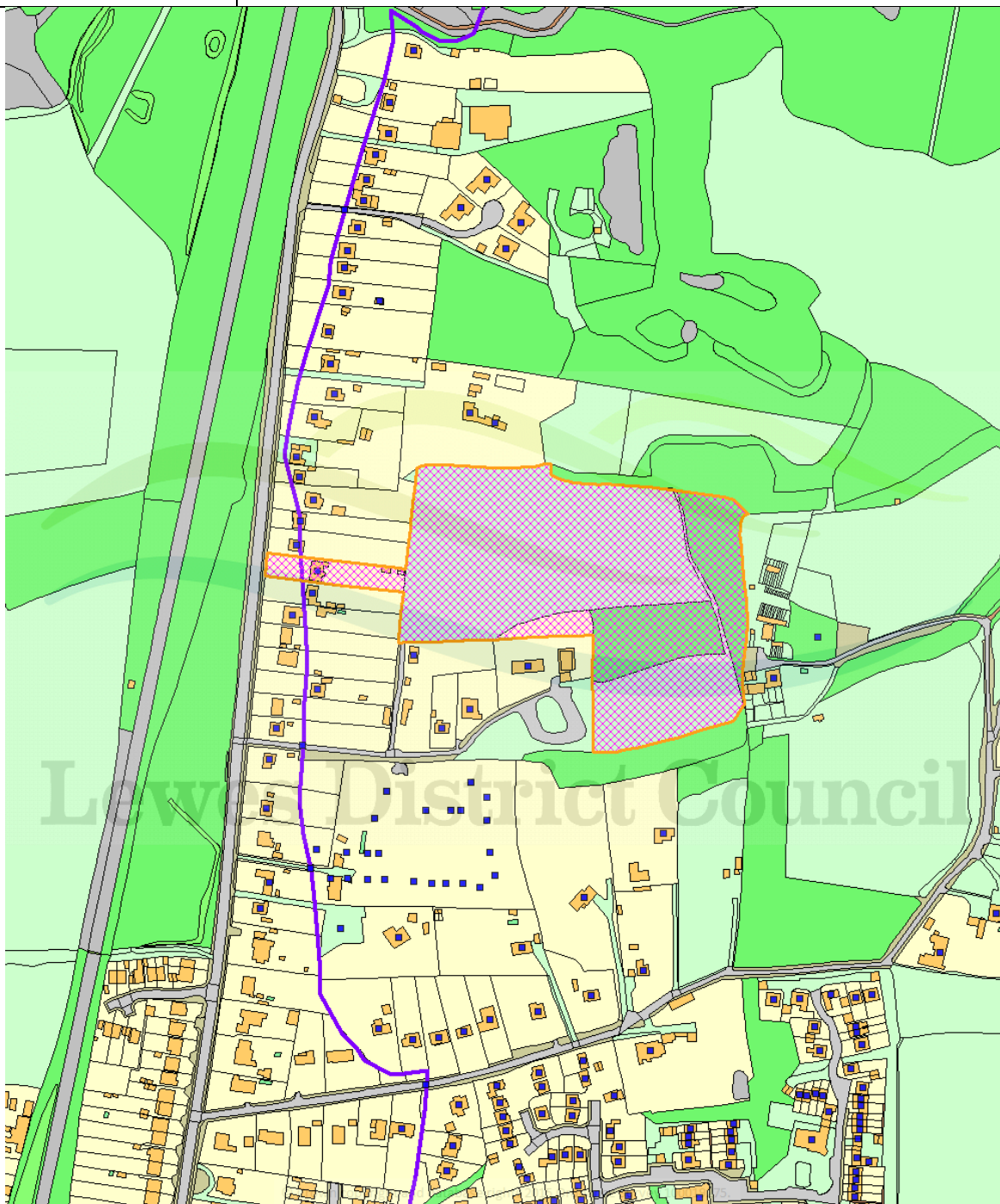


<b>APPLICATION NUMBER:</b>	LW/16/1040	<b>ITEM NUMBER:</b>	<b>7</b>
<b>APPLICANTS NAME(S):</b>	Thakeham Homes Ltd	<b>PARISH / WARD:</b>	Wivelsfield / Chailey & Wivelsfield
<b>PROPOSAL:</b>	Planning Application for Demolition of The Rosery and the erection of 55 residential homes, with associated access, car parking, cycle parking, refuse/recycling storage and landscaping		
<b>SITE ADDRESS:</b>	Land To The Rear Of The Rosery Valebridge Road Burgess Hill West Sussex RH15 0RT		
<b>GRID REF:</b>	TQ 32 20		



## 1. SITE DESCRIPTION / PROPOSAL

1.1 The application site lies on the eastern side of Valebridge Road, on the eastern edge of Burgess Hill. The large majority of the application site falls within Lewes District, within the Parish of Wivelsfield, with a very small slither at the western extremity falling within Mid Sussex District.

1.2 The application site is an irregular L-shape and extends to approximately 3.1 hectares. The site includes the entire property known as The Rosery, along with the majority of the land and garden currently associated with the property known as The Homestead.

1.3 The majority of the application site is undeveloped greenfield land currently used in association with The Homestead. Some of the land has been cultivated as a small vegetable plot and there is a small pig enclosure and chicken coop also on site. An area of the land to the east of The Homestead appears to be used for the storage of building materials and the remainder comprises mown grassed gardens and related paved areas.

1.4 The main northern boundary of the application site is bordered by a band of mature trees, some of which is designated as Ancient Woodland. This woodland extends along the eastern side of the application site and tapers to the south-eastern corner of the site. A large portion of this Ancient Woodland actually falls within the application site.

1.5 The southern boundary of the application site is also bordered by mature trees, the southernmost section being a thick wooded band that extends onto the neighbouring land. The mid-section is less densely treed with effectively a single line of trees marking the rear boundary with the neighbouring property, Valentine.

1.6 The main western boundary is shared with a number of properties fronting Valebridge Road. The boundary treatment along this side of the site is a mixture of fencing, hedging and vegetation.

1.7 Levels change across the site from the south sloping down to the north. There is a change in levels across the site in the region of 11 metres (45-46 AOD at the highest point, 35-37 at the lowest point).

1.8 Planning permission is sought for the development of the site with 55 dwellings. This is a full application with all matter submitted for consideration.

1.9 The submitted details indicate that the existing dwelling, The Rosery, will be demolished and a new access road brought in through this plot. This access road would then sweep along the southern side of the middle section of the site before turning southwards towards the far southern corner of the site. Small feeder roads extend off this main access road to provide a series of small cul-de-sacs.

1.10 The proposed development will deliver a range of 1, 2, 3 and 4 bedroom dwellings broken down as follows:

	Housing Type	1 Bed	2 Bed	3 Bed	4 Bed	Total
Private	House		8	17	8	33
Affordable	House		9	5		22
	Flat	8				
<b>Total</b>		8	17	22	8	55

1.11 This achieves the provision of 40% of the proposed dwellings as affordable units.

1.12 All of the dwellings would be two storeys in height and are generally of traditional design. The construction materials would be a mix of brick, painted brick and hanging tiles. With the exception of the proposed flats, all of the dwellings would have private garden amenity space. The flats would share communal gardens.

1.13 A total of 125 parking spaces would be provided on site, made up of a mixture of on plot garaging and driveway parking, courtyards and car ports, and 16 on street visitor spaces.

1.14 Along the southern edge of the mid section of the application site, a small Local Area of Play (LAP) is indicated. In addition the proposals show there to be a woodland walk through the Ancient Woodland that is to be retained along the eastern side of the application site.

## **2. RELEVANT POLICIES**

**LDLP: – CT01 – Planning Boundary and Countryside Policy**

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

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

**LDLP: – ST11 – Landscaping of Development**

**LDLP: – RES19 – Provision of Outdoor Playing Space**

**LDLP: – SP2 – Distribution of Housing**

**LDLP: – CP1 – Affordable Housing**

**LDLP: – CP1 – Affordable Housing**

**LDLP: – CP8 – Green Infrastructure**

**LDLP: – CP10 – Natural Environment and Landscape**

**LDLP: – CP11 – Built and Historic Environment & Design**

**LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage**

**LDLP: – CP13 – Sustainable Travel**

**LDLP: – WNPP1 – Development Boundaries**

**LDLP: – WNPP5 – Design**

**LDLP: – WNPP6 – Green Infrastructure & Biodiversity**

## **3. PLANNING HISTORY**

**LW/78/1578** - Outline Application for replacement four bedroom chalet bungalow – Approved

**LW/79/0600** - Planning Application for replacement bungalow – Approved

**LW/80/1310** - Planning application for stables and haystore – Approved

**LW/81/0121**- Continuance of use without complying with condition 1 of planning approval LW/78/1578 (old bungalow to be retained as agricultural store and animal housing) – Approved

**LW/99/1104** - Two storey side extension, garage and sun lounge - Approved

**LW/16/0825** - Screening opinion in relation to development consisting of up to 80 dwellings - No EIA required.

#### **4. REPRESENTATIONS FROM STANDARD CONSULTEES**

**Wivelsfield Parish Council** – Wivelsfield Parish Council wishes to object to the above application on the following grounds:

1. The proposal fails to comply with policy 1 of the Wivelsfield Neighbourhood Plan.
2. The proposal fails to meet policy 2 of the Wivelsfield Neighbourhood Plan, as it promotes a larger site than the Neighbourhood Plan supports, on greenfield land.
3. Local residents have significant concerns about:
  - a. The speed of the road: much of Valebridge Road is derestricted, meaning that cars come along it very fast causing a hazard for vehicles trying to turn out of driveways.
  - b. The poor state of the pavement along Valebridge Road - which would be subject to increased foot traffic from a development of this size.
  - c. Drainage - drains blocked with silt and building waste have contributed to flooding in the area.

**Planning Policy Comments** – This planning application should be considered against the policies of the adopted Lewes District Joint Core Strategy (JCS), together with the retained 'saved' policies of the Lewes District Local Plan 2003 (LDLP) as listed in Appendix 2 of the JCS. In accordance with the Cabinet resolution of 17th April 2012, only those 'saved' LDLP policies that are consistent with national planning policies are applicable to the determination of planning proposals in the district.

Whilst the application site is located outside of the settlement planning boundaries, as defined in the Policy CT1 of the LDLP, a minimum of 100 net additional dwelling units in this general location (i.e. the edge of Burgess Hill within Wivelsfield Parish) is identified in Spatial Policy 2 of the JCS in order to help meet the District's housing needs over the period to 2030. The site is well-related to existing residential development along Valebridge Road and is screened by mature trees and woodland on its other boundaries, thus limiting any negative landscape impact on the surrounding countryside.

In principle, therefore, residential development is acceptable in principle on this site. If we are confident that the proposed development meets the requirements of all other relevant planning policies, in particular the policies for housing (JCS Core Policies 1 & 2), green infrastructure and children's play space (JCS Core Policy 8 & LDLP Policy RES19), conserving and enhancing biodiversity (JCS Core Policy 10), design (JCS Core Policy 11 & LDLP Policies ST3, ST4, ST11) and sustainable travel (JCS Core Policy 13), then the application should be recommended for approval.

**ESCC Highways** – I do not wish to raise an objection to the principle of the proposed development as the traffic and accessibility implications primarily impact upon transport networks under the responsibility of West Sussex County Council. The vehicular access point into the site also involves connections to the highway network that fall within West Sussex. There is a wider impact issue underlying this proposal and it is recognised that there is likely to be residual cumulative impact filtered to the south into East Sussex villages, particularly Ditchling village. However, any contributions towards this would be covered by the Community Infrastructure Levy [CIL] in this instance.

However, I have some concerns which need addressing prior to any conditions being issued - see file for details.

**ADDITIONAL COMMENTS:** The applicant has provided additional information and amended plans which address the ESCC highway issues. I therefore do not wish to raise an objection to the proposed development and recommend that highway conditions to be included in any grant of consent – see file for details.

**Tree & Landscape Officer Comments** – No material objections are raised in relation to the preservation of important trees and woodland as they appear to be reasonably well incorporated in to the scheme. No material objections are raised in relation to the wider visual impact of the development because the site is considered to be well screened and reasonably well contained within a localised area.

The only adverse comments would relate to ensuring that hard surfacing is kept to a minimum and soft landscaping is targeted at the entrance to the site to try and soften the long linear feature.

It is recommended that a planning condition or s106 agreement is made to ensure that communal or shared areas, including the woodland areas are managed by a separate management company financed by local residents. This will require a plan which clearly defines communal area or management areas and a suitable management plan. See file for full comments.

**ESCC SUDS** (revised) - This response follows from our original response of 18 January 2017 in which we requested additional information. We received the additional information on 1 February 2017 and are now able to comment.

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. The surface water drainage strategy outlined in the RGP Design Flood Risk Assessment (Ref 2016/D1178/FRA1.2) should be carried forward to detailed design. Surface water 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 detailed design should include how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
3. A maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site. 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. Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

4. 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.

**Southern Water Plc** – Please find attached a plan of the sewer records showing the approximate position of foul sewer and foul rising main within the site. The exact position of the foul sewer and foul rising main must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- No development or new tree planting should be located within 3 metres either side of the centreline of the foul sewer and foul rising main.
- No new soakaways should be located within 5m of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)".

Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

"A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)".

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that noncompliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

**Environmental Health** – This proposal is for the demolition of The Rosery and the erection of 55 residential homes, with associated access, car parking, cycle parking, refuse/recycling storage and landscaping.

The site is bordered by residential properties to the south-west, south and west, north and north-west, with the main site access from Valebridge Road to the west. In addition the London to Brighton railway line is approximately 150m west. Following a review of the proposed plans of where the dwellings are to be located in relation to the above features, potential noise issues aren't considered to be significant at this distance.

However, based on the residential nature of the surrounding area, the construction phase should be carefully managed in order to limit the impact of the works to nearby residents. Therefore we consider that a Construction Environmental Management Plan (CEMP) is required to protect the amenity of the surrounding residential properties during the demolition and construction phases of the proposal.

Given the size of this development, East Sussex County Council will be assessing this development with regard to potential flood risk.

In the 1990's Lewes District Council was involved with Southern Water regarding incidents of flooding involving land drainage and foul water flooding issues to the south of the site. However, having reviewed the planning application and supporting information demonstrates that the land drains to the north and does not impact on the flow of water to the south.

**Contaminate Land Officer** - A desk study and ground investigation report (Geo-Environmental, Ref GE15496, dated November 2016) was submitted in support of the application. The report has been reviewed we are satisfied with the methodology used for the assessment of the site as well as the conclusions and subsequent recommendations.

Based on the findings from the ground investigation no further remedial measures are deemed necessary with regards to soil contamination and human health. A watching brief will be required as part of a discovery strategy to account for any unexpected soil conditions or contamination which may be encountered during the construction phase. Furthermore as a result of the initial ground gas assessment results we recommend the application is subject to conditions securing a verification and remediation plan, a verification report and a condition preventing works from continuing without remediation if any sources of unsuspected contamination are found.

**Southern Gas Networks** – No objection. General advice given in relation to working near gas pipelines. See file for details.

**West Sussex County Council Highways** – The site lies across East and West Sussex County borders, as well as the Mid Sussex and Lewes District Council boundaries. The vehicle access works and a short section of the access road are within West Sussex/MSDC, whereas the entire on-site layout is within East Sussex/LDC.

These comments only cover those aspects of the proposed development that affect the WSCC maintained highway network, namely the vehicle access and the potential capacity impacts upon WSCC maintained roads. These comments are also applicable to the corresponding planning application submitted for LDC (LW/16/1040).

A Transport Statement has been submitted in support of this proposal. It's noted that two sets of appendices are available on the Mid Sussex. However these both comprise the main body of the TS. A full version of the TS is though available on the Lewes DC website. This has been used in the preparation of this response.

The site is to be accessed by a new priority junction onto Valebridge Road. In the location of the access the posted speed limit is 60mph. A speed survey has though been undertaken to determine the actual 85th percentile traffic speeds. The use of recorded 85th percentile wet weather speeds is an accepted means of determining stopping sight distances for improvements (such as new accesses) onto existing roads rather than applying the actual speed limit.

The recorded 85th percentile speeds are 50.3mph northbound and 48.5mph southbound. It's unclear if these are wet or dry weather speeds. It is assumed that these are wet weather speeds as no adjustment has been applied to the recorded speeds (an adjustment to wet weather would in any case require the recorded speed to be reduced by approximately 2mph; applying the higher dry weather speeds would be more robust).

Given the speeds recorded, SSD requirements should be considered against the standards within the Design Manual for Roads and Bridges. Applying the braking and perception parameters from the DMRB, SSDs of 139 metres would be required to the north and 148 metres to the south. Such distances can be achieved within land forming part of the adopted highway from the proposed access.

The access arrangements have also been the subject of a Stage One Road Safety Audit. Whilst this raises two problems (both of which can be resolved by condition and through the detailed design), no in principle issues are raised with the principle or form of the vehicular access.



In summary, the proposed access is considered acceptable.

The proposed development will result in additional vehicle trips on the highway network. This has been estimated using TRICS. TRICS is a large database of traffic surveys of completed developments. The database can be refined so as to select only those developments comparable (in terms of use class, location, accessibility, etc.) to that proposed. Details of the selection parameters are included, although no details are included of the actual sites used.

The LHA has undertaken a comparison between the trip rate applied for the nearby development at Sunnybrae (BH/14/1673 and LW/14/0350) and those for the current proposal. The difference between the trip rates for the permitted and proposed developments is quite notable. The LHA in commenting upon the development at Sunnybrae recognised that the TRICS vehicle trip rate applied in that instance was very high. An independent TRICS assessment completed by the LHA for the trip rate applied for the current application suggests that this is more appropriate.

Based on the trip rates within the TS, the development is forecast to generate 26 two way movements in the AM and PM network peak hours. The impact has been considered upon the peak hours given that these are most sensitive to changes.

The WSCC Transport Assessment Guidance requires junctions to be assessed where a development is forecast to result in increased entry flows of 30 or more vehicle movements. Whilst the means of distributing traffic and anticipated increased traffic flows on the highway network are noted, given the level of vehicular trips generated, this proposal would not meet the criteria to require any off-site junction capacity assessments. The NPPF states that development should only be prevented or refused where the impacts would be severe. This proposal would not be expected to result in any capacity impacts that could be defined as severe.

The site is recognised as being on the periphery of Burgess Hill. It is accepted that walking and cycling have the potential to replace the use of the car for trips of up to 2km and 5km respectively. Whether trips are undertaken by these modes of course depends on the purpose of the trip. There are continuous walking routes to potential destinations, such as Wivelsfield train station and other local retail and education uses, some of these are though right on the limits of maximum walking distances. A wider range of facilities can be reached by cycling although there are no dedicated cycle routes available. Whilst there is a gradient for cyclists traveling into Burgess Hill, this is not considered a significant barrier. The location of the site has the potential to encourage trips by walking and cycling, and reduce dependency on the use of the private car.

In conclusion, the LHA are satisfied that this proposal would not give rise to any severe highway safety or capacity concerns. No highway objection would therefore be raised.

Conditions recommended.

**Natural England** – Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England.

**ESCC SUDS – (original)** - It is noted that the proposals are to restrict the surface water runoff rate to the Qbar greenfield runoff rate for the entire site. However, there are areas of the proposed development which would remain as open space and continue to contribute to surface water runoff. The greenfield runoff rate should instead be calculated for only the developable areas of the site which would be lower than the currently proposed discharge rate. Using the proposed rate would increase the amount of surface water runoff from the site and therefore the off site flood risk.

We request that the applicant recalculates the proposed surface water discharge rate for the site and revised the drainage design strategy accordingly.. This will increase the required surface water attenuation volume for the proposed development.

**NHS Mid-Sussex/Horsham –** Horsham and Mid Sussex Clinical Commissioning Group (CCG) are the GP led statutory NHS body responsible for planning, commissioning and monitoring the majority of local health services in the Horsham and Mid Sussex area. (CCGs having been created following the Health and Social Care Act 2012 and replaced Primary Care Trusts on 1st April 2013).

Horsham and Mid Sussex CCG cover the entirety of Mid Sussex District Council's catchment area and this proposed planning application borders Burgess Hill so that the residents/patients from this development are likely to register with nearby Burgess Hill GP surgeries.

The majority of existing surgeries in Burgess Hill have significant patient portfolios as a result of developments which have been constricted in and around the town since the 1980s therefore any further building will put pressure on NHS service delivery and we will need to reconfigure existing buildings so that they can more readily accept new patients.

Accordingly, we may consider making a future CIL bid once our requirements are known and indeed if this proposed development has a planning consent.

**ESCC Archaeologist –** The proposed development is of archaeological interest due to its location within a landscape that has seen human settlement and utilisation from at least the late Iron Age period. The application includes an archaeological desk based assessment, and the garden of The Rosery has been subject to evaluation excavation to identify any archaeological remains that may prohibit site access. The remainder of the site has not been subject to archaeological assessment and it is assumed that if significant

archaeological remains are identified in this area, the layout / design can be adjusted to preserve these remains in-situ.

The Historic Landscape Characterisation of Sussex defines this field as a surviving medieval assart field relating to Antye Farm.

The Rosery is a 20th century building of no architectural or historical merit.

In the light of the potential for loss of heritage assets on this site resulting from 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, disturbed during the proposed works, to be adequately recorded. These recommendations are in line with the requirements given in the NPPF.

Conditions recommended.

**British Telecom** – I write in response to your letter dated 18 December regarding the above and confirm that I have been unable to identify any land or buildings owned or occupied by BT or Telereal Trillium within the area you have indicated.

Please be aware that this advice does not extend to BT's telecommunications apparatus located in the public highway or under private land, nor does it include BT's deep level tunnels.

**Sussex Police** – The National Planning Policy Framework demonstrates the government's commitment to creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion, and with the level of crime and anti-social behaviour in Lewes district being below average when compared to the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends should be considered.

In general terms I support the proposed layout which, being a single access road leading to a series of small cul de sacs with no through route, will give residents a sense of ownership and community and will deter trespass. The orientation of the dwellings will allow for overlooking and good natural surveillance of the road and footpath layout, car parking areas, public open space and other communal spaces. Good provision has been made for car parking either in garages, within the curtilage of the dwellings or on small overlooked parking courts. Further provision has been made for the secure storage of cycles. I was very pleased to note that the accompanying Design and Access Statement includes direct reference to the measures being considered to create a safe and secure environment for this proposed development using the attributes of safe, sustainable places, and I am satisfied that the adoption of these measures will benefit any future residents.

## 5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 7 letters of objection received raising the following concerns:

- Existing surface water drainage pipe already flooding the land to the rear of Hawkesbury
- Only one access to the site via a very narrow access off Valebridge Road, will be dangerous
- Contractors vehicles parked on Valebridge Road will be dangerous
- Will make it difficult for us to exit our property

- Valebridge Road speed limit should be reduced from 60mph to 30 or 40 mph or a second road access provided for the development
- The quality of the pavement surface down Valebridge Road is appalling and dangerous. This should be reviewed in light of the increased footfall.
- Flooding has occurred recently as a result of drains being blocked by building waste
- We would like assurances that the clearance of drains will be reviewed and ongoing during the duration of the development.
- Number of houses is excessive and out of keeping
- Already huge increase in traffic as a result of the opening of the Haywards Heath relief road.
- Thakeham Homes have desecrated an ancient hedgerow on a site in Mid Sussex - can we be reassured that such a "mistake will not happen again?"

## 6. PLANNING CONSIDERATIONS

6.1. Planning law requires that all planning applications must be determined in accordance with the development plan, unless material circumstances indicate otherwise. The development plan for this area currently consists of recently adopted Joint Core Strategy, the retained policies of the Lewes District Local Plan 2003, and the recently adopted Wivelsfield Neighbourhood Plan.

### Lewes District Local Plan

6.2. The application site falls outside of the planning boundary of Wivelsfield as defined by the Lewes District Local Plan and therefore is subject to policy CT1 which seeks to contain development within the defined Planning Boundaries, except in certain circumstances. Development of this site with 55 residential dwellings would not fall within any of the types of development listed as being potential exceptions to this policy and therefore the proposal would be in conflict with Policy CT1 of the Local Plan.

### Lewes District Local Plan Part 1 - Joint Core Strategy (JCS)

6.3. The Joint Core Strategy (JCS) was adopted in 2016 and is the pivotal planning document for the District until 2030, forming Part 1 of the Local Plan setting out the overarching strategies that all other planning documents will need to be in conformity with.

6.4. The JCS has retained Policy CT1 of the Local Plan and as such it is considered that substantial weight can still be applied to this 'saved' policy.

6.5. Notwithstanding this the JCS also sets out the proposed housing delivery for the years 2010-2030, and Spatial Policy 2 (SP2) confirms the intended distribution of this proposed housing. Whilst Part 1 of the JCS allocates a number of large scale strategic sites, Policy SP2 confirms that individual sites to meet the remainder of the planned levels of housing provision will be identified in either the District Council's Site Allocations and Development Management Policies DPD i.e. Part 2, or the National Park Authority's Local Plan. Neighbourhood Plans are also noted as being used to identify the individual sites.

6.6. Under the planning distribution Policy SP2 notes that a minimum of 100 dwellings are to be provided at Burgess Hill (within Wivelsfield Parish).

6.7. The housing distribution set out by Policy SP2 was based on an approach that reflected the findings of the evidence base (including where the greatest levels of housing need are), the input from the consultation and engagement undertaken, and the findings of the Sustainability Appraisal process. The Council's Strategic Housing Land Availability

Assessment (SHLAA) forms part of this evidence base and provides an indication of the potential capacity of settlements to accommodate housing development.

6.8. The site the subject of this application was one of only a small number of sites identified by the SHLAA as being suitable, available and achievable for housing development at Burgess Hill (within Wivelsfield Parish) in this broad location.

6.9. On this basis, whilst it is accepted that the site is not currently allocated for development within the Development Plan, and that the SHLAA is not itself an allocations document, development of this site with 55 dwellings would accord with the broad distribution of Policy SP2 of the JCS and would help meet the District's housing needs over the period to 2030. Furthermore the site is well related to existing residential development. On this basis, there is no "in principle" objection to the development of this site as proposed.

### **Wivelsfield Neighbourhood Plan**

6.10 Wivelsfield Parish Council has produced the Wivelsfield Neighbourhood Plan (WNP) to guide development in the parish until 2030. The plan allocates three sites for the development of up to 30 dwellings to meet the JCS's requirement for the delivery of a minimum of 30 net additional dwellings on new site allocations in and around the settlement (Wivelsfield Green) over the period to 2030 and development boundaries have been drawn to incorporate the allocated sites. Otherwise the planning boundary remains tightly drawn around the existing settlement of Wivelsfield Green. This site falls outside of the planning boundary as defined by the WNP.

6.11 However as stated above, the JCS also allocates a minimum of 100 new dwellings at Burgess Hill. In this respect the supporting text in relation to Policy 1 of the WNP that defines the planning boundaries states:

*"5.10 The LDLP1 requires that the Low Weald villages (which cover this area) and their wider countryside retain and, where possible, enhance their attractive and distinctive character and identity. A small area of Burgess Hill lies within the Parish on its most western boundary and a small area of Haywards Heath lies within the boundary on its northern edge, given recent planning consents, whilst the towns are defined as a District Centre and Secondary Regional Centre respectively, the WNP makes no proposals for those areas.*

*5.11 Rather, the Parish Council and local community maintain their objections to the proposals of LDLP1 Spatial Policy 2 for a minimum of 100 homes at Burgess Hill within the Parish. That proposal is not considered sustainable with regard to its traffic implications for the local area and the impact of this scale of development on the integrity of the green gap between Burgess Hill and Wivelsfield. The proposal is unacceptable to the local community and therefore no provision is made for it in the WNP. Should the proposal remain in the adopted LDLP1 then a planning application should be considered in relation to Policy 5 of the WNP and to other relevant policies of the LDLP1"*

6.12 Paragraph 184 of the NPPF is quite clear that "Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies. On this basis, whilst the proposed development of this site does not necessarily accord with the overall vision of the WNP, on the basis that the JCS is the overarching strategic policy document and this does allocate land at Burgess Hill for a minimum of 100 dwellings, conflict with the WNP in this respect would not amount to a reason to resist the proposal in principle.

6.13 As well as conflict with Policy 1 of the WNP, Wivelsfield Parish Council has suggested that the proposal would also conflict with Policy 2. However this policy simply states that proposals seeking to develop the three allocated sites will be supported, and provides basic development principles. The policy does not explicitly prevent other sites coming forward and therefore there is no direct conflict with this policy, albeit it is accepted that the application site is not one of the allocated sites and therefore clearly not a preferred location for development for the Parish.

### **Design, Layout and Visual Impact**

6.14 One of the NPPF's main planning principles is to ensure that the different roles and character of different areas are taken into account when making planning decisions, recognising the intrinsic character and beauty of the countryside.

6.15 Core Policy 11 of the JCS seeks to ensure that all new development respects and where appropriate positively contributes to the character and distinctiveness of the district's unique built and natural heritage. Development is also expected to respond sympathetically to the site and its local context and to be well-integrated in terms of access and functionality with the surrounding area. These objectives are also reflected in saved Policy ST3 of the Local Plan.

6.16 As set out above the application site sits largely behind existing residential development, the western boundary abutting the rear gardens of dwellings fronting Valebridge Road, and the southern boundary being shared with lower density more sporadic housing. With mature vegetation along the northern, eastern and southern boundaries the site is well enclosed with limited longer views of the site available.

6.17 Demolition of The Rosery and its replacement with a single access road to gain access to the main section of the application site will open up views into the rear of the site, however with the access road being some 100 metres long before any houses are to be constructed, views of the development itself from Valebridge Road will be limited.

6.18 Where views of the development are available this will be in the context of the existing residential development surrounding the site. From the other side, the dense Ancient Woodland buffer along the eastern boundary contains the site and prevents it encroaching significantly into the more open landscape beyond.

6.19 The existing properties fronting Valebridge Road are largely bungalow or chalet style dwellings set within long narrow plots. There is a strong building line along Valebridge Road, with the majority of dwellings set well back from the road frontage. This gives the road a pleasant, relatively low density appearance.

6.20 As outlined above, the proposed development will be all two storey in height. Plot sizes are also significantly smaller than the majority of the surrounding existing residential development. Notwithstanding this, the arrangement of the scheme ensures that it will read as a stand alone development and will not compete or jar with its surroundings.

6.21 Core Policy 2 of the JCS recommends development at a density of 47 to 57 dwellings per hectare (dph) for the towns and 20 to 30 dph for the villages. At a density of approximately 18 dph the scheme doesn't necessarily accord with the objectives of this policy. However the proposed density ensures the retention of large areas of open space around the periphery of the site and is considered reflective of the edge of town location. Therefore, in this instance, the lower density is considered appropriate.

6.22 The traditional design approach of the development is also considered to be acceptable, the design and materials seeking to reflect those used in the locality in accordance with the objectives of Policy ST3 of the Local Plan, Core Policy 11 of the JCS and Policy 5 of the WNP.

6.23 Furthermore the layout of the scheme ensures the retention of all the significant mature tree specimens, the wooded boundary edges and most importantly the ancient woodland (this is discussed in more detail below).

6.24 The perimeter block arrangement of the scheme ensures good surveillance of the overall site which will help it feel a safe and comfortable living environment for future occupiers.

6.25 Overall the general design, layout and visual impact of the proposal is considered acceptable and in accordance with Development Plan policies.

### **Housing Mix and Affordable Housing**

6.26 Core Policy 2 of the Joint Core Strategy seeks to ensure new housing developments deliver sustainable, mixed and balanced communities. To this effect new developments are expected to deliver a range of dwelling types and sizes to meet identified local need whilst also taking into account the existing character and housing mix of the vicinity.

6.27 One of the key objectives of the WNP is to provide a mix of dwelling types including particularly smaller dwellings for young families and older people wishing to downsize, and starter homes for younger people and key workers.

6.28 Core Policy 1 of the Joint Core Strategy requires developments of 11 or more dwellings to provide 40% of the units as affordable dwellings. The breakdown of the proposed dwelling sizes and tenure is outlined above at paragraph 1.10. This confirms that 40% of the units will be affordable and that the remainder of the scheme will provide a mixture of dwelling types but with the majority being three-bedroom units.

6.29 The Council's Housing Policy Officers have confirmed that the proposed number and mix of affordable units are acceptable. The mix of the remaining dwellings is considered acceptable and in line with the objectives of the JCS and WNP.

### **Access to services and facilities**

6.30 Another of the NPPF's objectives is to manage patterns of growth to make fullest use of public transport and focus significant development in locations which are or can be made sustainable (paragraph 17).

6.31 Core Policy 13 of the emerging Joint Core Strategy seeks to ensure that new development is located in sustainable locations with good access to schools, shops, jobs and other key services by walking, cycling and public transport in order to reduce the need to travel by car.

6.32 Whilst the application site falls within Wivelsfield Parish and is distant from Wivelsfield Green, it is clearly closely related to the town of Burgess Hill. Within the JCS Burgess Hill is recognised within the settlement hierarchy as being a "District Settlement" i.e. *"Accessible settlements by road and public transport containing a range of shops, employment opportunities and facilities including a secondary school. Such settlements are*

*not reliant upon other centres to meet day to day needs, but they require support from nearby secondary or primary centres to meet the higher level needs of their residents."*

6.33 In considering the accessibility of the application site the Highways Authority has made the following comments:

*"It is accepted that walking and cycling have the potential to replace the use of the car for trips of up to 2km and 5km respectively. Whether trips are undertaken by these modes of course depends on the purpose of the trip. There are continuous walking routes to potential destinations, such as Wivelsfield train station and other local retail and education uses, some of these are though right on the limits of maximum walking distances. A wider range of facilities can be reached by cycling although there are no dedicated cycle routes available. Whilst there is a gradient for cyclists traveling into Burgess Hill, this is not considered a significant barrier. The location of the site has the potential to encourage trips by walking and cycling, and reduce dependency on the use of the private car."*

### **Access and parking**

6.34 The application has been submitted with a detailed Transport Statement that outlines the key transport planning matters such as the proposed development layout, car and cycle parking requirements, access arrangements, servicing arrangements, and the proposed trip impact on the local road network. This has been considered by both East and West Sussex County Councils in their capacity as Local Highway Authorities due to the fact the application site spans both Counties.

6.35 The proposed development would be served from a new access adjoining Valebridge Road. The access would take the form of a T-junction with a simple priority arrangement including a crossing facility for pedestrians. The new access would be flanked by a 2m wide footway on its southern side. Visibility splays of 148m looking north and 139.2m looking south are proposed, which account for the 85th percentile speeds recorded during a 7 day speed survey on Valebridge Road.

6.36 On entry to the site two traffic calming features would be provided to encourage low vehicle speeds. A kerb build out reducing traffic to a one-way flow with a priority arrangement would be provided 20m from the site access. Priority would be given to vehicles entering the site, to avoid vehicles tailing back on to Valebridge Road.

6.37 The access arrangements have been the subject of a Stage One Road Safety Audit. Whilst this raised two problems both are considered to be resolvable by appropriately worded planning conditions and through the detailed design. On this basis no objections are raised to the principle or form of the vehicular access.

6.38 The proposed access road would maintain a width of 6.0m within the main body of the site with the exception of traffic calming and overrun features. The access road would act as a spine road from which 4 cul-de-sacs would branch. All internal carriageways provide a minimum 4.8m width. Turning head facilities are provided to facilitate large service vehicle turning manoeuvres on internal carriageways.

6.39 East Sussex County Council has considered the submitted details and following some minor alterations to the internal road layouts they have confirmed that they have no objections to the proposals.

6.40 In terms of parking the scheme provides 109 allocated parking bays plus 16 unallocated visitor/resident overspill bays. In addition each property will be provided with secure cycle parking in the form of a shed, store or garage.



6.41 East Sussex County Council's adopted parking guidelines would require the proposal to be provided with 128 car parking spaces (108 allocated, 9 unallocated for residents and 11 unallocated for visitors). Whilst the number of proposed visitor spaces falls slightly of ESCC's guidelines, this is by 4 spaces only.

6.42 Policy 5 of the WNP states that *"Proposals for housing development must provide an appropriate number of car parking spaces as guided by the highways authority parking calculator but as a minimum must provide two off-street car parking spaces per dwelling unless a clear case can be made for why the proposed nature of the occupation of the dwellings will result in fewer spaces being required."* With the overall number of allocated spaces being in line with ESCC's guidance, on balance the level of parking is considered acceptable.

6.43 The proposed development will result in additional vehicle trips on the highway network. This has been estimated using TRICS. TRICS is a large database of traffic surveys of completed developments. The database can be refined so as to select only those developments comparable (in terms of use class, location, accessibility, etc.) to that proposed.

6.44 Based on the trip rates within the Transport Statement, the development is forecast to generate 26 two-way movements in the AM and PM network peak hours. The impact has been considered upon the peak hours given that these are most sensitive to changes.

6.45 On the basis that the proposed access falls within West Sussex, the comments of WSCC Highways Authority have been sought. They have confirmed that WSCC Transport Assessment Guidance requires junctions to be assessed where a development is forecast to result in increased entry flows of 30 or more vehicle movements. Whilst the means of distributing traffic and anticipated increased traffic flows on the highway network are noted, given the level of vehicular trips generated, this proposal would not meet the criteria to require any off-site junction capacity assessments. The NPPF states that development should only be prevented or refused where the impacts would be severe. This proposal would not be expected to result in any capacity impacts that could be defined as severe.

6.46 In conclusion, the Local Highway Authorities are satisfied that this proposal would not give rise to any severe highway safety or capacity concerns and on this basis no highway objection is raised.

### **Trees and Ancient Woodland**

6.47 As set out above the application site is bordered by and partly covered by ancient semi-natural woodland. The application proposals have been designed to retain all of the existing woodland plus other mature tree specimens elsewhere within the site.

6.48 Paragraph 118 of the NPPF states: *"planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweighs the loss."*

6.49 Standing advice produced by Natural England in association with the Forestry Commission provides suggested mitigation measures for developing near ancient woodland. One of these measures is the retention of an appropriate buffer zone of semi-

natural habitat between the development and the ancient woodland. Depending on the size of development the standing advice recommends a minimum buffer of at least 15 metres.

6.50 The submitted application has been developed with these recommendations in mind and all of the proposed dwellings are a minimum 15 metres away from edge of the ancient woodland. The applicants have confirmed that a long term management plan for retained habitats on the site, including the area of ancient woodland will be developed. Furthermore construction will be carried out in such a way as to minimise indirect impacts, resulting from construction noise, dust, pollution etc. Native species are to be planted between the woodland edge and the development edge to enhance the buffer zone.

6.51 The Council's Tree and Landscape Officer has considered the application proposals and raises no material objection on the basis that the important trees and woodland are reasonably well incorporated into the scheme. In addition sufficient space has been allocated to ensure that future conflicts with residents are kept reasonably manageable.

6.52 It is noted that a woodland walk is proposed through the ancient woodland that will be accessible to future residents. Public access could potentially cause the deterioration of an irreplaceable habitat such as this and therefore careful management of this element of the scheme will be required. As set out in the applicants supporting documents the provision of pathways within the woodland, and the creation of a specific, predetermined trail, should reduce informal paths being made. A specific access management plan will also ensure recreational pressure on the woodland is mitigated. On this basis the impact on the Ancient Woodland is considered acceptable.

## **Biodiversity**

6.53 The application has been submitted with a Preliminary Ecological Appraisal (incorporating an Internal and External Bat Survey), an Ecological Impact Assessment, and a Reptile mitigation report.

6.54 These reports confirm that the site is not affected by any statutory biodiversity designations and that the proposals are unlikely to affect any nearby designated sites, due to the nature and extent of works proposed. The majority of habitats on the site (other than the Ancient Woodland referred to above) are considered to be common and widespread throughout the UK and as such are of limited ecological interest.

6.55 Surveys of the site have indicated that the site provides limited suitable habitats for protected species such as badgers, bats, Great Crested Newts and other reptiles. Notwithstanding this, two species of reptiles were identified to be using the site, with bats also using the site for foraging and commuting.

6.56 A reptile presence/likely absence survey identified the site as supporting an exceptional population of slow worms and a low population of grass snakes. As such the applications ecologists have proposed a reptile translocation strategy be employed removing the reptiles off site to a pre-agreed off site receptor site. Such measures will ensure that there are no significant residual impacts on reptiles and that the proposed development will remain within the law. Nearby Bedelands Site of Nature Conservation Importance (SNCI) and Bedelands Farm Local Nature Reserve (LNR) has been identified as a suitable receptor site and the applicants have already negotiated with the land owner (Mid Sussex District Council) and agreed that Bedelands Farm will be used as a receptor site and that the application will contribute £1000.00 to the Council towards the delivery of

reptile hibernacula. This payment will need to be secure through a Section 106 Legal Obligation.

6.57 Other mitigation proposals have also been recommended and incorporated into the design of the proposed scheme to ensure that any other protected species that do exist on or around the site are not harmed by the proposed development.

6.58 On this basis there is no reason to believe that any ecological designations, habitats of nature conservation interest or protected species would be adversely affected by the proposed development. Furthermore, the recommended enhancement measures should provide benefits to biodiversity at the site in the long term.

### **Living conditions**

6.59 Whilst this is a large site at the edge of a built up area, impact on the living conditions of neighbouring occupiers is limited due to the generous distances that will be maintained between the proposed and existing properties.

6.60 To the west the application site is bordered by only 8 properties. All of which front Valebridge Roads with good sized rear gardens. The closest of these dwellings would be some 50 metres from the mutual boundary, with the closest proposed dwellings being a further 25 metres away. With the retention and enhancement of the boundary vegetation it would be very difficult to demonstrate any significant harm to the living conditions of these neighbouring properties as a result of overlooking, loss of privacy, light or outlook.

6.61 Two of these western properties will of course be affected by the introduction of the proposed access road through the existing Rosery site. Chideock lies to the north of the proposed access road and Valewood lies on the southern site. The proposed access road will pass along the entire length of these neighbouring plots. A buffer of some 3.5 - 4.5 metres is retained along either side of the access road allowing space for the introduction of some additional soft landscaping. Whilst these properties will no doubt be aware of passing cars it is not considered that the scale of development and frequency of vehicle movements would be so harmful to the quiet enjoyment of these neighbouring occupiers to warrant the refusal of consent bearing in mind the generous spacing around the access road.

6.62 To the south of the application site, along with the existing host dwelling (The Homestead) there are three further dwellings that sit adjacent the application site. All four of these dwellings will be well screened from the new development by existing and enhanced landscaping. In addition the minimum intervening distance will be 32 metres.

6.63 Where the proposed dwellings are more density laid out this is in the south eastern corner of the site where only one dwelling, The Homestead, closely abuts the application site. New landscaping is proposed along this boundary to help screen the proposed development. Other neighbouring dwellings beyond this end of the application site benefit from dense woodland screening and the same applies for those properties to the north and east.

### **Play space**

6.64 Policy RES19 of the Lewes District Local Plan seeks to ensure that in areas where there is a deficiency of outdoor sports and/or children's play space in quantitative or qualitative terms planning applications for all residential development include a level of provision for outdoor sports and/or children's outdoor play space.

6.65 As set out above the proposed development includes a small LAP (Local Area of Play) measuring some 270 sqm, the applicants relying on future residents being able to access the existing playground located at Janes Lane. This playground is approximately 15 minutes walking time from the application site and would require residents crossing a busy road.

6.66 The applicants were advised therefore during pre-application discussions that in order to accord with the requirements of Policy RES19, it would be preferable for a LEAP (Local Equipped Area of Play) measuring some 400 sqm to be provided on site.

6.67 Whilst the applicants have explored this as an option, in their opinion on-site provision is heavily restricted due to the required separation distances and a requirement for good natural surveillance being severely limited by trees to be retained and the Ancient Woodland buffer. Notwithstanding this, whilst it is not proposed to provide an on-site LEAP, the scheme by virtue of its woodland buffers and the proposed woodland walk, does in fact overprovide in terms of general open space providing approximately 1.1 hectares of open space, not including the Ancient Woodland. On this basis whilst it is disappointing the an on-site LEAP is not being provided in this instance, on balance it is considered that the generally high level of open space sufficiently compensates for its absence in this instance, especially as there is still a playground within walking distance of the site.

### **Flood Risk and Drainage**

6.68 The application has been submitted with a detailed Flood Risk Assessment that has been considered by ESCC's SUDS Officers.

6.69 The FRA confirms that the application site falls within Flood Zone 1 (lowest risk of flooding) and that the risk flooding from all sources is either low or very low.

6.70 The proposed surface water drainage strategy will be designed to accommodate a 1 in 100 year critical design storm and cater for the effects of climate change by including a 20% increase in peak rainfall intensity. It will comprise flow restriction and surface water storage to ensure that the rate of run-off leaving the site will be no more than the existing situation. Surface water storage will be provided using cellular tanks and a swale. The swale will provide storage and will also help to improve the water quality of the run-off before it is discharged to the local watercourse on the north boundary.

6.71 This strategy will ensure that there is no increase in the amount of run-off leaving the site, and therefore the proposed development will not increase the risk of flooding elsewhere.

6.72 ESCC SUDS officers have considered the submitted details and confirmed, following the submission of revised/additional information, that they have no objections to the proposal subject to conditions.

6.73 Foul drainage from the site will be dealt with by means of a new connection to the public foul water sewer. Southern Water has confirmed that it can provide foul sewage disposal to service the proposed development.

### **S106**

6.74 General infrastructure improvements required as a result of this development (play space, education etc.) will be secured by a CIL contribution. The levy is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe

by new development. The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development. Whilst the contribution will be paid to and held by Lewes District Council there is nothing to prevent either Mid Sussex District Council or West Sussex County Council bidding for CIL funding for infrastructure projects outside of the Lewes District.

6.75 In terms of the S106 agreement the following contributions are considered necessary to be secured by a S106 agreement:

- Financial contribution towards recycling - @ £19 per dwelling
- Provision of 40% affordable housing on the site - equating to 22 dwellings - 8 x 1 bed, 9 x 2 bed houses, 15 x 3 bed houses.
- £1000 towards MSDC for reptile translocation.

## **CONCLUSION**

6.76 Whilst the site is not currently allocated for housing within the Development Plan the erection of 55 dwellings on this site would accord with the broad distribution of housing as set out by Policy SP2 of the JCS and would help meet the District's housing needs over the period to 2030, whilst at the same time securing 22 much needed affordable homes.

6.77 The site is reasonably well laid out, offering a mix of dwellings types and sizes of a design that is reflective of the surrounding area. Retention of the wooded boundaries will ensure that the site will be visually enclosed and will relate well to the existing built form without encroaching into the open landscape. Retention of the woodland and provision of generous buffer areas also means the scheme will deliver a large amount of open space whilst at the same time securing the retention of the Ancient Woodland.

6.78 As well as being visually well related to the existing built form, the location of the site ensures that residents will have good access to the existing services and facilities of Burgess Hill, as well as reasonable access to alternatives means of transport.

6.79 It is not considered that this proposal will give rise to any severe highway safety or capacity concerns and on-site, parking and turning provisions are satisfactory. The relationship with, and impact on, the living conditions of surrounding properties are also considered acceptable.

6.80 Overall it is considered that the proposal would create an acceptable form of development without detriment to the wider surroundings or the amenity of the area in general and sufficiently accords with the provisions of the Development Plan to be supported.

## **7. RECOMMENDATION**

7.1 Recommend that, subject to the applicants first entering into a Section 106 Agreement to secure the obligations set out at paragraph 6.75 above, the application be approved subject to the conditions outlined below.

### **The application is subject to the following conditions:**

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

Reason: In the interests of road safety.

2. No part of the development shall be first occupied until visibility splays of 2.4 metres by 139 metres to the north and 148 metres to the south have been provided at the proposed site vehicular access onto Valebridge Road in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

3. No unit hereby approved shall be occupied until the parking area(s) for that unit have been provided in accordance with the approved plans. Once provided all parking areas shall be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car-parking space for the development.

4. The garage buildings shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety.

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

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

6. No part of the development shall be occupied until details regarding the construction, surfacing, drainage and lighting of the road(s), footways and parking areas serving the development have been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with these approved details.

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

7. The vehicle turning space shall be constructed 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

8. No part of the development shall be occupied until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.

9. In this condition 'retained tree' means an existing tree or hedge, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the development.

- a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Council. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with the arboricultural method statement.
- b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Council.
- c) tree protection measures shall be maintained in-situ and not moved or removed until all construction has finished and equipment, materials, or machinery are removed from site. Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access be made, without the written consent of the Council.
- d) any arboricultural protection information and plans submitted as part of the application, and listed in the approved plans condition, shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Council. This shall include the requirement for arboricultural supervision.
- e) 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.

Reason: To preserve trees on the site and in the interest of visual amenity and environment having regard to Policy ST3 of the Lewes District Local Plan.

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

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

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

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

12. Any works or deliveries in connection with this permission shall be restricted to the hours of 0800 to 1800 Mondays to Fridays and 0830 to 1300 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason: In the interest of the amenities of the adjoining residents having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012

13. A verification plan based on the findings of the desk-study and ground investigation regarding the ground gas results providing details of the data that will be collected in order to demonstrate that the works set out in the recommendations are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors (in accordance with National Planning Policy Framework, sections 120 and 121).

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors (in accordance with National Planning Policy Framework, sections 120 and 121).

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors (in accordance with National Planning Policy Framework, sections 120 and 121).

16. The surface water drainage strategy outlined in the RGP Design Flood Risk Assessment (Ref 2016/D1178/FRA1.2) should be carried forward to detailed design. Surface water 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 and the detailed design should include how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.



Reason: To reduce the risk of flooding, both on and off site and to accord with Policy CP12 of the Joint Core Strategy and the National Planning Policy Framework 2012.

17. A maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site. 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. Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

Reason: To reduce the risk of flooding, both on and off site and to accord with Policy CP12 of the Joint Core Strategy and the National Planning Policy Framework 2012.

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

Reason: To reduce the risk of flooding, both on and off site and to accord with Policy CP12 of the Joint Core Strategy and the National Planning Policy Framework 2012.

19. No development shall commence unless and until details of the proposed means of foul water sewerage water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be implemented in accordance with the approved details.

Reason: To ensure that sewage disposal can be provided from the site without detriment to the existing sewage system, having regard to guidance within the National Planning Policy Framework 2012.

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

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

21. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 22 and that provision for analysis, publication and dissemination of results and archive deposition has been secured, unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

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

22. No development shall take place until details of finished floor levels and ground levels in relation to the existing ground levels 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: In the interest of the character of the locality having regard to Policy ST3 of the Lewes District Local Plan and the National Planning Policy Framework 2012.

23. Boundary treatments shall be erected in accordance with the details shown on drawing no. CB\_35\_085\_009 Rev B unless otherwise agreed in writing by the Local Planning Authority. The boundary treatment shall be completed before the associated dwellings are occupied or in accordance with a timetable to be first agreed in writing with the local planning authority.

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

24. No development shall take place above the ground floor slab level until details and samples of all external facing, roofing and surfacing materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.

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

25. No more than 35 dwellings shall be occupied unless and until the public open space (including the woodland walk) has been provided in accordance with details which shall be submitted to and approved by the local planning authority. The submitted particulars shall include details of its on-going management and maintenance. The development shall be carried out, managed and maintained thereafter in accordance with the approved details.

Reason: To provide an adequate amount of open space on 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.

26. No development shall take place until a detailed scheme of ecological enhancements and mitigation measures, to include ongoing management as necessary, based on the recommendations of the Ecological Impact Assessment (January 2017) by The Ecology Partnership has been submitted to and approved in writing by the local planning authority. The scheme shall be carried out and managed thereafter in accordance with the approved details.

Reason: To protect and enhance habitats on the site having regard to guidance within the National Planning Policy Framework 2012.

## **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. A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Transport Assessment	17 February 2017	
Design & Access Statement	9 December 2016	
Planning Statement/Brief	9 December 2016	
Tree Statement/Survey	9 December 2016	
Flood Risk Assessment	31 January 2017	
Proposed Layout Plan	22 March 2017	001 REV D PLANNING LAYOUT
Other Plan(s)	22 March 2017	002 REV C LAND USE
Other Plan(s)	22 March 2017	003 REV C HOUSING MIX
Other Plan(s)	22 March 2017	004 REV C AFFORDABLE HOUSING
Other Plan(s)	22 March 2017	005 REV C BUILDING HEIGHTS
Other Plan(s)	22 March 2017	006 REV C PARKING STRATEGY
Other Plan(s)	22 March 2017	007 REV C BIN _CYCLE STORAGE
Other Plan(s)	22 March 2017	008 REV C EXTERNAL FINISHES
Other Plan(s)	22 March 2017	009 REV C EXTERNAL ENCLOSURES
Other Plan(s)	22 March 2017	010 REV C HARD SURFACING
Other Plan(s)	9 December 2016	03 TREE PROTECTION
Other Plan(s)	9 December 2016	1/001G TOPOGRAPHICAL 1
Other Plan(s)	9 December 2016	1/001G TOPOGRAPHICAL 2
Other Plan(s)	9 December 2016	1/001G TOPOGRAPHICAL 3
Location Plan	9 December 2016	1:1250
Existing Block Plan	9 December 2016	1:500
Proposed Layout Plan	14 March 2017	2016/3237/005 G
Proposed Layout Plan	14 March 2017	2016/3237/009 E
Other Plan(s)	9 December 2016	906 DISTRICT BOUNDARIES
Technical Report	6 January 2017	ADDENDUM GROUND GAS ASSESSMENT

Technical Report	9 December 2016	ARCAHEOLOGY & HERITAGE
Technical Report	9 December 2016	ECOLOGICAL APPRAISAL
Biodiversity Checklist	6 January 2017	ECOLOGICAL IMPACT ASSESSMENT
Technical Report	9 December 2016	GROUND INVESTIAGTION
Tree Statement/Survey	20 February 2017	IMPACT ASSESSMENT
Proposed Elevation(s)	9 December 2016	P100 PLOT 1
Proposed Floor Plan(s)	9 December 2016	P100 PLOT 1
Proposed Roof Plan	9 December 2016	P100 PLOT 1
Proposed Elevation(s)	9 December 2016	P101 PLOT 2
Proposed Floor Plan(s)	9 December 2016	P101 PLOT 2
Proposed Roof Plan	9 December 2016	P101 PLOT 2
Proposed Elevation(s)	9 December 2016	P102 PLOT 3 & 4
Proposed Floor Plan(s)	9 December 2016	P102 PLOT 3 & 4
Proposed Roof Plan	9 December 2016	P102 PLOT 3 & 4
Proposed Elevation(s)	9 December 2016	P103 PLOT 5
Proposed Floor Plan(s)	9 December 2016	P103 PLOT 5
Proposed Roof Plan	9 December 2016	P103 PLOT 5
Proposed Elevation(s)	9 December 2016	P104 PLOT 6
Proposed Floor Plan(s)	9 December 2016	P104 PLOT 6
Proposed Roof Plan	9 December 2016	P104 PLOT 6
Proposed Elevation(s)	9 December 2016	P105 PLOT 7 & 8
Proposed Floor Plan(s)	9 December 2016	P105 PLOT 7 & 8
Proposed Roof Plan	9 December 2016	P105 PLOT 7 & 8
Proposed Elevation(s)	9 December 2016	P106 PLOT 9 & 10
Proposed Floor Plan(s)	9 December 2016	P106 PLOT 9 & 10
Proposed Roof Plan	9 December 2016	P106 PLOT 9 & 10
Proposed Elevation(s)	9 December 2016	P107 PLOT 11
Proposed Floor Plan(s)	9 December 2016	P107 PLOT 11

Proposed Roof Plan	9 December 2016	P107 PLOT 11
Proposed Elevation(s)	9 December 2016	P108 PLOT 12
Proposed Floor Plan(s)	9 December 2016	P108 PLOT 12
Proposed Roof Plan	9 December 2016	P108 PLOT 12
Proposed Elevation(s)	9 December 2016	P109 PLOT 13 & 14
Proposed Floor Plan(s)	9 December 2016	P109 PLOT 13 & 14
Proposed Roof Plan	9 December 2016	P109 PLOT 13 & 14
Proposed Elevation(s)	9 December 2016	P110 PLOT 15 & 16
Proposed Floor Plan(s)	9 December 2016	P110 PLOT 15 & 16
Proposed Roof Plan	9 December 2016	P110 PLOT 15 & 16
Proposed Elevation(s)	9 December 2016	P111 PLOT 17
Proposed Floor Plan(s)	9 December 2016	P111 PLOT 17
Proposed Roof Plan	9 December 2016	P111 PLOT 17
Proposed Elevation(s)	9 December 2016	P112 PLOT 18
Proposed Floor Plan(s)	9 December 2016	P112 PLOT 18
Proposed Roof Plan	9 December 2016	P112 PLOT 18
Proposed Elevation(s)	9 December 2016	P113 PLOT 19
Proposed Floor Plan(s)	9 December 2016	P113 PLOT 19
Proposed Roof Plan	9 December 2016	P113 PLOT 19
Proposed Elevation(s)	9 December 2016	P114 PLOT 20 & 21
Proposed Floor Plan(s)	9 December 2016	P114 PLOT 20 & 21
Proposed Roof Plan	9 December 2016	P114 PLOT 20 & 21
Proposed Elevation(s)	9 December 2016	P115 PLOT 22 - 25
Proposed Floor Plan(s)	9 December 2016	P115 PLOT 22 - 25
Proposed Roof Plan	9 December 2016	P115 PLOT 22 - 25
Proposed Elevation(s)	9 December 2016	P116 PLOT 26 & 27
Proposed Floor Plan(s)	9 December 2016	P116 PLOT 26 & 27

Proposed Roof Plan	9 December 2016	P116 PLOT 26 & 27
Proposed Elevation(s)	9 December 2016	P117 PLOT 28 - 31
Proposed Floor Plan(s)	9 December 2016	P117 PLOT 28 - 31
Proposed Roof Plan	9 December 2016	P117 PLOT 28 - 31
Proposed Elevation(s)	9 December 2016	P118 PLOT 32 & 33
Proposed Floor Plan(s)	9 December 2016	P118 PLOT 32 & 33
Proposed Roof Plan	9 December 2016	P118 PLOT 32 & 33
Proposed Elevation(s)	9 December 2016	P119 PLOT 34
Proposed Floor Plan(s)	9 December 2016	P119 PLOT 34
Proposed Roof Plan	9 December 2016	P119 PLOT 34
Proposed Elevation(s)	9 December 2016	P120 PLOT 35 & 36
Proposed Floor Plan(s)	9 December 2016	P120 PLOT 35 & 36
Proposed Roof Plan	9 December 2016	P120 PLOT 35 & 36
Proposed Elevation(s)	9 December 2016	P121 PLOT 37 - 40
Proposed Floor Plan(s)	9 December 2016	P121 PLOT 37 - 40
Proposed Roof Plan	9 December 2016	P121 PLOT 37 - 40
Proposed Elevation(s)	9 December 2016	P122 PLOT 41
Proposed Floor Plan(s)	9 December 2016	P122 PLOT 41
Proposed Roof Plan	9 December 2016	P122 PLOT 41
Proposed Elevation(s)	9 December 2016	P123 PLOT 42
Proposed Floor Plan(s)	9 December 2016	P123 PLOT 42
Proposed Roof Plan	9 December 2016	P123 PLOT 42
Proposed Elevation(s)	9 December 2016	P124 PLOT 43 - 45
Proposed Floor Plan(s)	9 December 2016	P124 PLOT 43 - 45
Proposed Roof Plan	9 December 2016	P124 PLOT 43 - 45
Proposed Elevation(s)	9 December 2016	P125 PLOT 46 - 48
Proposed Floor Plan(s)	9 December 2016	P125 PLOT 46 - 48
Proposed Roof Plan	9 December 2016	P125 PLOT 46 - 48

Proposed Elevation(s)	9 December 2016	P126 PLOT 49 & 50
Proposed Floor Plan(s)	9 December 2016	P126 PLOT 49 & 50
Proposed Roof Plan	9 December 2016	P126 PLOT 49 & 50
Proposed Elevation(s)	9 December 2016	P127 PLOT 51 & 52
Proposed Floor Plan(s)	9 December 2016	P127 PLOT 51 & 52
Proposed Roof Plan	9 December 2016	P127 PLOT 51 & 52
Proposed Elevation(s)	9 December 2016	P128 PLOT 53 & 54
Proposed Floor Plan(s)	9 December 2016	P128 PLOT 53 & 54
Proposed Roof Plan	9 December 2016	P128 PLOT 53 & 54
Proposed Elevation(s)	9 December 2016	P129 PLOT 55
Proposed Floor Plan(s)	9 December 2016	P129 PLOT 55
Proposed Roof Plan	9 December 2016	P129 PLOT 55
Proposed Elevation(s)	9 December 2016	P130 GARAGES
Proposed Floor Plan(s)	9 December 2016	P130 GARAGES
Proposed Roof Plan	9 December 2016	P130 GARAGES
Proposed Elevation(s)	9 December 2016	P131
Proposed Floor Plan(s)	9 December 2016	P131
Proposed Roof Plan	9 December 2016	P131
Biodiversity Checklist	6 January 2017	REPTILE MITIGATION REPORT
Technical Report	9 December 2016	UTILITES REPORT
Technical Report	9 December 2016	VISUAL APPRAISAL & STRATEGY