

LW/20/0245

Page 9

Chailey, Barcombe & Hamsey

Officers are asking to Committee to agree to the deferral of this item upon legal advice that it would not be fair to consider the application due to its scope having changed (withdrawal of the landscaping matters) since the publication of the agenda and the speech deadline.

Following advice from Officers, the Applicant has withdrawn the landscaping matters from this application. These details will be resubmitted separately at the same time as the details pursuant to Condition 14 (Ecology Mitigation) of the outline consent, allowing these matters to be considered together.

Error in para. 8.3.2 – substitute ‘Condition 14’ for ‘Condition 13’.

Late comments received from Sussex Ornithological Society:

Local residents have contacted me expressing concern about the Reserve Matters on this application that are going for approval by the Planning Committee next week.

I have no comments to make about the site plan or proposed appearance of the six houses, as that is not my area of expertise or interest. However, I do have real concerns about the landscape plans that are being put forward for approval.

Dr Kate Cole, The East Sussex County Ecologist, commented on this application on 13 July 2020 and made a number of comments and recommendations, including:

1. That the area around the pond is an excellent site for reptiles.
2. That a survey should be carried out as to whether Great Crested Newt are present on the site.
3. That a survey should be carried out as to whether Dormice are present on the site.
4. That the northern tip of the site, proposed as a receptor area, had few signs of reptiles, and that its ownership should be clarified as it was not clear whether this would be part of the back garden of the northern most house nor who would own it. She said that a plan for its long-term management is required.

In looking at the landscape plans going forward for approval next week, no evidence accompanies them that any of the above points have been addressed or taken into account. I therefore assume that the presence or absence of Dormice and Great Crested Newt from the site has not been verified by any recognised and licensed ecologists.

Supplementary report to the Planning Applications Committee
on 17 February 2021

Yet the landscape plans show that:

5. The pond will be desilted – which if Great Crested Newt do use it may not be the right thing to do and certainly would require advice from a qualified GCN expert, including about the time of year any work should be carried out.
6. The area between the pond and the eastern boundary will be cleared away and replaced by a wildlife meadow – thus destroying a habitat that has been identified as particularly good for reptiles. I cannot imagine that reptiles would find a wildlife meadow appealing, even if they somehow survived the destruction of the current environment and creation of the new one. This would also destroy one of only two current areas of the site that could be left untouched by this development, which given its importance for the site's wildlife is not acceptable.
7. If there are dormice on the site now the landscape plans makes no mention that anything will be done to protect them or create new habitat for them. The conclusion is that if they are now present they won't be after the development occurs.
8. The northern tip on the landscape plan is still designated a receptor area but nothing appears to be being proposed to make it more suitable for reptiles. Indeed, whether it is anything other than a line on a drawing is unclear. All the questions about it posed by Dr Cole remain unanswered. To me it appears as a site that might usefully be enlarged (so that the northern most dwelling's garden is reduced in size) and one that could be substantially improved for the benefit of wildlife. But this would only be meaningful if there was a long term plan for the site to be managed for wildlife, and its ownership would need to reflect this. At the moment it is hard not to conclude that the lack of any proposals to "improve" the northern tip for wildlife means that it is unlikely to be a successful receptor area for reptiles and that any that were transferred there would not prosper.
9. There is no net biodiversity loss/gain assessment – and if there is a net loss there are no proposals for compensatory net biodiversity gains elsewhere.

Given the above the **SOS OBJECTS** to these landscape plans which threaten to decimate the known richness of reptile wildlife on the site, and which would also threaten to eliminate Dormice and Great Crested Newt if they currently use the site. We believe that acceptable Landscape Plans can only be produced once the points raised in 1 to 4 above have been answered and are taken into account.

I have copied this email to the County Ecologist and recommend that you consult with her.

SDNP/20/04009
Kingston

Page 27

Paragraph 8.20 of the Officer report refers to the proposed outbuilding as 'garaging' and a 'carport'. These should be corrected to 'garden building/home office'. These incorrect descriptions make no material difference to the determination of the outbuilding.

A further representation from Kingston Parish Council has been received, addressing points raised in the officer report. Officers comment on each point is in bold type below:

Thank you for giving Kingston Parish Council the opportunity to comment. We continue to object to this application.

1. The extent of the development

*SD 31 states that the increase in floor space of the existing dwelling should not increase by more than approximately 30%. The technical advice note 'Extensions and replacement dwellings' defines existing dwelling as the residential unit that existed in 2002 and states that outbuildings should be included in the calculation unless for exclusive use as a car port or garage. The Planning Officer's calculation does not appear to take as a baseline the house as it was in 2002 and excludes the outbuilding. Taking these factors into account it is clear that the proposed development exceeds the 30% allowed for. **The GIA of the property was calculated as existing in 2002. The proposed increase to the main dwelling is only 7%. This was measured correctly. The TAN relating to Policy SD31 does not state that outbuildings should be taken into account when calculating floorspace. However, even when taking the floor area of the outbuilding into account, the increase in total floor area is only 17%, well below the allowed 30%***

2. The extension

*SD 31 states that proposed extensions should respect the established character of the area and not be overbearing or detrimental to the amenity of nearby residents. No scale drawing has been provided of the elevation of the proposed extension in relation to Dormers. The extension is approximately one metre from the fence with Dormers which is located behind, not alongside Cedar Cottage. It is proposed that the two-storey extension be clad with zinc or black weather boarding. In our view this would be overbearing for Dormers and is not in keeping with the rural location. **This has been addressed in the report***

3. The outbuilding

The Planning Officer has confirmed in his revised appraisal that the outbuilding is a garden room / home office (i.e. not a garage or car port). SD32 states that outbuildings should usually be located alongside or behind the main building. This outbuilding is alongside / in front of the neighbouring properties.

Supplementary report to the Planning Applications Committee
on 17 February 2021

The siting of outbuildings to the side/rear of properties is recommended but, in this instance, is not deemed to be detrimental to the surrounding area/properties.

*No technical drawings have been provided of the outbuilding in relation to Field Cottage and Well Barr. The land slopes downwards from Field Cottage (higher) to Well Barr (lower). It appears that Well Barr will be significantly overlooked and light blocked. **Having visited the site, it would appear the proposed outbuilding would have little to no impact on Well Barr. Well Barr is situated the other side of the access lane, and only has a side elevation facing the proposed outbuilding, which does not appear to contain windows to habitable rooms above a ground floor level already located behind an existing hedge.***

*It appears from the plans that the outbuilding will have sheet glass windows facing Field cottage which would be intrusive for Field Cottage and out of keeping with the rural area. **Field Cottage is well obscured from the proposed outbuilding by existing hedging.***

4. Car parking

*There is now no garage or car port and it appears no provision for parking. **The location of the proposed outbuilding is currently scrubland, not used for parking; therefore there is no loss of existing parking. Adequate parking already exists on site.***

5. Inconsistencies

*Cedar cottage is not accessed from the shared access driveway with six other houses as stated in the Planning Officer's appraisal; it shares access only with Field Cottage. Nor is it a new build; Field Cottage was refurbished. **Field Cottage was significantly rebuilt, effectively creating an entirely new dwelling. The access drive to the application property is located at the same junction as the lane used by the other properties located along it.***

6. Construction management plan

*If any planning permission is granted a detailed construction management plan must be agreed. Access is difficult (shared driveway). It is a rural area, extremely busy with pedestrians including children getting to school and walkers accessing the South Downs as well as cyclists and horse riders. Any large construction vehicles would create significant hazards. **Addressed by condition.***