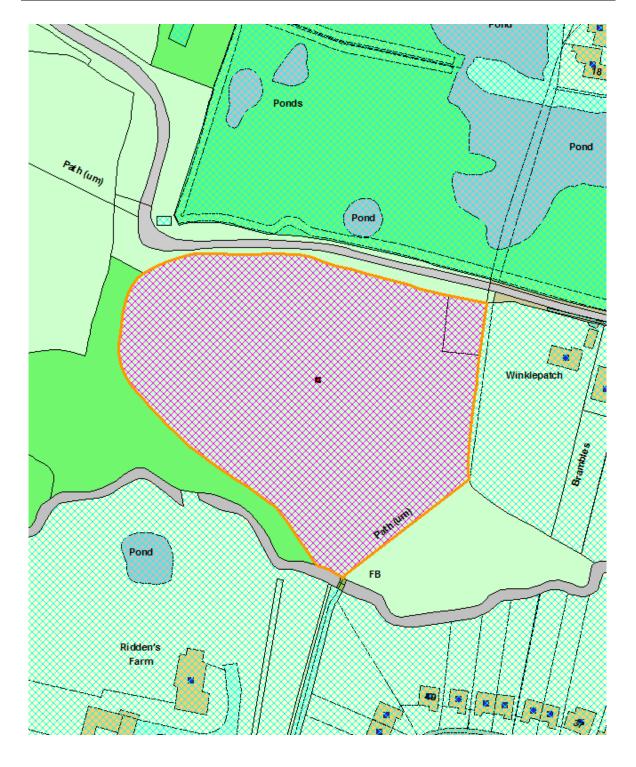
APPLICATION NUMBER:	LW/18/0472		
APPLICANTS NAME(S):	Landacre Developments (Plumpton Green) Ltd	PARISH / WARD:	Plumpton / Plumpton Streat E.Chiltington St John W
PROPOSAL:	Outline planning application for up to 20 dwellings (including 40% affordable), access, landscaping, footpath diversion and associated 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 alterative 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 Beverns. 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 my 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 ccompliant 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 ccompliant 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 is 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 inhouse 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; Downsview 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 Socety; 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, notwithstandning 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;
- 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;

- 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.
- 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:

PLAN TYPE	DATE RECEIVED	<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)