), Core Policy 2 (Housing Type, Mix and Density) and Core Policy 11 (Built and Historic Environment) of the Lewes District Local Plan and 6.2 of the Ringmer Neighbourhood Plan.

7. RECOMMENDATION

7.1 It is recommended that outline planning permission be granted subject to the successful completion of a S106 agreement.

The application is subject to the following conditions:

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

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

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

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

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

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

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

- o the anticipated number, frequency and types of vehicles used during construction,
- o the method of access and egress and routeing of vehicles during construction,
- o the parking of vehicles by site operatives and visitors,
- o the loading and unloading of plant, materials and waste,
- o the storage of plant and materials used in construction of the development,
- o the erection and maintenance of security hoarding,
- o the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- o details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with ST3 of the Local Plan.

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

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

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

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

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

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

9. No development shall take place until details of the facilities for the storage and removal of refuse from the permitted scheme have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

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

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

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

11. No part of the development hereby permitted shall be occupied until works for the disposal of sewage have been provided on the site to serve the development, in accordance with details which have first been submitted to and approved in writing by the local planning authority.

Reason: In the interests of amenity of future occupiers 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 2012.

12. Details of the siting and design of the external electric car charging points to be provided, shall be submitted to and approved in writing by the Local Authority prior to installation. The

works hereby permitted shall be carried out in accordance with the approved details before the units are occupied.

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

13. The development shall not be occupied until parking and turning areas, and cycle parking areas, have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority (in consultation with the Highway Authority) and the areas shall thereafter be retained for that use.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to meet sustainable transport objectives, having regard to the provisions of the Joint Core Strategy.

14. No development shall take place until full details of both hard and soft landscape works, including details of a 5m deep landscape buffer strip along the southern boundary of the development site and abutting the rear gardens have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. If within a period of two years from the date of the planting any tree, or any tree planted in replacement for it, is removed, uprooted destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To enhance the appearance of the site and to protect the privacy of existing and proposed dwellings or property.

15. Development shall not begin until details of existing ground levels across the site including those at Firle View, Laughton Road and Neaves Lane, (and to include existing ridge and eaves heights at Firle View) and finished floor levels in relation to the existing ground levels and the adjacent dwelling (Firle View) have been submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with these details.

Reason: In the interest of residential amenity and the character of the locality having regard to Policies ST3 and CT1 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

INFORMATIVE(S)

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

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	19 December 2018	J432/01 Location Plan

Proposed Layout Plan	19 December 2018	J432/02 Rev A Proposed Block Plan
Affordable Housing Statement	19 December 2018	Affordable Housing Financial Viability Review
Design & Access Statement	19 December 2018	Design & Access Statement
Technical Report	19 December 2018	Economic Appraisal Report

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Report to	Planning Applications Committee
Date	24 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 given and subject to the conditions set out in paragraph 10 of this report.

This application was deferred at the Committee meeting on the 3 April 2019 to enable the members of the Planning Committee to visit the site. The organised visit took place on Tuesday 16 April 2019.

Executive Summary

I 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

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.

Environment Agency (STAT)

No objection

ESCC - Flood Risk Management Team

No Objection

East Sussex County Council

No comments.

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.

Further letter of objection received from consultant, on behalf of the immediately adjoining neighbours, which includes numerous annotated photos, and is summarised as follows:

The proposed siting of the manure and slurry store is completely unacceptable on the grounds that the location is far too close to housing and a holiday caravan business, and the public footpath. The caravan site and the footpath are used by visiting families with children.

There are unanswered environmental concerns about the inevitable slurry run-off, with no assessment submitted with regard to possible land contamination, air quality, and if there will be any noise from the pumped slurry.

We request that the Council refuse this application on the information provided, as there is not enough information to assess the environmental health risks to protect residents living in the Beechwood Lane area from impacts of noise associated with the manure and slurry store.

We request that the Council encourage an alternative site on the farm away from residential neighbouring houses, together with the application for the new cattle building.

We respectfully ask that the following additional information be requested for the Local Planning Authority to properly address the environmental impacts from the manure and slurry store:

- A Contamination Report to address how leachate will be dealt with and the potential contamination of ground water will be prevented.
- An Acoustic Report - to assess noise associated with the proposal, as the acoustic report is submitted does not contain an assessment.
- An Air Quality Assessment - to assess bio-aerosol impacts, odour and pests from the proposal.
- An Assessment of Alternative Sites - to assess a better location for the large manure store to be sited away from residential properties. together with the application for the new cattle building.
- Details of any external lighting - there are no details of any external lighting which we would have expected for this type of development.

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
- CPI0 - Natural Environment and Landscape
- CPI1 - Built and Historic Environment and Design
- CPI3 - 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 CPI0 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 CPI I 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 Conclusion

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, CPI0 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

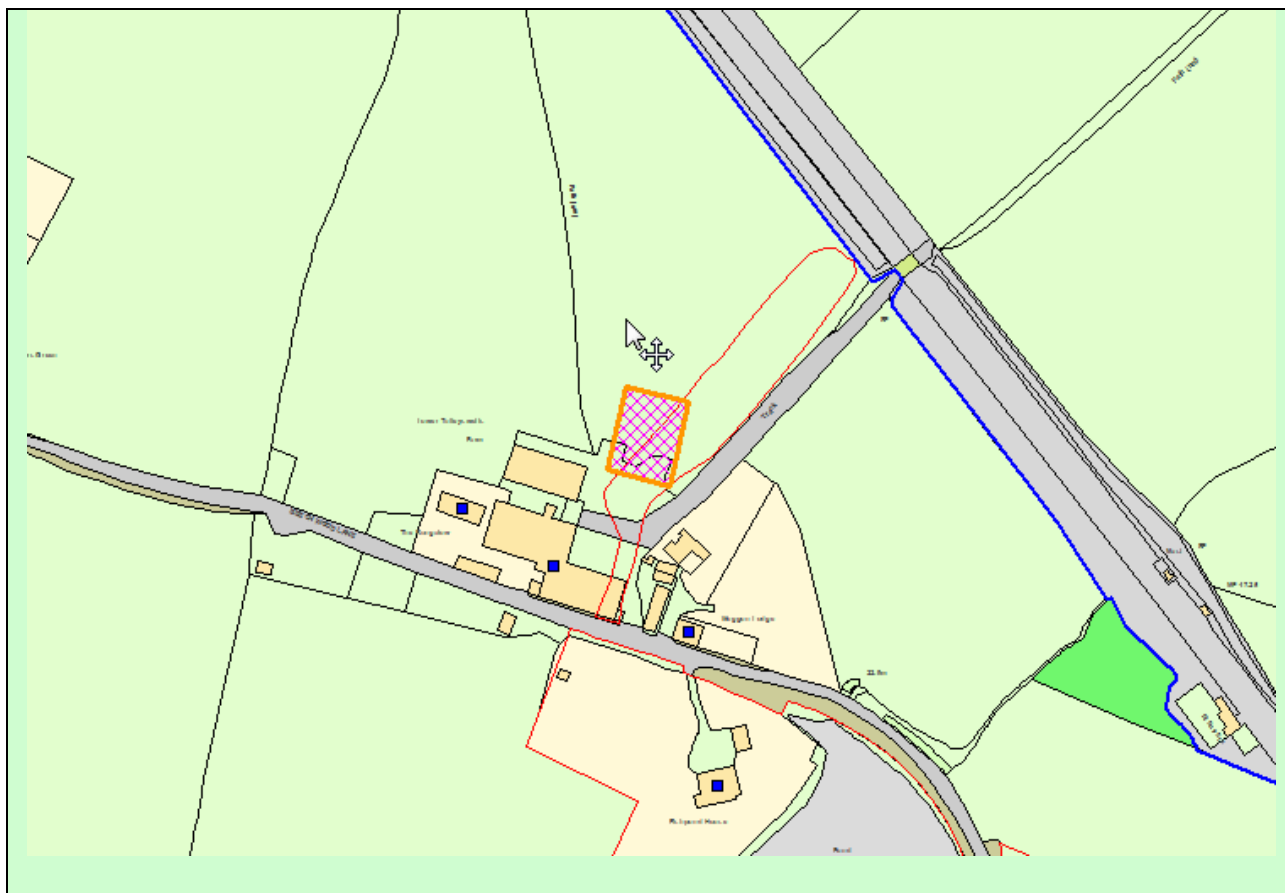
email: Russell.pilfold@lewes-eastbourne.gov.uk

Appendices Appendix 1 - Site Location Map

Appendix 2 – Plans Referred to in Consideration of this Application

Appendix I

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 PLAN	PJB/060918/002		21.12.2018	Approved

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.

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Report to	Planning Applications Committee
Date	24 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.

I Site Description

1.1 The application site is located on the southern side of The Street, within Kingston village, opposite The Jugs 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

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

National Park Purposes

The two statutory purposes of the SDNP designation are:

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

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

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

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

- NPPF - 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

- CPI1 - Built and Historic Environment and Design
- CPI3 - 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 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 Jiggs 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.

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. Crime and Disorder Implications

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

12. Human Rights Implications

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

13. Equality Act 2010

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

14. Proactive Working

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern 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
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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- PI		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	24 April 2019
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/19/00076/FUL
Applicant	Sophie Sneddon
Application	Change of use from D1 (Non-residential institutions) to a mixed use of A3 (Restaurants and Cafés) and D1 (Non-residential institutions)
Address	2 South Street Lewes East Sussex BN7 2BP

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 is a detached, single-storey building located on the corner of South Street and Cliffe High Street, Lewes. The building was originally constructed as a public convenience but fell into disuse. Change of use was granted in 1997 to use as a community facility, specifically a meeting place for young people, serving light refreshments.

1.2 The site is both within the Lewes Town Centre Boundary, as defined by the Lewes District Local Plan and the South Downs Local Plan, and within the Lewes Conservation Area.

2 Proposal

2.1 The proposal is to change the use of this property from D1 (non-residential institutions) to a mixed use of A3 (Restaurants and Cafés) and D1 (Non-residential institutions). No external changes are proposed as part of this application.

2.2 This application is being presented to the Committee as the applicant is Lewes District Council.

3 Relevant Planning History

LW/97/0333 - Change of use from disused public convenience to meeting place for young people serving light refreshments, small extension to rear of property - Approved

4 Consultations

Parish Council Consultee

Members regret the loss of an important community amenity

LE - Environmental Health

No comments.

LE - Design and Conservation Officer

No objection as no change to the buildings appearance.

5 Representations

None received.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Lewes District Council - The Core Strategy (Local Plan Part I) 2014** and the following additional plan(s):

- South Downs National Park Local Plan - Submission 2018

Other plans considered:

- Lewes Neighbourhood Plan

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

National Park Purposes

The two statutory purposes of the SDNP designation are:

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

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

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the

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

National Planning Policy Framework (NPPF)

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

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:

- CP6 - Retail and Town Centres

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

- Development Management Policy SD37 - Development in Town and Village Centres
- Development Management Policy SD43 - New and Existing Community Facilities

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.

The following policies are of particular relevance to this case:

- Development Management Policy SD37 - Development in Town and Village Centres
- Development Management Policy SD43 - New and Existing Community Facilities

8 Planning Assessment

8.1 The application property is currently vacant. Until June 2018 the site was operated by a charity (The Nutty Wizard Café) as a community facility, providing a centre for young people and offering training in its secondary purpose as a café.

8.2 The site is located on the corner of South Street and Cliffe High Street, which falls within the Lewes Conservation Area, as well as the Town Centre Boundary, as defined by the Lewes District Local Plan, The South Downs Local Plan and the Lewes Town Neighbourhood Plan.

8.3 The previous occupiers voluntarily vacated the site when their lease expired due to a lack of demand for the facilities they provided.

8.4 The proposed change of use would see the property change from one that is predominantly used by a single charity as a community facility, which occasionally provided ancillary café facilities, to a mixed use as a café on a more regular basis, which would also provide community facilities alongside this primary café use. No external changes to the building are proposed as part of this application.

8.5 The community facilities proposed to continue on site include cookery teaching and work experience for youths, along with providing language teaching and other community based activities, on a daily basis. This is in line with Policies SD43 of the South Downs Local Plan and HCI of the Lewes Town Neighbourhood Plan, which seek to retain existing community facilities within the town.

8.6 By combining the community aspect of the property with a more permanent café, the building will be brought into use on a more regular basis and it is hoped to have greater economic stability. As the site lies within a town centre boundary, this 'A' class usage is encouraged by Policies CP6 of the Lewes District Local Plan and SD37 of the South Downs Local Plan.

8.7 Lewes Town Council has commented that the loss of the community facility is regrettable, however, it should be noted that the previous occupiers vacated the site due to lack of demand for the service they provided. Furthermore, it is proposed to retain an element of community facility on the site, albeit alongside the primary café use. In addition, there are adequate additional community facilities within the immediate vicinity of the site, including All Saints Centre, The Turkish Baths, Thebes Annexe, The Linklater Pavilion and Malling Community Centre.

8.8 Although the site lies within the Lewes Urban Conservation Area, no external changes are proposed for the property, and therefore no impact is anticipated on the conservation area as a result of this change of use.

Summary

8.9 It is considered that the change of use of the building to a mixed A3/D1 use class is acceptable. The proposed café element will bring the currently vacant property into regular use, thus contributing to the vibrancy of Lewes Town Centre. The community facilities that will be provided alongside the café ensure that the proposal is not contrary to policy, and that it retains an important local facility within the town.

9 Conclusion

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)

3. **Hours of opening**

No customer shall be permitted to be on the premises outside the following times:
8:00am-9:00pm Mon-Sat and 8:30-6:00pm Sun.

Reason: To protect the amenities of the occupiers of nearby properties to comply with Policy CPI I of the Lewes District Local Plan

4. No amplified or other music shall be played in the premises outside the following times
9:00am - 6pm Mon-Sun

Reason: To protect residential amenities having regard to CPI I of the Lewes District Local Plan and to comply with National Policy Guidance contained in 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

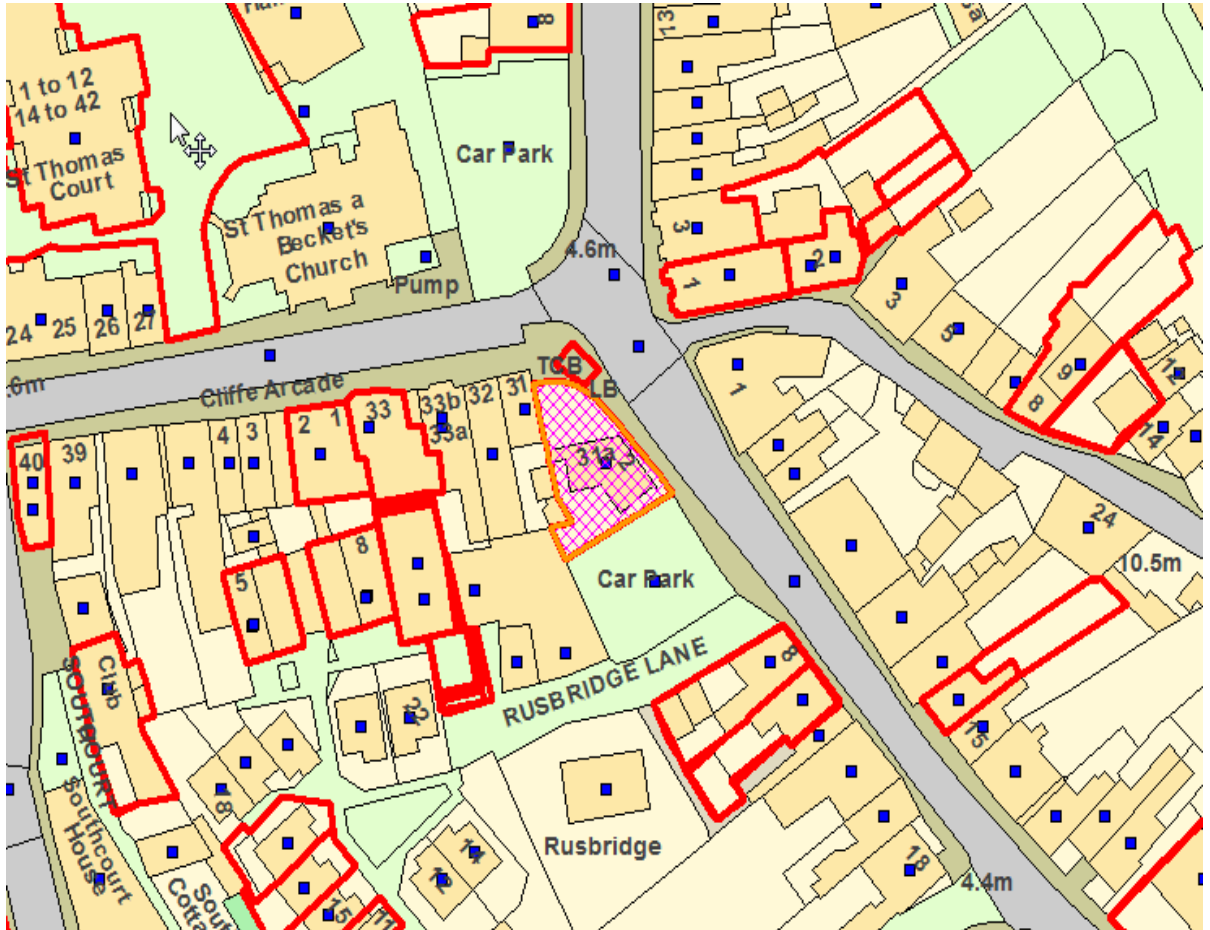
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Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

Background Documents

Appendix I

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

Planning Statement – 27.02.19

Plan I121.01.Rev A – 24.01.19

Report to	Planning Applications Committee
Date	24 April 2019
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/19/01139/HOUS
Applicant	Mr Russell Pilfold
Application	Proposed erection of cabin in the rear garden, ancillary to the use of the main dwelling
Address	6 Hill Road Lewes East Sussex BN7 1DB

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

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

Executive Summary

1 Site Description

1.1 The application property is a detached dwelling, located on the south west side of Hill Road, Lewes, set in an elevated position in relation to Hill Road.

2 Proposal

2.1 The Proposal is for the erection of a cabin in the rear garden, which is to be ancillary to the main dwelling.

2.2 This application is being presented to the Committee as the applicant is a member of staff.

3 Relevant Planning History

3.1 There is no relevant planning history.

4 Consultations

Parish Council Consultee
No comment

5 Representations

Friends of Lewes - commenting that there are “concerns that the proposed cabin is not ancillary to the use of the main dwelling and could be separated into a new dwelling, served by the existing access. The drawings have not been well prepared and provide inadequate details of the development proposed.”

These comments are noted and are addressed by condition.

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

Other plans considered:

- Lewes Neighbourhood Plan

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

National Park Purposes

The two statutory purposes of the SDNP designation are:

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

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

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

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

The Development Plan policies listed below are considered to accord fully with the objectives of the NPPF, full regard to which has been given during the consideration 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:

- CPI I - Built and Historic Environment and Design

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

- Strategic Policy SD5 - Design

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.

The following policies are of particular relevance to this case:

- Strategic Policy SD5 - Design

8 Planning Assessment

8.1 The application property is a detached dwelling, located on the SW side of Hill Road, Lewes. The Proposal is for the erection of a cabin in the rear garden, which is to be ancillary to the main dwelling. The existing rear garden is in excess of 30m in length.

8.2 The proposed cabin will be located close to the south east corner of the garden, parallel and adjacent to the south east boundary. The cabin will measure approx. 8.5m long, 2.8m high and 4.5m wide, with a mono pitch flat roof with a maximum height of 2.8m. The cabin is to be constructed with a timber frame, with timber cladding to three sides and fibre cement cladding on the rear elevation. The windows and doors will be double-glazed uPVC. The roof will have an rubber membrane finish.

8.3 The cabin has been designed to minimise impact on neighbouring properties. No windows or doors have been placed in either the rear elevation or side elevation facing the main dwelling, to prevent any overlooking issues. Due to the height of the existing fences, hedges and trees along existing boundaries it is considered that the cabin is adequately screened from neighbours.

8.4 This proposal is considered to accord with Core Policy I I Built and Historic Environment and Design.

8.5 With regard to parking, it is considered that no additional on-street parking is required as there is adequate space on the private driveway for an additional vehicle. Access to the cabin will either be through the main dwelling or via the side gate, into the rear garden.

8.6 Whilst there are trees at the top end of the garden indicated on the Block Plan, no alterations to these are included on the proposal, and it is not considered that the proposal would impact on these trees.

8.7 The building will be ancillary to the main dwelling and so will not unduly impact on the character of the property or the amenity of neighbours. The proposal will not be visible from the street scene. It is considered to fit in accordance with policy SD5 (Design) of the South Downs Local Plan.

9 Conclusion

9.1 It is recommended that planning permission be granted.

10 Reason for Recommendation and Conditions

It is recommended that the application be Approved for the reasons given 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. The cabin hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwelling known as 6 Hill Road, Lewes.

Reason: To prevent the creation of an additional dwelling and in order to protect the amenity of adjacent occupiers, 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.

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
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South Downs National Park Authority

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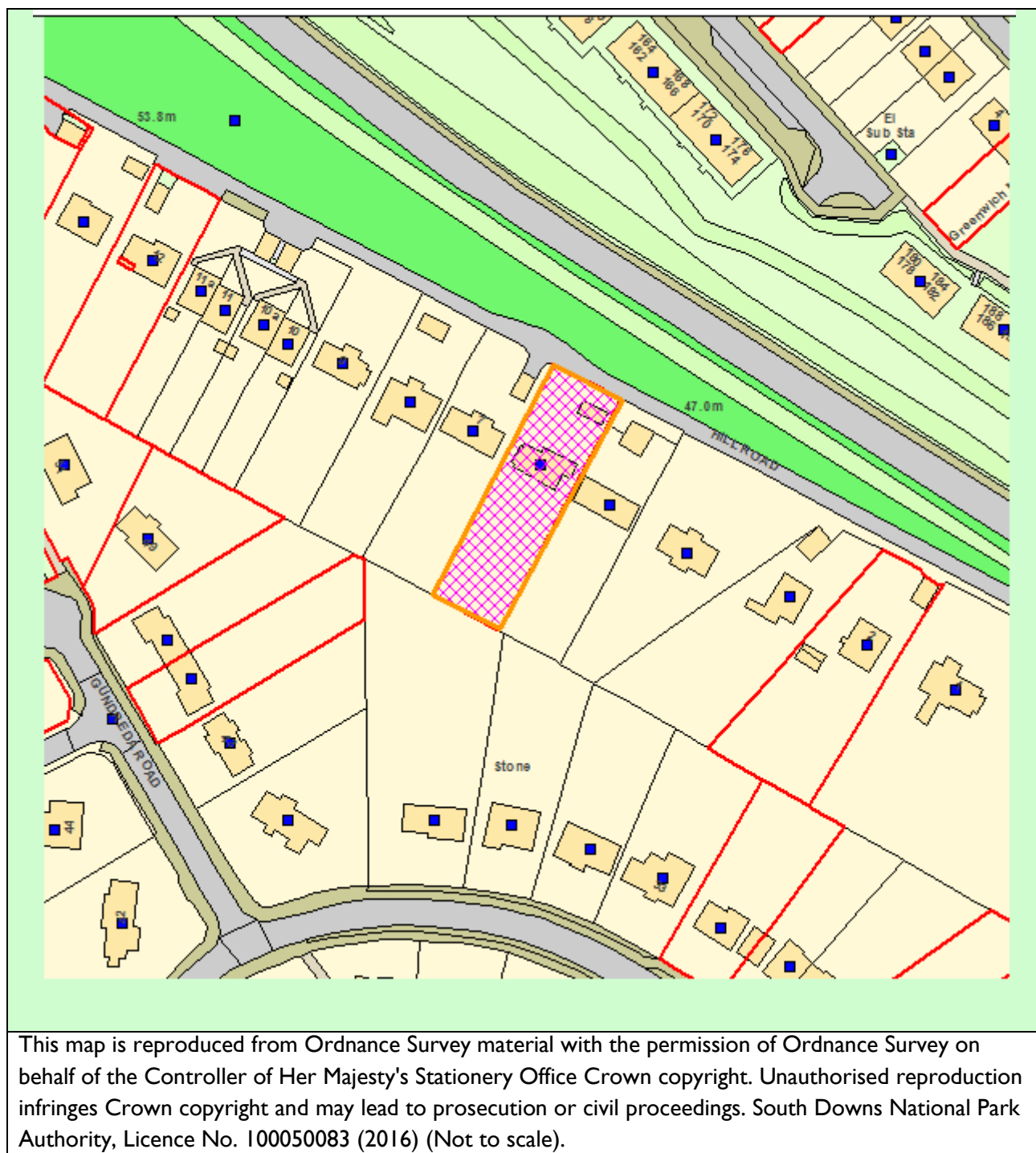
Appendices Appendix 1 - Site Location Map
 Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix I

Site Location Map



Appendix 2 – Plans Referred to in Consideration of this Application

There were no plans submitted for this application.

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