

# Planning Applications Committee 8 June 2022



Working in Partnership



## Time and venue:

5:00pm in the Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE

## Membership:

**Councillor Sharon Davy (Chair); Councillors Graham Amy, Tom Jones, Christoph von Kurthy, Sylvia Lord, Imogen Makepeace, Milly Manley, Laurence O'Connor, Nicola Papanicolaou, Steve Saunders and Richard Turner**

## Quorum: 5

*Published: Wednesday, 25 May 2022*

# Agenda

## 1 Election of Vice-Chair

To elect a Vice-Chair of the Planning Applications Committee for the remainder of the 2022/2023 municipal year.

## 2 Minutes (Pages 5 - 8)

To confirm and sign the minutes of the previous meeting held on 27 April 2022 (attached herewith).

## 3 Apologies for absence/Declaration of substitute members

## 4 Declarations of interest

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.

## 5 Urgent items

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972. A supplementary report will be posted on the Council's website prior to the start of the meeting to update the main reports with any late information.

## **6 Petitions**

To receive petitions from councillors or members of the public in accordance with Council Procedure Rule 13 (Page D9 of the Constitution).

## **7 Written questions from councillors**

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

### **Planning applications outside the South Downs National Park**

**8 LW/21/0700 - Land at the Telephone Exchange, Goldbridge Road, Newick (Pages 9 - 40)**

**9 LW/21/0697 - Land Adjacent All Saints Church, Station Road, Plumpton Green, East Sussex, BN7 3BU (Pages 41 - 66)**

**10 LW/20/0485 - Upper Lodge Farm, The Broyle, Ringmer, East Sussex, BN8 5AP (Pages 67 - 100)**

**11 LW/21/0942 - Camelia Cottage, Station Road, North Chailey, BN8 4PJ (Pages 101 - 124)**

### **Non-planning application related items**

## **12 Date of next meeting**

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 6 July 2022, in the Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE, commencing at 5:00pm.

## General information

### Planning Applications outside the South Downs National Park:

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

### Planning Applications within the South Downs National Park:

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

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

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

## Information for the public

### Accessibility:

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

### Filming/Recording:

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

### Public participation:

There will be an opportunity for members of the public to speak on an application on this agenda where they have registered their interest with the Democratic Services team **by 12:00pm two working days before the meeting**. More information regarding speaking at a meeting of the Planning Applications Committee can be found on the Council's website under [Speaking at Planning Committee](#):

# Information for Councillors

## Disclosure of interests:

Members should declare their interest in a matter at the beginning of the meeting, and must advise if the interest is personal, personal and prejudicial, or is a disclosable pecuniary interest (DPI) and advise the nature of the interest.

If a member has a DPI or other prejudicial interest the Councillor must leave the room when the matter is being considered (unless he/she has obtained a dispensation from the Council's monitoring officer).

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

## Councillor right of address:

If Members have any questions or wish to discuss aspects of any application listed on the agenda, they are requested to contact the Planning Case Officer prior to the meeting.

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

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

## Democratic Services

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

**Email:** [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk)

**Telephone:** 01273 471600

**Also see the** [Council website](#).



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Working in Partnership



## Planning Applications Committee

**Minutes of the meeting held in the King's Church Lewes (Church Building), Brooks Road, Lewes, East Sussex, BN7 2BY, on 27 April 2022 at 4:00pm**

### **Present:**

Councillor Sharon Davy (Chair); Councillor Steve Saunders (Vice-Chair); Councillors Graham Amy (Minute No 112 to 116), Tom Jones, Christoph von Kurthy (Minute No 112 to 116), Jim Lord (Substitute), Imogen Makepeace, Milly Manley, Laurence O'Connor, Nicola Papanicolaou and Richard Turner

### **Officers in attendance:**

Tom Bagshaw (Specialist Advisor, Planning)  
Andrew Hill (Senior Specialist Advisor, Planning)  
Emily Horne (Committee Officer, Democratic Services)  
Jennifer Norman (Committee Officer, Democratic Services)  
Leigh Palmer (Head of Planning First)  
Nick Peeters (Committee Officer, Democratic Services)  
Elaine Roberts (Committee Officer, Democratic Services)  
Joanne Stone (Principal Planning Solicitor, Legal Services)

### **105 Minutes**

The minutes of the meeting held on the 6 April 2022 were submitted and approved and the Chair authorised to sign them as a correct record.

### **106 Apologies for absence/Declaration of substitute members**

An apology for absence had been received from Councillor Sylvia Lord and it was declared that Councillor Jim Lord would be acting as her substitute for the duration of the meeting.

An apology for absence had also been received from Councillor Graham Amy for agenda item 7 (*planning application LW/22/0104*) but it was declared that Councillor Amy would be present for the remainder of the meeting.

### **107 Declarations of interest**

Councillor Turner declared a non-prejudicial interest in agenda item 7 (*planning application LW/22/0104*) as he was a member of Ringmer Parish Council.

For the purposes of transparency, Councillor Saunders asked that it be noted on behalf of all Members of the Committee that agenda item 11 (*planning application SDNP/21/02062/FUL*) was a Lewes District Council application.

**108 Urgent items**

There were no urgent items. A supplementary report, however, was circulated to the committee prior to the start of the meeting, updating the main reports on the agenda with any late information.

**109 Petitions**

There were none.

**110 Written questions from councillors**

There were none.

**Planning applications outside the South Downs National Park, beginning at 4:00pm****111 LW/22/0104 - Land South of Lewes Road and Laughton Road, Chamberlaines Lane, Ringmer, East Sussex**

Councillor John Whitlock spoke on behalf of Ringmer Parish Council. John Kay (CPRE Sussex), Sarah Phillips (Neighbour) and JD Robins (Neighbour) spoke against the proposal. Sarah Sheath (Consultant), Adrian Cooper (Applicant) and Ben Ellis (Applicant) spoke for the proposal. Councillor Johnny Denis and Councillor Emily O'Brien spoke in their individual capacities as Lewes District Ward Councillors.

**Resolved:**

That outline planning application LW/22/0104 with all matters reserved for up to 68 residential units, be refused for the following reason:

- 1) The visual impact of the development on the character and appearance of the surrounding countryside; and setting of the SDNP.

**Planning applications, including those within the South Downs National Park, beginning at 5:30pm****112 LW/21/0422 - Land at Eastside, The Drove, Newhaven**

That it be noted that planning application LW/21/0422 would be brought to a future meeting of the Planning Applications Committee with an updated report to include detailed comments from National Highways.

**113 LW/21/0754 - Land Opposite South Cottage, South Road, Wivelsfield Green, East Sussex**

Councillor Ian Dawson spoke on behalf of Wivelsfield Parish Council. Celia Lindsay (Neighbour), Jason Stoner (Neighbour) and Simon Tayler (Near Neighbour) spoke against the proposal. James Bevis (Transport Consultant)

and Rory Kemp (Applicant) spoke for the proposal. A written representation was read aloud by Jennifer Norman (Committee Officer) on behalf of Councillor Nancy Bikson in her capacity as a Lewes District Ward Councillor.

**Resolved:**

That outline planning application LW/21/0754 with all matters reserved except for means of access, for the erection of up to 45 homes (including 40% affordable) and formal and informal open space including new woodland planting and play areas, be refused for the following reason:

- 1) That the proposal was outside of the planning boundary; and would have a detrimental impact on visual amenity and the character and appearance of the surrounding countryside.

**114 LW/21/0622 - Retained land at Antler Homes Old Hamsey Brickworks Development & AVID Commercial Building**

Councillor Tamsyn d'Arienzo spoke on behalf of Hamsey Parish Council. Chris White (Agent/Applicant) spoke on behalf of the proposal.

**Resolved:**

That planning application LW/21/0622 for Demolition of an existing office building, erection of 13 no. dwellings (mix of 2 and 3 bedrooms), redesign of parking area serving a consented office building, additional garden area for Kiln Cottage and all associated works be approved, subject to the conditions set out in the report and an additional condition to secure a children's play area, and a S106 Agreement to secure an affordable housing contribution to be prioritised to be spent on affordable housing in Chailey Hamsey and Barcombe or in those rural parishes to the north of the SDNP area.

**115 SDNP/21/02062/FUL - Reed Court, 38 Boughey Place, Lewes**

**Resolved:**

That planning application SDNP/21/02062/FUL for the removal of existing timber cladding and provide new cladding; replacement of timber windows with Non-Combustible and 30/30 fire-rated windows and intumescent-filled ventilation grills; provision of new roof/wall-mounted automatic ventilation openings; new window for dining lounge, east elevation and associated alterations be approved, subject to the conditions set out in the report.

**116 Date of next meeting**

That it be noted that the next meeting of the Planning Applications Committee was scheduled to be held on Wednesday, 8 June 2022, in the Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE, commencing at 5:00pm.

The meeting ended at 7:15pm.

Councillor Sharon Davy (Chair)

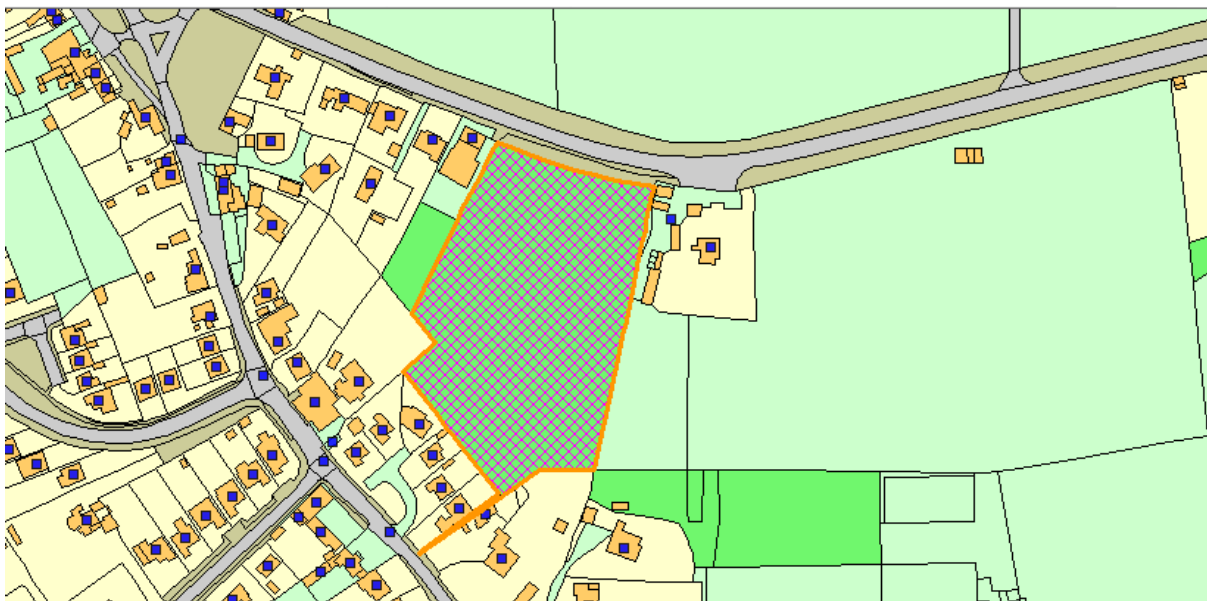


**Report to:** Planning Applications Committee  
**Date:** 8 June 2022  
**Application No:** LW/21/0700  
**Location:** Land at the Telephone Exchange, Goldbridge Road, Newick  
**Proposal:** Erection of 36 dwellings (including 40 % affordable), access, landscaping and associated infrastructure (re-submission)  
**Ward:** Newick  
**Applicant:** Constantia Estates Ltd  
**Recommendation:** Delegate authority to the Head of Planning to approve following confirmation of connection of surface water drainage infrastructure to the highway drain, subject to conditions listed in this report and a Section 106 legal agreement to secure affordable housing, highway works, SANGs (Suitable Alternative Green Space) and SAMMs (Strategic Access Management and Monitoring) contributions and off-site ecological enhancements.

**Contact Officer:** **Name:** James Smith  
**E-mail:** [james.smith@lewes-eastbourne.gov.uk](mailto:james.smith@lewes-eastbourne.gov.uk)

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## Map Location:



## 1. Executive Summary

- 1.1 The proposed development is considered to represent sustainable development. It would provide environmental gains by way of introducing new habitat as part of the site landscaping scheme and reducing pressure to develop surrounding greenfield sites. It would provide social gains by facilitating a net gain of 26 residential units (including 10 affordable housing units) that would be of good quality and in an accessible and sustainable location. It would provide

economic benefits by generating additional custom for nearby shops and services.

- 1.2 The applicant has submitted layout, design, scale and landscaping details demonstrate the site is capable of accommodating the development. Consultee responses from relevant stakeholders provide assurances that the development could be carried out without harm to the landscape, ecology, highway safety, flood risk or the historic environment.
- 1.3 Although the surface water drainage scheme has been agreed in principle, confirmation that surface water drainage infrastructure can connect to the highway drain is awaited from Xais (acting on behalf of ESCC Highways).
- 1.4 It is therefore recommended that the application is approved subject to relevant conditions and a section 106 agreement securing policy compliant affordable housing provision, ecological enhancements and contributions towards measures to mitigate the impacts upon local protected landscape/habitats.

## 2. **Relevant Planning Policies**

### 2.1 National Planning Policy Framework 2021

- 2. Achieving sustainable development
- 4. Decision making
- 8. Promoting healthy and safe communities
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 14. Conserving and enhancing the historic environment

### 2.2 Lewes District Local Plan (Parts 1 and 2)

- LDLP1: – CP2 – Housing Type, Mix and Density;
- LDLP1: – CP10 – Natural Environment and Landscape;
- LDLP1: – CP11 – Built and Historic Environment & Design
- LDLP1: – CP12 – Flood Risk, Coastal Erosion and Drainage
- LDLP1: – CP13 – Sustainable Travel
- LDLP1: – CP14 – Renewable and Low Carbon Energy
- LDLP2: – DM14 – Multi-functional Green Infrastructure
- LDLP2: – DM15 – Provision for Outdoor Playing Space
- LDLP2: – DM16 – Children’s Play Space in New Housing Development
- LDLP2: – DM20 – Pollution Management

LDLP2: – DM22 – Water Resources and Water Quality  
LDLP2: – DM23 – Noise  
LDLP2: – DM24 – Protection of Biodiversity and Geodiversity  
LDLP2: – DM25 – Design  
LDLP2: - DM26 - Refuse and Recycling  
LDLP2: – DM27 – Landscape Design  
LDLP2: – DM33 – Heritage Assets

### 2.3 Newick Neighbourhood Plan

HO1 – Housing  
HO3 - Land to the east of Newick Telephone Exchange  
EN1 – Landscape Character and Conservation Areas  
EN2 – Wildlife Corridors  
EN4 – Footpath and Twitten Network  
TC1 – Sustainable Modes of Transport

## 3. **Site Description**

- 3.1 The site falls within the planning boundary. It comprises a single, broadly rectangular grass field that is enclosed by hedgerow which is patchy in places. There are a number of trees at various stages of maturity interspersed along the hedge line. The ground level rises gently from Goldbridge Road towards the south. The site lies on the eastern edge of the village of Newick, with countryside in the form of a patchwork of enclosed fields and woodland extending to the north and east.
- 3.2 The northern site boundary flanks Goldbridge Road (A272). The eastern boundary flanks a field at Woods Fruit Farm, the western part of which is allocated for residential development under HO4 of the Newick Neighbourhood Plan. Dwellings on Church Road and Bannisters Field back on to the southern site boundary whilst the western boundary flanks the sides of gardens of properties on Goldbridge Road and Church Road. There is a narrow path connecting the site to Church Road, flanking the eastern boundary of No. 6 Bannisters Field. This path is not part of the public footpath network.
- 3.3 The south-eastern corner of the site abuts the Newick (Church Road) Conservation Area whilst the Newick (The Green) Conservation Area extends to within approx. 75 metres of the western site boundary. Both Conservation Areas contain a number of Listed Buildings. The south-eastern part of the site falls within an Archaeological Notification Area. The entire site falls within the 7km zone of influence maintained around the boundary of Ashdown Forest.

- 3.4 Other than those mentioned above, there are no specific planning designations or constraints attached to the site or the immediate surrounding area.

#### 4. **Proposed Development**

- 4.1 The application seeks full planning permission for the residential development of the site to provide 36 new dwellings and associated infrastructure. The dwelling mix would comprise 12 x 1 bed flats (33%), 18 x 2 bed dwellings (50%), 5 x 3 bed dwellings (14%) and 1 x 4 bed dwelling (3%). 14 units would be provided as affordable housing, these being all of the 1 bed flats and two of the 2 bed dwellings. (This is subject to change in the negotiation of the S106 Agreement upon advice from the Council's Housing Officer in relation to including an element of First Homes).
- 4.2 All dwelling houses would be two-storey. The 2 bedroom dwellings would all be semi-detached whilst the 3 and 4 bed dwellings would be detached. The flats would be accommodated within two free-standing blocks, each with three-storeys (the third being incorporated within the roof space).
- 4.3 The site would be accessed via a new junction formed on the southern side of Goldbridge Road. The internal road would form a loop, with buildings flanking three sides, and a 'pocket park' formed on the island of land created by the looped road. The western portion of the loop would be a shared surface. The majority of the 2 bedroom dwellings would have a single allocated parking bay to the front. 5 x 2 bed dwellings would have two allocated spaces in a similar arrangement. The 3 and 4 bed dwellings would each have 3 x allocated spaces provided to the front/side. Each block of flats would have a car parking area provided to the rear/side, one area providing 7 x spaces and the other providing 10. A further 9 x visitor car parking bays would be provided around the central pocket park. The development would provide 67 x car parking bays, with two dwellings provided with garages contributing a further 0.66 parking capacity as per ESCC Highways methodology.
- 4.4 An internal footway would be provided on the site and would extend to connect with the existing footway on Goldbridge Road on both sides of the proposed junction.

#### 5. **Relevant Planning History**

- 5.1 **LW/20/0517** - Erection of 32 dwellings (including 40 % affordable), access, landscaping and associated infrastructure – Withdrawn 21<sup>st</sup> August 2021

#### 6. **Consultations**

- 6.1 Consultations:

##### **Southern Water**

Southern Water can facilitate foul and surface water sewerage run off disposal to service the proposed development.

### **Newick Parish Council**

Newick Parish Council (NPC) The application be refused in its current form NPC are pleased that applications to develop this site, identified as HO3 in our Neighbourhood Plan, have at last been submitted. It is however, disappointing to see that this second submission, like the first one, lacks vision for layout and design and pays little regard to the Policies contained within the NNP for this site. Within this Sussex village the developer has used the London Housing Design Guide in developing his proposal and in an attempt to justify this, stated in Section 5 of the D & A Statement that "There are several new developments of a similar nature currently being built around Sussex and these provide a benchmark for the type of new home that is currently on offer in terms of size and provision." This may be the case for some sites in some locations, but that does not make it suitable or appropriate for ALL sites. This is particularly when the site in question, with its extensively paved urban appearance, is located adjacent to a conservation area.

This particular site was allocated 30 homes in the carefully considered NNP to provide adequate space for it to be developed in accordance with the provisions of the Plan. The NNP was adopted by LDC within its Local Plan. It is only by ignoring the provisions of these Plans that the applicant could seek to increase the housing numbers by 20% and simultaneously use less than the full area available.

### **Sussex Police (summarised)**

The development consists of a upside down T shape layout with a central green space accessed by vehicles and pedestrians off Goldbridge Road and a pedestrian only access off Church Road in the South. The dwellings face outward creating good active frontage with good surveillance over the street and public areas. Parking is being provided with garage, on-curtilage, parking courts and a number of on-street parking bays. This should leave the street layout free and unobstructed.

Concerned about proposed pedestrian link. It regards the safety of the residents when using the proposed link on the southern elevation that links the development to Church Road, and the security of the development. This link brings unobserved non-essential access into the site increasing the permeability unnecessarily. I understand that this would provide a quick and easy link to the utilities on Church Street, but it is not suitable in its present form. Para 8.3 of SBD Homes 2019 V2 states; Whilst is accepted that through routes will be included within the development layouts, the designer must ensure that the security of the development is not compromised by excessive permeability, for instance by allowing the criminal legitimate access to the rear or side boundaries of dwellings or by providing too many or unnecessary segregated footpaths.

Where a segregated footpath is unavoidable it should be as straight as possible, wide, well lit, devoid of potential hiding places, overlooked by surrounding buildings and activities and well maintained so as to enable natural surveillance along the path and its borders.

Lighting throughout the development will be an important consideration and where it is implemented it should conform to the recommendations within BS 5489-1:2013. SBD considers that bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

Sussex Police would have no objection to the proposed development as submitted from a crime prevention perspective subject to my above observations, concerns and recommendations being satisfactorily addressed.

### **Lead Local Flood Authority**

The additional information/clarifications provided by the applicant addresses most of the LLFA's concerns relating to the design of the surface water drainage network (as raised in our letter dated 23 February 2022). However, we note that the applicant is still in the process of obtaining approval from East Sussex Highways to discharge surface water into their network. In view that the entire drainage network relies on this outfall arrangement, we will not be in a position to recommend approval of this application until confirmation of this agreement is provided.

OFFICER COMMENT: The request has been in progress with Xais, who act on behalf of ESCC Highways. As is the case with connections to the Southern Water network, confirmation that an agreement has been made would be required prior to the commencement of development and this would be secured by planning condition.

### **ESCC Highways**

All highway issues have been resolved and the application proposal is now acceptable subject to off-site Highway Works, Travel Plan Statement, Travel Plan Audit Fee, and contributions secured through a s106 agreement, and highway conditions

### **Contaminated Land Officer**

No Objection subject to conditions

### **Air Quality Officer**

As this is a major application, the developers are required to submit an air quality assessment for approval. The applicants are also required to submit an emissions mitigation assessment.

OFFICER COMMENT:

The application relates to an allocated site that was subject to an appropriate assessment at the time it was included in the Newick Neighbourhood Plan.

Appropriately worded conditions can be used to secure emission mitigation measures such as low emission boilers, energy efficient materials and renewable energy generation. Each dwelling would also be provided with electric vehicle charging facilities as per policy requirements.

### **ESCC Ecology (comments from previous application)**

Provided the recommended mitigation, compensation and enhancement measures are implemented, the proposed development can be supported from an ecological perspective.

OFFICER COMMENT: The current application incorporates the same ecological details as the previous scheme and the ecologist comments are therefore considered valid for the current application.

### **ESCC Archaeology**

The information provided is satisfactory and identifies that there is a risk that archaeological remains will be damaged. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions

### **ESCC Rights of Way Officer (comments from previous application)**

I'm afraid I don't think this is viable as a public footpath. It is less than a metre wide. It couldn't be widened and so couldn't be 'adopted'. Consequently it couldn't be lit either. It would be an unsatisfactory path.

## **7. Neighbour Representations**

7.1 A total of 12 letters of objection have been submitted by members of the public. A letter of objection has also been submitted by the Newick Village Society. A summary of the relevant content of all letters is provided below:-

- Documents were missing from the original submission;
- The site does not include the full area of the allocation;
- The footpath from Church Road is not in use and is not suitable to serve the development;
- It is unclear who owns the footpath;
- Separation distances are not sufficient to prevent overlooking of properties on Bannisters Field, which have short gardens;
- The density of the development on the boundary shared with Bannisters Field is more dense than the previous submission;
- Boundary screening and landscaping is insufficient to provide privacy;
- Surface water run-off from Bannisters Field has not been taken into account as part of the surface water drainage scheme for the development;
- Some buildings are over two-storeys height and would appear overly prominent on the approach to the village and are contrary to the neighbourhood plan;
- More houses than the allocation allows for;
- Tallest buildings are on the highest part of the site so would be more prominent;
- The remainder of the allocated site may be developed at a later date and this may lead to the formation of an unsuitable access;
- Government white paper on planning for the future instructs increased emphasis on design guidance such as those set out

in the Neighbourhood Plan and the proposed development does not adhere to this;

- The cumulative impact of turnings to the site and the neighbouring Woods Farm site may result in unacceptable urbanisation;
- There is already too much traffic on the A272;
- Would overload infrastructure;
- There is no commitment to improve the footpath to the rear of the site;
- There are no provisions for a footpath connection to the neighbouring site at Woods Fruit Farm;
- The site layout is rigid and uninteresting;
- Car parking is visually prominent, contrary to the neighbourhood plan;

OFFICER COMMENT: Based on comments from Sussex Police and ESCC Rights of Way Officer, the footpath from Church Road would present a security risk and is also substandard in terms of width. As it is positioned between two private plots there is no scope for it being widened and, therefore, it is not considered to represent a viable means of access to the site. Documentation not included with the original planning submission was received at a later date and the application was readvertised. Other matters raised are assessed in the main body of this report.

## 8. Appraisal

### 8.1 Key Considerations

- 8.1.1 The main considerations relate to the principle of the development; the impact upon the character and appearance of the area and neighbour amenities, impacts upon highway/pedestrian safety and flood risk, the quality of the accommodation to be provided and the degree to which it meets identified housing needs and the overall merits of the scheme in terms of the balance of economic, environmental and social objectives that comprise sustainable development.
- 8.1.2 Due to proximity to the Ashdown Forest, which is designated as a Special Protection Area (SPA) and Special Area of Conservation (SAC) it is critical that an assessment into impact upon conservation objectives on the first is undertaken as per Part 6 of The Conservation of Habitats and Species Regulations 2017. Particular emphasis is required as to the recreational pressure that may be generated as a result of an increased in population close to the forest.
- 8.1.3 In order to deliver on policy requirements relating to provision of affordable housing and protection of the Ashdown Forest, the applicant will be required to enter into a section 106 agreement to deliver a policy compliant amount of affordable housing and financial



contributions towards Sustainable Alternative Natural Greenspace (SANGs) and the Strategic Access Management and Monitoring Strategy (SAMMs) for the forest.

## 8.2 Principle

- 8.2.1 The site falls within the planning boundary where the general principle of residential development is acceptable as per policy DM1 of the Lewes District Local Plan Part Two (LLP2). Newick is defined as a rural service centre in the settlement hierarchy in table 2 of Lewes District Local Plan Part One (LLP1). Characteristics of rural service centres are identified Sustainable locations (with either a frequent bus or rail service) with a number of key services and facilities that meet many day to day needs of their residents and those from the wider rural hinterland.
- 8.2.2 The site is allocated for residential development in the Newick Neighbourhood Plan under policy HO3. A number of parameters and objectives are set out in the policy and the way in which the submitted scheme responds to these will be investigated in the main body of this report.
- 8.2.3 Para. 8 of the Revised National Planning Policy Framework (NPPF) defines sustainable development as comprising three overarching objectives, these being to respond positively to economic, environmental and social needs. Para. 10 goes on to state that there should be a presumption in favour of sustainable development.
- 8.2.4 As LLP1 is now over 5 years old, the housing delivery target set out in policy SP1 (approx. 275 net dwellings per annum) is obsolete and the target now worked towards is therefore based on local housing need calculated using the standard method set out in national planning guidance as per para. 74 of the National Planning Policy Framework (NPPF). This has resulted in the delivery target rising to 782 dwellings per annum.
- 8.2.5 Due to this increase in housing delivery targets, Lewes District Council is no longer able to identify a 5 year supply of specific deliverable sites for housing. Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This approach effectively adopts a 'tilted balance' in favour of development.
- 8.2.6 Policies CP2 of the Lewes District Local Plan part one provides a list of objectives to be applied to new housing development within the district. This includes a requirement for housing development that meets the needs of the district to be accommodated in a sustainable way, to conserve and enhance the character of the area in which it will be located, to maximise opportunities for re-using suitable previously developed land and to plan for new development in highly sustainable

locations. Development should incorporate a suitable mix of accommodation and be socially inclusive.

- 8.2.7 From a housing delivery perspective, para. 69 of the NPPF acknowledges the important contribution that small and medium sized sites, such as the application site, can make towards meeting the housing need, particularly as development on such sites is often built-out relatively quickly.
- 8.2.8 Although the proposed development would incorporate an additional 6 dwellings above the neighbourhood plan allocation for 30 dwellings on the site, this intensification must be seen in context with NPPF objectives to make optimal use of the potential of each site as per para. 125.
- 8.2.9 The proposed development is therefore considered to be acceptable in principle and, as such, will be assessed on the balance of its economic, social and environmental merits in full accordance with the principle of supporting sustainable development as set out in paras 8, 11 and 12 of the Revised National Planning Policy Framework as well as NPPF considerations and any aligned development plan policies relating to design, amenity impact, carbon reduction, landscaping, pollution control and ecological enhancements.

### 8.3 Planning Obligations

- 8.3.1 The proposed scheme represents major development (more than 10 new dwellings) and, as such, there is a requirement for affordable housing to be provided, at a rate of 40% of the total number of units as per Policy CP1 of the Lewes District Core Strategy. This amounts to a provision of 14.4 units. In order to fully comply with the standards set out in the Lewes District Council SPD for affordable housing, 14 units would need to be incorporated into the development with the remaining 0.4 unit required being secured as a pro-rata commuted sum.
- 8.3.2 The applicant has confirmed that affordable housing would be provided in compliance with the requirements of CP1 and a Section 106 legal agreement has been drafted to secure this. The mix proposed is heavily skewed towards 1 bed flats with all 12 being allocated as affordable housing (86% of the total provision). The additional 2 affordable units would be 2 bed dwellings. A section 106 agreement would be used to secure the provision of affordable housing as well as a timetable/trigger for its delivery. This could also include an element of First Homes depending on the advice from the Councils Housing advisor.
- 8.3.3 Any section 106 would also include a mechanism to secure SANGs and SAMMs payments as the site falls within the 7km Ashdown Forest zone of influence. SANGs contributions are charged at £5,000 per dwelling whilst the SAMMs tariff is £1,170 per dwelling. The total contribution to be secured would therefore be £222,120 (£180,000 for SANGs, £42,120 for SAMMs).

- 8.3.4 Highway works requested by ESCC Highways and off-site ecological enhancements approved by the County Ecologist would also be secured within the agreement.
- 8.3.5 The highway works/contributions requested by ESCC are as follows:-
- 8.3.6 Travel Plan Statement developed in accordance with ESCC Travel Plan Guidance for developers (Feb 2020) including Travel Plan Audit Fee of £4,500
- 8.3.7 Access from Goldbridge Road including road markings etc as shown illustratively on plan No. 6295\_200 P3.
- 8.3.8 New 2 metre wide footways around the bellmouth of the access and widening of existing footway to 2 metres along the whole of the site frontage of Goldbridge Road to connect to existing footways as shown illustratively on drawing Nos. 6295\_200 P3.
- 8.3.9 Appropriate uncontrolled crossing points [dropped kerbs and/or tactile paving] across the access bellmouth and across access roads to connect the site to Newick Village and bus stops to the west.
- 8.3.10 A £5,000 contribution towards the administrative costs of a Traffic Regulation Order for extension of the 30mph speed restriction.
- 8.3.11 The ecology contributions relate to the creation of a 0.5 hectare area of native tree planting on an area of improved grassland as Newhouse Farm on Station Road to the north of Isfield, approx. 3.5km to the south-east of the site.

#### 8.4 Site Access:

- 8.4.1 There is an existing dropped kerb access from Goldbridge Road which leads to a field gate positioned towards the western edge of the site. This access would not be suitable for the proposed development and a new access would be formed onto Goldbridge Road in a roughly central position along the northern site boundary.
- 8.4.2 The access would cross over existing grass verge and hedging and pass through the currently rather sparse line of trees and hedgerow which marks the northern boundary of the site. The access would have a bellmouth layout, with a width of 22 metres where it meets the highway tapering to 6.1 metres over a distance of approx. 9.3 metres from the junction opening.
- 8.4.3 The proposed splays are 2.4 metres by 112 metres and 2.4 metres by 116 metres to the east and west respectively. Submitted access plans show these splays can be provided over land either in the control of the applicant or ESCC Highways and could therefore be maintained free of obstruction subject to routine cutting back of sections of hedgerow.
- 8.4.4 It is anticipated that the proposed development would generate 132 additional private car trips over the course of a 12 hour weekday (7am – 7pm). This would include an additional 12 trips in both the morning and evening peak hour for road use (8-9am and 5-6pm). This is considered not to be materially harmful to the local highway network.

- 8.4.5 Tracking plans have been submitted as part of the Transport Statement and these demonstrate that a fire appliance and 12 metre long refuse vehicle could enter and leave the site in forward gear by completing the loop that the internal access road forms.
- 8.4.6 The only realistic means of accessing the site is from Goldbridge Road and there are no existing access points that could be utilised. The positioning of the access allows for suitable visibility over the bend in the road to east of the site as well as the straighter section to the west that continues into the village. The width of the access is appropriate for use by two way traffic, including servicing vehicles, of a volume and intensity that a development of the size proposed would be expected to generate.
- 8.4.7 The new access would include 2 metre wide pedestrian footways on either side of the new access. These footways would link with the existing pedestrian footway running along the northern boundary of the site, providing a connection with the village to the west and the Woods Fruit Farm site to the east. The width of the existing footway around the site access would be increased from its current 1.5 metres (approx.) to 2 metres, thereby increasing its functionality and accessibility.
- 8.4.8 There is also an existing pedestrian connection to Church Road which runs between the plots at 6 Bannisters Field. It is narrow, relatively long (at approx. 45 metres), is not hard surfaced or illuminated and is not a public right of way. Policy HO3.5 of the Newick Neighbourhood Plan states that this connection should be improved so as to be made suitable and available for public use. Due to its positioning between two residential plots there is no scope for the widening of the footpath and its narrowness also precludes the installation of external lighting (which would also cause a potential nuisance to occupants of Church Road and Bannisters Field, particularly as neither street has external lighting in the vicinity of the site. Sussex Police also have strong reservations about the use of this footpath as a means to access the development due to the security risks at prevents as a consequence of low levels of surveillance and the secluded and constrained environment provided.
- 8.4.9 The footpath does not provide a shorter connection between the site and the centre of the village nor does it lead to any public transport connections. It also does not significantly reduce walking distance from the site to the pub, restaurant and other businesses on Church Road, all of which are within approx. 400 metre walking distance from the site when accessed via Goldbridge Road and The Green.
- 8.4.10 It is therefore considered that the submitted site access arrangements provide sufficient capacity to serve the development and would not result in an unacceptable highway or pedestrian safety hazard. The proposed scheme is therefore considered to comply with LLP1 policies CP7 and CP11, LLP2 policy DM25, paras. 110, 111 and 112 of the National Planning Policy Framework (NPPF) and the highway related criteria set out in policies HO1 and HO3 of the Newick Neighbourhood Plan.

## 8.5 Visual Impact

- 8.5.1 Para. 126 of the NPPF states that ‘the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.’ Para. 127 states that design policies should be ‘grounded in an understanding and evaluation of each area’s defining characteristics.’ Area-wide, neighbourhood or site-specific design codes or guides are identified as a means to fulfil these objectives. Lewes District Council does not currently have any adopted design code or guide and, in such instances, para. 129 of the NPPF instructs that national documents should be used to guide decisions on applications. There is general design criteria included in the Newick Neighbourhood Plan as part of the site allocation and this will also be referred to in the assessment of the application.
- 8.5.2 The National Design Guide and National Model Design Code Part 2 Guidance Notes both identify context as an important consideration when looking at how a development would impact upon the character of an area. Para. 39 of the National Design Code states that well designed places are ‘based on a sound understanding of the features of the site and the surrounding context, integrated into their surroundings so they relate well to them, influenced by and influence their context positively and responsive to local history, culture and heritage.’
- 8.5.3 The site is located on the eastern approach of the main route into Newick, the A272. Although it is currently undeveloped the area immediately to the rear on Church Road represents a historic part of the village and the eastern boundary of the proposed development is consistent with the eastern extent of development in Church Road. It is therefore considered that development in the site would assimilate well with the existing form of the village and would not appear isolated or disruptive. The combination of development flanking Goldbridge Road and that set behind it on The Green, Church Road and Bannisters Field is considered to provide a depth to development that allows for dwellings to be set back from the road without compromising any existing corridors of green space maintained to the rear of properties lining Goldbridge Road.
- 8.5.4 Although an additional 6 dwellings are to be provided above the neighbourhood plan allocation of 30 dwellings for the site it is important to note the need to develop site efficiently, particularly in instances where the Council is not meeting obligations in terms of housing land supply, as per para. 125 of the NPPF. It is also important to note that 12 of the dwellings would be provided as 1 bed flats and, therefore, be concentrated over a relatively modest building footprint. Overall, the density of the development would be approx. 30.9 dwellings per hectare which is very marginally above the parameters for village development set out in policy CP2 (3) of LLP1 (20-30 dwellings per hectare). Given that 12 units would be provided over a relatively small footprint in the form of the proposed flats, the need to use sites in the most efficient manner given the Council’s failure to

identify a sufficient supply of housing land, it is considered that the residential density of the development is appropriate in this instance.

- 8.5.5 It is noted that an appeal against the refusal of a development of the adjacent Woods Fruit Farm site, which increased the amount of housing provided by approx. 81% over the neighbourhood plan allocation, was dismissed by the Planning Inspectorate. However, the dismissal of the appeal was not based on the intensification of the development on its own but rather the encroachment of the development on land outside of the allocation and the resultant impact upon rural character. This could not be applied to the current application which is wholly within the site allocation and Newick settlement boundary.
- 8.5.6 The proposed dwellings on the northern part of the site would be orientated at right angles to Goldbridge Road. The flank elevations of each of the northernmost dwellings would therefore face out onto Goldbridge Road although the frontage of dwellings on the eastern and western side of the development would be partially seen when approaching from the west and east respectively, allowing for a level of engagement with the street where views are not filtered by proposed landscaping on the northern boundary. The provision of this landscaping, as required by policy HO3.2 of the Newick Neighbourhood Plan, and the need to maintain visibility splays is prohibitive to frontage development and, for a development of the size proposed, it is considered reasonable to expect it to create its own identity and street scene rather than to contribute solely to the character of existing streets. It is considered that this is achieved through the use of the central pocket park which each dwelling within the development faces towards, creating focal point and a shared area that would foster community mixing and cohesion as encourage by para. 92, 93 and 130 of the NPPF.
- 8.5.7 The development incorporates 24 x dwellings comprising 6 different designs are included. Plot size/width is relatively uniform for each type of dwelling as is the orientation of dwellings in relation to the internal access road. The degree of set back of each dwelling from the road is also largely consistent, resulting in three distinct building lines being maintained across the three axes of the development. Each dwelling design is considered to possess a good sense of identity through the use of strong architectural features such as bay windows, steep gable ends, porches, window arches, string courses and elevation wall features. The clustering of dwellings, with relatively small gaps maintained between individual buildings is considered the provide a level of intimacy that is consistent with the wider character of the village whilst the mix in dwelling design would help create a more organic and informal appearance to the development, which is considered to be sympathetic towards the general character of the village, where the general absence of uniformity in building design in residential development has helped to prevent an unacceptable sense of suburbanisation from arising.

- 8.5.8 External materials and finishes are important both in the context of visual integration and consistency with the surrounding built environment as well as in the interest of improving sustainability and reducing embodied energy associated with production and transportation. Policy HO1 of the Newick Neighbourhood Plan identifies the importance of the use of appropriate materials as a means to assist visual integration. A condition will therefore be attached to any approval given requiring the submission of specifications and samples of a full palette of external materials for approval prior to any being applied on site.
- 8.5.9 It is considered that the layout of the proposed development provides connectivity with the surrounding urban environment, particularly through pedestrian links to the centre of the village but also through the way in which the layout engages with existing development to the south and west resulting in a clear sense of integration and a well defined urban edge to the village. At the same time, connectivity of the natural environment is considered to be maintained through site landscaping which would provide connectivity between the green space of the pocket park and new hedge and tree planting to the front of the site and through the rear gardens of proposed dwellings which would back onto the rear gardens of existing dwellings to the south and west and onto the Woods Fruit Farm site to the east.
- 8.5.10 Policy HO1.3 of the Newick Neighbourhood Plan states that ‘all buildings forming part of the developments covered by Policies HO2, HO3, HO4 and HO5 shall be of a height no greater than two storeys, though this would not preclude the use of roof space.’ The proposed development includes two blocks of flats, both of which have accommodation distributed over three floors. Whilst the top floor of these blocks would not be wholly located within the roof space of the building due to the eaves height being raised, the majority of the overall volume of each flat would be above eaves height and the overall height of each block would be broadly consistent with the neighbouring two-storey dwellings, with the ridge height being approx. 1.7 metres above that of the lowest dwellings and approx. 0.5 metres above that of the larger dwellings.
- 8.5.11 Although the proposed flats would be positioned on slightly raised ground, they would be positioned towards the centre of the site rather than a prominent location towards the edge of the development and, due to the clustered layout of the development, it is considered that the marginally higher ridge line of the roof would integrate well with the roof scape of the development, where there would also be minor variations in roof height between individual dwellings. Overall, roof ridge height across the development ranges from approx. 8.6 metres (2 bed type 1 dwelling) to approx. 9.75 metres (3 bed type 1 dwelling) with ridge height of the blocks of flats at approx. 10.28 metres. Based on planning records, the ridge height of the original 5 dwellings within the adjacent Bannisters Field development is approx. 8.4 metres, with the 6<sup>th</sup> dwelling being approx. 9 metres. The site also backs on to 33 Church Road which is a taller building with rooms in the roof. (No

plans were available to provide an exact measurement of this building).

- 8.5.12 Policy HO1.5 of the Newick Neighbourhood Plan states a preference for parking spaces to be located inconspicuously towards the rear of homes. Whilst it is acknowledged that parking for the proposed dwellings is positioned to the front of dwellings it is considered that landscaping would soften its appearance and it is also important to note that secluded car parking that is not well overlooked is not supported by Sussex Police due to security concerns. The parking areas serving the flats are set back from the road, within relatively self-contained areas, and would therefore not appear visually prominent. In this instance, the car parking areas would be provided with sufficient levels of surveillance from the main living rooms of the ground floor flats.
- 8.5.13 Para. 113 of the National Model Design Code (part 2) which states that 'consistent building heights, or variation within a relatively narrow range, can help to make an area type feel coherent.' It is considered that the above observations demonstrate that this statement can be applied to the proposed scheme.
- 8.5.14 It is therefore considered that the application complies with policy CP10 of LLP1, policies DM25 and DM27 of LLP2 and paras. 127 and 170 of the NPPF and the general objectives of policies HO1 and HO3 of the Newick Neighbourhood Plan.

## **8.6 Impact upon amenities of neighbouring residents:**

- 8.6.1 The row of houses running parallel to the south-western boundary of the site (plots 11-18) back on to the rear gardens of dwellings on Bannisters Field. The side elevation of the dwelling at the southern end of this row (plot 11) would flank part of the rear garden of 33 Church Road. The row of dwellings running parallel to the eastern boundary (plots 1-10) would back onto the curtilage of Woods Fruit Farm/Oakside. As this site is allocated in the Newick Neighbourhood Plan for housing development it is likely that Oakside will be demolished and new dwellings erected on the site at some point in the future.
- 8.6.2 The gap maintained between the rear elevations of the proposed dwellings on plots 11-18 and the rear elevations of dwellings on Bannisters Field would be a minimum of approx. 21 metres. It is considered that this is consistent with gaps maintained between dwellings within nearby residential development on Oldaker Road, Leveller Road, Vernons Road and Paynters Way. The distance maintained is considered to be sufficient to prevent the proposed dwellings from appearing overbearing towards properties on Bannisters Field or from generating undue overshadowing impact. Views from first floor rear windows at plots 11-18 would encompass parts of the rear garden areas of dwellings on Bannisters Field but these views would be partially restricted by site boundary treatment and landscaping. Window to window views would be at a distance that is considered to be sufficient to prevent them from being intrusive. It is noted that the distance maintained is consistent with the suggested



privacy distance of 15-20 metres as shown on diagram 76 in the National Model Design Code Part 2.

- 8.6.3 It is considered that the separation distances allowed for in the layout of the proposed scheme also ensure that the development would not generate undue levels of overshadowing towards neighbouring properties nor would it appear overbearing or oppressive when viewed from those neighbouring properties.
- 8.6.4 The internal road would be positioned centrally within the site whilst the parking areas serving the proposed flats would not be directly adjacent to any residential properties. Due to this layout, there would be a suitable buffer provided to prevent neighbouring residents being subjected to undue disturbance as a result of noise, light or air emissions associated with vehicular movements.
- 8.6.5 Overall, the nature and intensity of the development is considered to be consistent with existing residential development within the village and, therefore, it is considered that the relationship between the proposed development and neighbouring dwellings would be similar to the interrelationship between dwellings throughout the village.

#### 8.7 Living Conditions for Future Occupants

- 8.7.1 Para. 134 of the NPPF states that 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.'
- 8.7.2 Para. 126 of the National Design Guide (2019) states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.'
- 8.7.3 The Technical housing standards – nationally described space standard (2015) defines minimum levels of Gross Internal Area (GIA) that should be provided for new residential development, based on the amount of bedrooms provided and level of occupancy. The GIA of each 1 bedroom flat would be 50 m<sup>2</sup>, which meets the minimum level, and for each 2 bedroom dwelling would be 87 m<sup>2</sup>, which exceeds the minimum level. Minimum GIA would also be exceeded within the 3 bed units.
- 8.7.4 Each dwelling and flat is considered to have a clear and easily navigable layout, with awkwardly sized rooms and overly large or long circulation areas being avoided. All primary habitable rooms would be served by clear glazed windows that would not have any immediate obstructions to outlook. These windows would allow for access to good levels of natural light as well as providing effective natural ventilation.
- 8.7.5 The occupants of each dwelling would have direct access to a suitable sized private garden area. The public spaces within the site, including the pocket park, all benefit from a high level of natural surveillance due to the layout of the development. Secluded and/or isolated areas that may create an environment for anti-social and

criminal behaviour, or foster a sense of risk of such behaviour, are avoided. All dwellings would face towards the central pocket park area and it is considered that, along with the surveillance provided, this would also encourage a sense of community and increase interactions between neighbours, creating a healthy, inclusive and stimulating environment, as supported by para. 92 of the NPPF, para. 35, 38 and 72 of the National Design Guide and P2 of the National Model Design Code Part 2 Guidance Notes.

- 8.7.6 As the development would comprise more than 20 dwellings, a play area for children would need to be provided in an area that is safe, open and welcoming and also overlooked by dwellings and well used pedestrian routes. There is capacity on site for a play space to be provided and a condition will be used to secure its delivery. Further recreational facilities would be available at the King George V Playing Field, approx. 650 metres walking distance from the site, and the Reedens Meadows SANG which is approx. 1km walking distance from the site.
- 8.7.7 It is therefore considered that the proposed development complies with policy CP2 of LLP1, policy DM15, DM16 and DM25 of LLP2 and section 8 of the NPPF.

## 8.8 Flooding and Drainage

- 8.8.1 The site is located in Flood Zone 1 and is therefore not deemed as being susceptible to fluvial flood risk. Surface water mapping shows an existing overland flow towards the centre of the site which runs from developed land on Allington Road and Church Road to the south-east towards The Ghyll which is north of the site. There is no identified risk of groundwater flooding.
- 8.8.2 The site is currently entirely permeable, and the proposed development will introduce impermeable features that would have the potential to result in increased surface water run-off which may then impact upon the occupants of the development, occupants of neighbouring properties and also be lead to discharge onto the highway.
- 8.8.3 To address this, the application is accompanied by a detailed drainage strategy which would control discharge from the developed area to existing greenfield flow rates. The strategy follows the drainage hierarchy set out in para. 080 of the Planning Practice Guidance for Flood Risk and Coastal Change. Use of infiltration is discounted due to the high clay content of the soil. The drainage strategy incorporates permeable surfacing as well as two attenuation ponds that would allow surface water to be discharged from the site into the adjacent highway drain without at an appropriate rate.
- 8.8.4 The Lead Local Flood Authority is satisfied that the drainage scheme would provide suitable control of surface water discharge, subject to confirmation from ESCC Highways that the highway drain has the capacity to accept discharge from the site.

- 8.8.5 There is no existing watercourse within the immediate vicinity so the drainage strategy adopts the next level of the hierarchy which is the use of highway
- 8.8.6 The Council has proposed a motion requiring greater scrutiny of the capacity for foul sewerage disposal to be provided when assessing all major developments. This is based on the observation that recent figures show that SW discharged sewage into local rivers & seas in Lewes District over 800 times in 2020 totalling over 11,000 hours of sewage discharge in just one year.
- 8.8.7 LLP1 policy CP10 (4) states that planning decisions will ensure that water quality is improved where necessary or maintained when appropriate (including during any construction process) and that watercourses (including groundwater flows) are protected from encroachment and adverse impacts in line with the objectives of the South East River Basin Management Plan.
- 8.8.8 Southern Water have been made aware of this motion and officers requested they provide comments in response. In their reply, dated 19<sup>th</sup> May 2022, they maintain that their assessments on this application indicate that we have capacity available in the network to serve this development without the need for reinforcement work.
- 8.8.9 They go on to make the following comments (8.10 to 8.16) regarding the content of the Council motion:-
- 8.8.10 'Storm overflows occur in older areas where the sewer system combines wastewater from customers properties, and rainwater from roofs and road drains. During times of heavy rainfall this ingress of rainwater can overwhelm the sewage system and require the need for Combined Storm Overflow (CSO) releases, which are used to prevent flooding to homes, hospitals, schools and businesses. Newer sewer systems have a separate surface water line, that discharges rainwater, which doesn't need treating, into a local waterways, and wetlands. However, the Victorian sewer system featured in urban areas across the home counties and country as a whole, takes the rainwater as well. With climate change, and further population growth, this challenge needs to be answered, and a solution developed.
- 8.8.11 Although storm overflows are legal, and part of the design of the sewage system in the UK, we accept that this is out of step with the expectation from our customers and stakeholders. We fully support the revised Environment Bill and welcome the opportunity to accelerate improvements beyond our current regulatory obligations.
- 8.8.12 Southern Water is going to reduce the use of storm overflows by 80% by 2030, and drop pollution incidents overall to 0 by 2040. In order to do this, Southern Water have set up a new team called the Storm Overflow Task Force.
- 8.8.13 The task force is central to Southern Water's drive towards reducing the use of storm overflows. The establishment of the task force indicates Southern Water's commitment to this ambitious target and is a highly important work stream within the business.

- 8.8.14 The task force is responsible for working collaboratively with local authorities, and other organisations, to deliver five ground-breaking projects over the next two years. The establishment of these partnerships will be key to ensuring the project's success. These projects are essentially pilot projects that seek to help us develop and test solutions that can be rolled out across the region to reduce the use of storm overflows. They will look at various methods, including:
- Ways to the 'slow the flow' of rainwater that runs off roofs and roads such as through the installation of SuDS (Sustainable Drainage Systems) e.g. planters, rain gardens and swales.
  - Digitising the sewer network to better monitor and control flows and help to optimise capacity of the system.
  - Assessing the structure of the network including looking at where parts of it need to be upgraded or replaced.
  - Educating the public on small-scale solutions to help reduce the pressure on the drainage system through the use of water butts to recycle rainwater or reducing the amount of pavement in gardens.
- 8.8.15 We'll be publishing the results of our initial findings this coming summer, which will provide more detail on how we plan to proceed.
- 8.8.16 We're also planning to invest in our infrastructure, including more resilient sewers, and larger storm capacity. However, we feel the best long term solution is to tackle the root cause of the problem. Increasing network capacity, and upgrading our treatment works comes with a large environmental cost, and carbon footprint, while only buying limited time as the population continues to grow, and the climate becomes more unpredictable'.
- 8.8.17 It is therefore considered that surface water run-off generated by the development can be adequately managed without unacceptable risk of flooding within the development or on neighbouring land. The development is therefore considered to comply with policy CP12 of LLP1 and paras. 163 And 165 of the NPPF.

## 8.9 Landscape, Ecology & Biodiversity

- 8.9.1 The application site is located entirely within the Ashdown Forest 7km mitigation zone. The Ashdown Forest is designated as a Special Protection Area (SPA) and a Special Area of Conservation (SAC).
- 8.9.2 Part 6 of The Conservation of Habitats and Species Regulations (2017) requires a 'competent authority', in this case the Council, to carry out an Appropriate Assessment (AA) of potential impacts upon the integrity of any 'habitats site' (as per para. 181 of the NPPF) that would result from a proposed development, including any combined impact with other developments.
- 8.9.3 Further to a High Court Challenge to the Council's Habitat Regulations Assessment in respect of air quality impacts on the Ashdown Forest, the Council has undertaken a robust Appropriate Assessment (AA) of air quality impacts on the Ashdown Forest SAC (2018 HRA

Addendum). This work has been reviewed and endorsed by Natural England; it assesses all planned (LPP1, Local Plan Part 2 and Neighbourhood Plans) and known development (as at April 2018) coming forward up to 2030, including the Neighbourhood Plan allocation of the telephone exchange site for 30 dwellings and the neighbouring Woods Fruit Farm for site for 38 dwellings. The assessment concluded that there would be and no adverse effect on the integrity of the SAC.

- 8.9.4 The presence of the Reedens Meadows SANG is noted along with the benefit it provides in reducing recreational pressure on the Ashdown Forest by providing alternative greenspace for use by occupants of Newick. If approved, the applicant would be required to provide contributions towards the creation, maintenance and enhancement of SANGs as well as the monitoring and management of activity within the Ashdown Forest itself.
- 8.9.5 It is noted that the proposed development provides an additional 6 dwellings above the figure of 30 set out in the Neighbourhood Plan. However, it is not considered that these additional 6 dwellings would materially alter the impact of the development upon the Ashdown Forest and it is important to note that an AA for an increase of dwellings from the neighbourhood plan allocation of 38 to 69 was accepted by the Council.
- 8.9.6 The site is currently largely overgrown by brambles and scrub. The Preliminary Ecological Appraisal (PEA) accompanying the application identifies the mature trees around site boundaries as well as flora growing below their canopies and boundary hedgerow (particularly on the eastern boundary) as possessing the highest habitat value within the site. In the main, the site was identified as having habitat value at an immediate and local level, with the habitats provided being widespread and common in the wider area.
- 8.9.7 Initial ecological assessments identified potential roosting sites for bats but subsequent emergence surveys did not record any bat emergences or re-entrances around these features.
- 8.9.8 The PEA makes a number of recommendations on how ecological impact can be minimised and mitigated during and after construction works. This includes supervision of any clearance of vegetation and log piles, covering up of trenches overnight (or inclusion of ramps to allow any animals that fall in to escape), retention and enhancement of boundary trees and hedgerow to form wildlife corridors, removal of invasive plant species and provision of bird and bat boxes/bricks in suitable locations.
- 8.9.9 It is not possible for biodiversity net gain to be fully provided on site and, as a result, the applicant has committed to creating a 0.5 hectare area of native tree planting on an area of improved grassland at Newhouse Farm on Station Road to the north of Isfield, approx. 3.5km to the south-east of the site.
- 8.9.10 The County Ecologist has accepted this approach, subject to the maximum amount of feasible biodiversity enhancements being

provided on-site, in accordance with the hierarchy set out in para. 180 of the NPPF. This would be achieved through the use of planning conditions to secure a Biodiversity Method Statement and Ecological Design Strategy. The off-site compensatory planting would be secured as part of the section 106 legal agreement.

- 8.9.11 It is therefore considered that the development complies with policy CP10 of LLP1, policies DM24 and DM27 of LLP2 and paras. 170 and 175 of the NPPF.

#### 8.10 Sustainability

- 8.10.1 The development would utilise sustainable drainage systems that include the formation of attenuation ponds that would also provide an amenity and habitat asset. This, as well as other open green space within the overall site area is considered to support the delivery of multi-functional green infrastructure as required by LLP2 policy DM14.
- 8.10.2 It is noted that all properties would be well served by clear glazed windows and that all dwellings and flats would be dual aspect, ensuring a good level of access to natural light throughout the course of the day as well as allowing for effective natural ventilation. The applicant has stated that electric vehicle charging points would be provided. A condition will be used to ensure that each dwelling has a minimum of 1 x operational charging point provided on site and a minimum of 1 x operational charging point is provided within the communal car park serving each block of flats, as per the requirements of the Electric Vehicle Charging Points Technical Guidance Note.
- 8.10.3 However, there is minimal detail provided as to how the development will meet the requirements of the Sustainability in Development Technical Advice Note (TAN) and, whilst the planning statement mentions that air source heat pumps could be utilised, there is no commitment provided. As such, a condition will be used to secure a sustainability statement that confirms compliance with the aims and objectives of the TAN's for Circular Economy, Sustainability in Development and Biodiversity Net Gain. This would include, but not be limited to, details on how water consumption would be kept to 100-110 litres per person per day and all renewable energy and carbon reduction measures.
- 8.10.4 A condition will be used to require that any boilers installed have restricted nitrogen oxide emissions.
- 8.10.5 A condition will also be used to secure a Site Waste Management Plan that will detail how any waste material produced during construction can be reused or recycled either on site or, if that is not possible, then on other areas.

#### 8.11 Archaeology

- 8.11.1 The southern end of the proposed development site lies within an Archaeological Notification Area which indicates the northerly extent of the medieval core of historic Newick.

- 8.11.2 A comprehensive desk based archaeological assessment of the site has been submitted with the application. The limited number of archaeological discoveries in the surrounding area are noted, However, the County Archaeologist has stated that the limited number and range of discoveries in the immediate vicinity could be attributed to the limited amount of archaeological work that has been carried out in Newick rather than evidence of absence of the presence of objects of interest. As such, a programme of fieldwork has been requested.
- 8.11.3 The fieldwork can be secured by planning condition. It is therefore considered that the proposed development could be carried out without causing unacceptable harm or damage to archaeology.
- 8.11.4 It is therefore considered the proposed development complies with policy CP11 of LLP1, DM33 of LLP2 and section 16 of the NPPF.

## 9. **Human Rights Implications**

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

## 10. **Recommendation**

- 10.1 It is recommended that permission is granted subject to the conditions listed below and a Section 106 Agreement securing a policy compliant affordable housing contribution, highway works, ecological mitigation planting and SANGs and SAMMs contributions.
- 10.2 It is recommended that, if members are minded to approve, the scheme is delegatred back to officers to secure a conection agreement to allow surface water from the site to be discharged into the highway drain.
- 10.3 Conditions
  - 1. The completed access shall have maximum gradients of 2.5% (1 in 40) from the channel line and 11% (1 in 9) thereafter  
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with para. 110 and 112 of the NPPF.
  - 2. The development shall not be occupied until parking and turning areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking and turning of motor vehicles.  
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with para. 110 and 112 of the NPPF.
  - 3. The proposed parking spaces shall measure at least 2.5m by 5m with an extra 0.5m to either or both dimensions where spaces abut a wall, fence or hedge.

Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with para. 110 and 112 of the NPPF.

4. Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.

Reason: To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding in accordance with LLP1 policy CP12 and para. 167 of the NPPF.

5. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority and be subject to its approval, in consultation with the Highway Authority

Reason: In the interests of highway safety and for the benefit and convenience of the public at large in accordance with para. 110 and 112 of the NPPF.

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

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

Reason: In the interests of highway safety and the amenities of the area in accordance with LLP2 policies DM20, DM22 and DM23 and para. 110 and 112 of the NPPF.



7. No part of the development shall be first occupied until visibility splays of 2.4 metres by 116 metres to the west and 112 metres to the east have been provided/maintained at the junction of the access with Goldbridge Road in accordance with the approved plans. These visibility splays shall thereafter be kept free of all obstructions over a height of 600mm.

Reason: To ensure the safety of persons and vehicles entering and leaving Goldbridge Road and proceeding along the highway in accordance with LLP2 policy DM20 and para. 110, 112 and para. 174 of the NPPF.

8. Development shall not commence until such time as temporary arrangements for access and turning for construction traffic has been provided in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To secure safe and satisfactory means of vehicular access to the site during construction in accordance with para. 110 and 112 of the NPPF.

9. Prior to completion any residential unit forming part of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- Details of all hard surfacing;
- Details of all boundary treatments (including provision of mammal gates to allow for foraging animals to cross the site);
- Details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees;
- Ecological enhancements and Biodiversity Net Gain;

All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the development incorporates sympathetic landscaping that amalgamates with surrounding landscaping, is appropriately and sympathetically screened and provides a secure and safe environment for future occupants in accordance with LLP1 policy CP10, LLP2 policies DM24 and DM27, para. 174 of the NPPF and policy EN1 of the Newick Neighbourhood Plan.

10. No development shall take place (including any demolition, ground works, site clearance) until a method statement for the protection of trees and hedgerows and reasonable avoidance measures for reptiles has been

submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from the works.

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction and to avoid an offence under the Wildlife and Countryside Act 1981, as amended.

11.No development shall take place until an ecological design strategy (EDS) addressing enhancement of the site for biodiversity, to include the provision of bat and bird boxes and wildlife friendly planting, has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs

170 and 175 of the National Planning Policy Framework, and Core Policy CP10 of the Lewes District Local Plan 2016.

12. Prior to the first occupation of any part of the development hereby permitted, a minimum of 1 x electric vehicle charging point shall be provided for each dwelling and a minimum of 1 x electric vehicle charging point shall be provided within each car park serving the flats in accordance with details to be submitted to and approved by the Local Planning Authority. The charging points shall thereafter be maintained in an operable condition throughout the lifetime of the development.

Reason: To encourage alternative, more sustainable modes of transport and to reduce local contributing causes of climate change in accordance with LLP policy CP13, para. 112 of the NPPF and policy TC1 of the Newick Neighbourhood Plan.

13. The proposed development shall not be occupied until full details of all renewable/carbon saving/energy and water efficiency measures to be incorporated into the scheme have been submitted to and approved by the Local Planning Authority. All measures approved shall thereafter be provided prior to the occupation of any dwelling and maintained in place thereafter throughout the lifetime of the development.

Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with LLP1 policy CP14, LLP2 policy DM20 and para. 152 of the NPPF.

14. Details shall be submitted to and approved by the local planning authority prior to the first occupation of the development for the installation of Ultra-Low NOx boilers with maximum NOX emissions less than 40 mg/kWh (or a zero emission energy source). The details as approved shall be implemented prior to the first occupation of the development and shall thereafter be permanently retained.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site and to manage air quality in accordance with LLP2 policy DM20 and para. 181 of the NPPF.

15. Prior to the first occupation of any part of the development hereby approved, secure bin and cycle storage facilities shall be installed in accordance with details to be submitted to and approved by the Local Planning Authority and shall be maintained in place thereafter throughout the lifetime of the development.

Reason: In the interest of environmental amenity and in order to encourage the use of sustainable modes of transport in accordance with LLP1 policy CP13, LLP2 policies DM20 and DM26, para. 112 of the NPPF and policy TC1 of the Newick Neighbourhood Plan.

16. No external materials or finishes shall be applied until a schedule of materials has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with those details and maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and sustainability in accordance with LLP1 policy CP11, LLP2 policy DM25, para. 130 of the NPPF and policies HO1, HO3 and EN1 of the Newick Neighbourhood Plan.

17. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
  - (i) all previous uses
  - (ii) potential contaminants associated with those uses
  - (iii) a conceptual model of the site indicating contaminants, pathways and receptors
  - (iv) potentially unacceptable risks arising from contamination at the site.
- (b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Planning Policy Framework, para 170, 178 and 179.

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

Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Planning Policy Framework, para 170, 178 and 179.

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

Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Planning Policy Framework, para 170, 178 and 179.

20. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To enable the recording of any items of historical or archaeological interest in accordance with Core Policy 11 in the Lewes District Local Plan Part 1; Joint Core Strategy 2010 – 2030; coupled with the requirements of section 16 of the National Planning Policy Framework 2021.

21. Before any works hereby permitted are begun, details of the foundations, piling configurations, drainage and services, to include a detailed design and method statement, shall be submitted to and approved in writing by the Local Planning Authority, such details to show, where necessary, the preservation of surviving archaeological remains which are to remain in situ.

Reason: To enable the recording of any items of historical or archaeological interest in accordance with Core Policy 11 in the Lewes District Local Plan Part 1; Joint Core Strategy 2010 – 2030; coupled with the requirements of section 16 of the National Planning Policy Framework 2021.

22. No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the approved written scheme of investigation.

Reason: To enable the recording of any items of historical or archaeological interest in accordance with Core Policy 11 in the Lewes District Local Plan Part 1; Joint Core Strategy 2010 – 2030; coupled with

the requirements of section 16 of the National Planning Policy Framework 2021.

23. No external lighting or floodlighting shall be installed on the buildings or the road and parking areas hereby permitted without the prior written approval of the local planning authority.

Reason: To protect the amenity and character of the surrounding countryside and to prevent disturbance of nocturnal species having regard to Policy CP10 of the Lewes District Local Plan part one, policies DM20 and DM24 of the Lewes District Local Plan part two, paras. 170, 175 and 180 of the NPPF and policy HO1 of the Newick Neighbourhood Plan.

24. Prior to the commencement of the development hereby permitted details of earthworks shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading of land area including the levels and contours to be formed and showing the relationship to existing vegetation and neighbouring development. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character in accordance with LLP1 policies CP10 and CP11, LLP2 policies DM25 and DM27 and section 15 of the NPPF.

25. A maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following:

a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details.

b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and paras. 163 and 165 of the NPPF.

26. 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: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and paras. 163 and 165 of the NPPF.

27. Prior to the first occupation of the development hereby approved, an appropriately sized children's play area shall be provided along with seating for adults in accordance with details to be submitted to and approved by the Local Planning Authority. These details shall include, but not be limited to, surfacing, drainage, landscaping and maintenance arrangements for the play equipment provided.

Reason: To provide a healthy living environment in accordance with policies DM15 and DM16 of LLP2 and section 8 of the NPPF.

28. Construction work shall be restricted to the hours of 0800 to 1800 Monday to Fridays and 0830 to 1300 on Saturdays and works shall not be carried out at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interest of residential amenities of the neighbours having regard to Policy DM25 of the Lewes District Local Plan.

29. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works as defined within Part 1 of Schedule 2, classes A-E inclusive of that Order, shall be erected or undertaken on the site unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: To enable the Local Planning Authority to regulate and control the development of land in the interest of visual and residential amenity in accordance with LLP1 policy CP11, LLP2 policy DM25, para. 130 of the NPPF and policy HO1 of the Newick Neighbourhood Plan

## 11. **Background Papers**

11.1 None.

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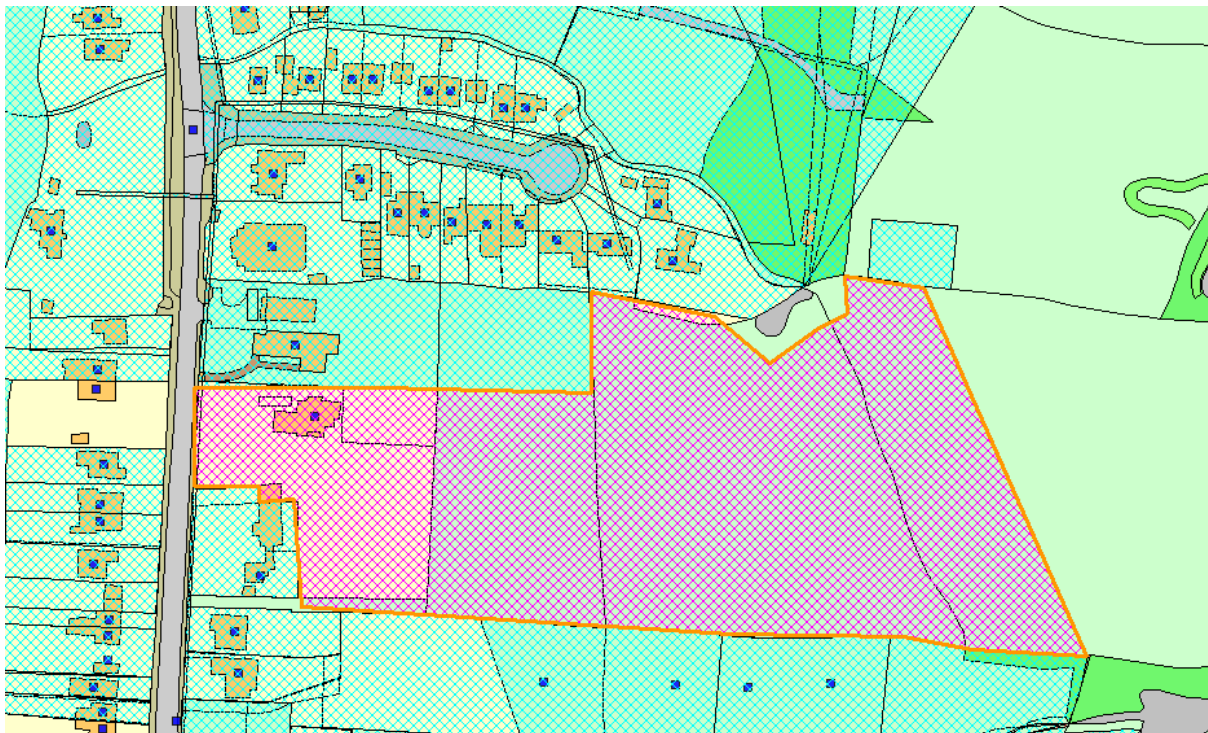


# Agenda Item 9

**Report to:** Planning Applications Committee  
**Date:** 8 June 2022  
**Application No:** LW/21/0697  
**Location:** Land Adjacent All Saints Church, Station Road, Plumpton Green, East Sussex, BN7 3BU  
**Proposal:** Erection of 20 new dwellings including 8 affordable houses & flats, with associated access and parking, including a new garage for the former Rectory  
**Applicant:** Millwood Designer Homes Ltd  
**Ward:** Plumpton Street E.Chiltington St John W  
**Recommendation:** Grant Planning Permission subject to s106.  
**Contact Officer:** **Name:** Julie Cattell  
**E-mail:** [julie.cattell@lewes-eastbourne.gov.uk](mailto:julie.cattell@lewes-eastbourne.gov.uk)

**IMPORTANT NOTE: This scheme is CIL Liable.**

**Map Location:**



## 1. **Executive Summary**

- 1.1 The proposed development will provide 20 new homes, including 8 affordable homes, on a site that is allocated in the Plumpton Neighbourhood Plan under Policy 5.3. The design and layout of the scheme is considered to be acceptable.
- 1.2 Approval is recommended, subject to conditions and a s106 agreement to secure the affordable units and a financial contribution towards recycling.

## 2. **Relevant Planning Policies**

### 2.1 National Planning Policy Framework

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Ensuring the vitality of town centres
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment

### 2.2 Lewes District Local Plan

- LDLP: – SP2 – Distribution of Housing
- LDLP: – CP1 – Affordable Housing
- LDLP: – CP2 – Housing Type, Mix and Density
- LDLP: – CP9 – Air Quality
- 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: – CP14 – Renewable and Low Carbon
- LDLP: – DM1 – Planning Boundary
- LDLP: – DM24 – Protection of Biodiversity and Geodiversity
- LDLP: – DM25 – Design
- LDLP: - DM26 Refuse and Recycling
- LDLP: - DM27 Landscape Design
- LDLP: DM33 Heritage Assets

### 2.3 Plumpton Neighbourhood Plan

- Policy 1: - Spatial plan for the parish
- Policy 2:- New-build environment and design

Policy 3:- Landscape and biodiversity

Policy 4:- Sustainable drainage and wastewater management

Policy 5:- New housing

Policy 5.3: The Glebe, Plumpton Green

### 3. **Site Description**

- 3.1 The application site is located on the east side of Station Road, Plumpton. It comprises the currently vacant former Rectory to the adjacent All Saints Church, its garden and a swathe of former agricultural land to the south and east, covering a total of 1.77ha. Perimeter trees and hedges form the boundaries and there are sporadic tree groups running north/south through the site. A TPO (no.39) 1998 covers two of the trees on the site.
- 3.2 The site is generally flat. The northern boundary is formed by existing dwellings and the Churchyard of All Saint's Church and to the south, fields that are currently being developed for 20 new dwellings by Sigma Homes. A small area to the front of the site is within a 500m buffer zone of Ancient Woodland and all of it is within an SSSI Impact Zone. There is a pond in the north east corner of the site. There are two listed structures associated with the church – The Lychgate and the War Memorial – which are outside of the red line of the site. Archaeological evidence of a Late Iron Age roundhouse has been found very recently to the south of the site.
- 3.3 Station Road runs roughly north-south through Plumpton Green. There is residential development along both sides, arranged as detached and semi-detached properties of traditional design, with bricks hanging tiles and plain roof tiles as the predominant material palette.

### 4. **Proposed Development**

- 4.1 The application seeks full planning permission to construct 20 new dwellings on the site, including 8 affordable units (40%), in a mix of houses and flats, with associated access and parking and shared open space in the centre of the site.
- 4.2 The dwelling mix is 4 x 1 bed flats, 5 x 2 bed houses, 4 x 3 bed houses, 4 x 4 bedroom houses and 3 x 5 bed houses, laid out as follows:
- Plot 1 - 3 bed/5 person - terrace with plots 2 and 3
  - Plots 2-4 – 2 bed/4 person – terrace with plot 1
  - Plot 5 – 3 bed/5 person – detached
  - Plot 6 - 4 bed/7 person – detached
  - Plot 7 – 4 bed/7 person – detached
  - Plot 8 - 4 bed/8 person – detached with integral single garage
  - Plot 9 – 5 bed/9 person – detached with free standing double garage
  - Plot 10 – 5 bed/9 person – detached with integral double garage
  - Plot 11 – 5 bed/8 person – detached with free standing double garage
  - Plots 12-13 – 3 bed/5 person – semi-detached with integral single garage

- Plots 14-15 2 bed/4 person – semi-detached
  - Plots 16-19 1 bed/2 person – 4 x flats
  - Plot 20 – 4 bed/7 person – detached with free standing double garage. This is to be the new Rectory to serve the Church.
- 4.3 The tenure mix proposed for the 8 affordable dwellings is 5 x 5 rented (plots 4, 16, 17 18 and 19) and 3 x intermediate/shared ownership (plots 1-3). This could be negotiated to include first homes should the Council's Housing officer consider this necessary.
- 4.4 The former Rectory is to be retained, with the addition of a new detached double garage, and sold as part of the development.
- 4.5 A number of the trees on the site will be removed to facilitate the development and others pruned. Of those to be removed, one is ranked in the submitted Arboricultural Assessment is category A (high quality), two are category B, including one of those protected by the TPO noted above (moderate quality). Four trees, including one of those protected by the TPO noted above, and specimens in three groups are category C (poor quality), will also be removed. The application included a very detailed Arboricultural Assessment and Method Statement which sets out, amongst other matters, justification for the removal of these trees.
- 4.6 Two large areas of open space. located roughly in the centre of the site, on either side of the estate road, will be created for shared use by the residents.
- 4.7 A new access to the site will be created on the western boundary of the site, just south of the existing Rectory, off which there will be an estate road running roughly west to north-east with a turning head at the end. The area at the entrance to the site will be opened up to allow views into the site.
- 4.8 There will be 43 surface car parking spaces, including for visitors, in accordance with ESCC standards. Cycle parking in separate stores will be provided for dwellings that don't have garages.

## 5. **Relevant Planning History**

- 5.1 None relating to the site.
- 5.2 To south of site - LW/17/0873 - Land Adjoining Oakfield House, Station Road - Hybrid planning application comprising a detailed application for the erection of 19 dwellings, access, landscaping, open space and associated works and an outline application for 1 self-build dwelling with all matters reserved except access and scale (20 dwellings total) – Approved 20 March 2018.

## 6. **Consultations**

### 6.1 ESCC Highways

- 6.1.1 Trip Generation - The submitted TRICS data calculates that there will be approximately 18 additional movements in the AM peak hours and 18 additional movements in the PM peak hours generated by the proposed development. The County Council is therefore satisfied the proposal is not considered to result in a significant impact on the local highway network

- 6.1.2 Access - The site currently has an existing access from Station Road, however this is to be removed as part of the development. A new vehicle access is proposed. The access road to the site is 3.7m wide at its narrowest point. However, as it is only a short section of the road, and the width of the rest of proposed access road is 4.8m. In this instance, the access layout is considered acceptable. A Stage 1 Road Safety Audit was also undertaken for the proposed access, which did not identify any issues associated with the design.
- 6.1.3 Pedestrian Consideration - A separate pedestrian access is proposed as part of the proposal. This footway within the site is proposed to connect to Station Road via a dropped kerb and tactile paving. This is considered acceptable.
- 6.1.4 Visibility - Manual for Streets advises that visibility splays of 2.4m x 43m are required for speeds of 30mph, which is the speed for Station Road. The applicant has provided splays showing 2.4m x 43m splays can be achieved in both directions, which is considered acceptable. This should be secured as a condition.
- 6.1.5 Car Parking - In accordance with the County Council's parking guidance, 43 car parking spaces are required for this development. The submitted design and access statement indicates the provision of 62 car parking spaces, including 6 visitor spaces and 11 garages. It should be noted that, for the purposes of assessment, garages would be assessed as 1/3<sup>rd</sup> of a space, as set out in the County Council's residential parking guidance. ESCC guidance states a garage should measure a minimum of 3m x 6m. Some of the garages do not meet these requirements, therefore it is requested the plans are revised to meet this guidance. The County Council's guidance stipulates that each parking space should be a minimum width of 2.5m x 5m, with spaces adjacent to walls an additional 0.5m in width. The submitted plan indicates that the parking bays meet the requirements.
- 6.1.6 Cycle Parking - In terms of cycle parking provision, there is a cycle storage in each garden or garage, which is in accordance with the County Council's cycle parking guidance. However, if the cycle parking is to be in a garage, there should be an additional 1m to accommodate cycles, i.e. 7m x 3m. There would need to be storage for 2 bicycles per 3 or 4 bed dwelling and 1 bicycle per 2 bed dwelling to be in accordance with the County Council's guidance. Cycle parking can be secured as a condition.
- 6.1.7 Refuse collection - Vehicle tracking has been undertaken for a refuse vehicle on the submitted plan no. 185361-007 Rev. B, which shows a refuse vehicle can turn safely on site and exit the site in forward gear. This is considered acceptable.
- 6.1.8 Accessibility - The site is located in the Plumpton Green village centre. The nearest train station is Plumpton Green railway station, approximately 700m from the site. The nearest bus stop to the site is located approximately 50m away, which provides services to Lewes and Ditchling. Therefore, it is considered that the site is located in an accessible location.

6.1.9 Conclusion - Mindful of the above, the County Council has no objection to the planning permission subject to the inclusion of the conditions.

## 6.2 ESCC SuDS

6.2.1 A floodplain compensation scheme has been developed for the development site to ensure the development will be safe from flooding, whilst not increasing flood risk elsewhere. The applicant has undertaken hydraulic modelling to demonstrate that this is the case. We request that the proposed flood risk mitigation as shown on Indicative Floodplain Compensation Scheme plan (drawing number 185361-030 Rev A) is taken forward to the detailed design stage.

6.2.2 British Geological Survey data that we hold indicates that groundwater levels could be less than 3m below ground level at the site. We require that the applicant undertakes groundwater monitoring between November and April to determine groundwater levels beneath the site and inform whether any mitigation measures are required to prevent groundwater ingress into the proposed attenuation tank. This will also inform whether or not the proposed flood compensation storage area will need to be lined to prevent groundwater ingress.

6.2.3 Any works affecting the watercourse adjacent to the development site will have to be discussed and agreed to by the County Council. The applicant should approach the LLFA for discussions once the nature of these works is known on [watercourse.consenting@eastsussex.gov.uk](mailto:watercourse.consenting@eastsussex.gov.uk)

6.2.4 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:

- Prior to the commencement of development, a detailed surface water drainage system and flood compensation scheme shall be submitted in support to and approved in writing by the Local Planning Authority based on the principles in the Ardent Consulting Engineers FRA and drainage strategy Report Ref: 185361 (August 2021). The surface water drainage system shall incorporate the following:
  - a) Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to 2 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence.
  - b) The details of the outfall of the proposed drainage system and how it connects into the watercourse shall be submitted as part of a detailed design including cross sections and invert levels.

- c). The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
- d) The detailed design of the surface water drainage features (underground tank) shall be informed by findings of groundwater monitoring between autumn and spring at the location of the proposed tank. The design should leave at least 1m unsaturated zone between the base of the drainage structures and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system should be provided.
- A maintenance and management plan for the entire drainage system shall be submitted to the planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:
  - a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.
  - b) Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development.
 

These details shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter remain in place for the lifetime of the development

The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.
- 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.

### 6.3 Sussex Police

- 6.3.1 Sussex Police would have no objection to the proposed development as submitted from a crime prevention perspective subject to my above observations, concerns and recommendations being satisfactorily addressed.

### 6.4 Southern Water

- 6.4.1 Our investigations indicate that Southern Water can facilitate foul sewerage 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.
- 6.4.2 To make an application visit Southern Water's Get Connected service: [developerservices.southernwater.co.uk](http://developerservices.southernwater.co.uk) and please read our New Connections Charging Arrangements documents which are

available on our website via the following link:  
[southernwater.co.uk/developing-building/connection-charging-arrangements](http://southernwater.co.uk/developing-building/connection-charging-arrangements)

- 6.4.3 The submitted drainage details indicate the SuDs to be maintained within private ownership and maintenance. Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance
- 6.4.4 Where SuDS rely upon facilities which are not adoptable by sewerage undertakers 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.
- 6.4.5 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.
- 6.4.6 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.
- 6.4.7 If the applicant proposes to offer a new on-site drainage and pumping station for adoption as part of the foul/surface water public sewerage system, this would have to be designed and constructed to the specification of Southern Water Services Ltd. A secure compound would be required, to which access for large vehicles would need to be possible at all times. The compound will be required to be 100 square metres in area, or of some such approved lesser area as would provide an operationally satisfactory layout. In order to protect the amenity of prospective residents, no habitable rooms shall be located within 15 metres to the boundary of the proposed adoptable pumping station, due to the potential odour, vibration and noise generated by all types of pumping stations. The transfer of land ownership will be required at a later stage for adoption.
- 6.4.8 We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of



the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water:

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site..

- 6.4.9 In response to a request for information from LDC about management of sewage waste from the completed scheme and details of discharge of sewage into local rivers/seas, the following response was received:
- 6.4.10 The foul sewage from above development site will be drained to BARCOMBE WTW. We do not have any information available assessing the impact on the number or duration of sewage discharges into local rivers/seas.

## 6.5 CIL

- 6.5.1 Confirms that application is CIL liable.

## 6.6 ESCC Archaeologist

- 6.6.1 The proposed development is of archaeological interest due to its location within a landscape with evidence of human activity from the Mesolithic onwards. There have been a number of finds of Mesolithic, Neolithic and Bronze Age material within a 1km radius of the site, which suggests at least some activity of these periods in the vicinity. Rather better evidence for Iron Age activity has been forthcoming during recent investigations directly to the south of the current proposal site, where evidence for an Iron Age roundhouse and associated activity, including funerary evidence, has been recorded. Additional evidence for Iron Age activity has also been forthcoming from recent work at Plumpton College. Roman and medieval finds and features in the wider vicinity indicate activity of this date also, whilst the site lies within an extensive post-medieval agricultural landscape.
- 6.6.2 In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works.
- 6.6.3 The written scheme of investigation, referred to in the recommended conditions, will set out the contracted archaeologist's detailed approach to undertake the programme of works and accord with the relevant sections of the Sussex Archaeological Standards (2019).

## 6.7 ESCC Ecologist

- 6.7.1 Summary of initial comments - insufficient information has been provided to assess the potential impacts of the proposed development on biodiversity, most notably bats, dormice, great

crested newts, reptiles and veteran trees. Further information is required before planning permission can be granted.

6.7.2 Further comments following negotiations with applicant's ecologist - The original Ecological Assessment made some suggestions for enhancements but provided no certainty. I would therefore recommend conditions for an Ecological Design Strategy providing details as to how impacts on biodiversity will be mitigated and compensated, and what measures will be provided to ensure measurable BNG. LDC have produced a Technical Advisory Note on BNG). A LEMP will be required to cover management of habitats on site, and potentially off-site if that is required as mitigation for herps and/or as BNG.

6.7.3 I can confirm that the issues raised in relation to reptiles and GCN have been addressed, subject to compliance with this strategy, i.e. that no work, including ground works and vegetation clearance, can commence until the strategy has been implemented.

6.7.4 Please add the following conditions:

- A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of the development [. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed;
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions, together with a plan of management compartments;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) details of the body or organisation responsible for implementation of the plan;
- h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plans shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: Biological communities are constantly changing and require positive management to maintain their conservation value.

The implementation of a LEMP will ensure the long-term management of habitats, species and other biodiversity features.

No development shall take place until an ecological design strategy (EDS) addressing mitigation for impacts on hedgerows, protection of retained habitats, and enhancement of the site to provide measurable biodiversity net gain has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

## 6.8 Plumpton Parish Council

- 6.8.1 Plumpton Parish Council support planning application LW/21/0697 but would like to register the following comments.
- 6.8.2 Access - The proposed road access is not shared with the adjoining development as preferred in the Plumpton Parish Neighbourhood Plan (PPNP). Whilst PPC recognise that the proposed access scheme is safe and has the support of East Sussex Highways Authority, it is nevertheless a significant issue for a number of reasons, including the loss of on-street parking in the immediate vicinity of the church and church hall, and the impact on the setting of the Lynch Gate which is a War Memorial and an important and much loved village asset that had recently been renovated. Given that the developer of the adjacent site has made provision for shared access PPC would request LDC support in facilitating this if at all possible.
- 6.8.3 Sewage handling - Plumpton Parish Council reaffirm their lack of trust in the Southern Water methodology for supporting the development. The flow capacity calculation relies on a perfect system even though Southern Water are aware of the real-world state of the system in Plumpton Green.
- 6.8.4 Landscaping - Plumpton Parish Council have detailed concerns over the landscape buffering to neighbouring properties along both

Station Road and Wells Close, as this differs from the original indicative plans that had been the subject of much discussion in the making of the PPNP. The concern is that the buffering appeared largely to be within the curtilage of the new units and therefore any planting and screen could not be guaranteed over time. The developer expects landscaping to be a condition of planning, but PPC would request that LDC seek a more robust landscape buffering plan as a pre-requisite to any inclusion within planning conditions

- 6.8.5 Environmental concerns - around the number of electric vehicle charging points and the use of fossil fuel heating systems. Plumpton Parish Council notes that LDC had adopted a resolution declaring a climate emergency, but this development proposes gas heating and appears to meet only the minimum number of electric vehicle charging points, and PPC would prefer to see provision of one per parking space.

## 7. Neighbour Representations

- 7.1 Representations have been received from 15 local residents, objecting to the application for the following summarised reasons:

- Increase pressure on drainage system
- Will increase flooding in the area
- Loss of open space
- Should not be building in the countryside
- Increase in traffic, not enough parking
- Access inadequate
- Access should be shared with other development site to the south
- Noise and other pollution from construction
- Overdevelopment
- Light pollution
- Negative impact and disturbance to wildlife
- Loss of views of the Downs
- Loss of future burial space for the church
- Heating and energy strategy is not sustainable
- No local consultation when land was sold

- 7.2 Cllr Banks - As the district ward councillor I would like to make the following comments on the planning application by Millwood Homes.

- 7.3 Climate change - Lewes District Council has declared a climate emergency. However the current proposal is that these houses could be heated by LPG tanks. The District Council should make it a condition that the properties are heated by renewable sources - I suggest air source heat pumps. This would be in line with LDC's climate emergency declaration. I also ask for another

condition - that one EV charging point per parking space is installed (not just one per property).

- 7.4 Sewage - the sewer along Station Road and serving nearby properties (as detailed in an objection by Wells Close residents) is not fit for purpose and cannot cope with the existing infrastructure. I would like to see a condition stating that Southern Water should show they have upgraded the mains sewer before any new homes are connected.
- 7.5 Consultation - I am also aware of concerns around construction on sites like these and ask that clear information is sent to both nearby properties and made available to the wider community regarding site management in the event of any complaints. The applicants should clearly show how they will consult with local residents as work progresses, and before permission is granted a plan to show how these regular updates will be given to local residents.
- 7.6 Access road - the Plumpton Parish Neighbourhood Plan called for this to be a shared one with the neighbouring development which is behind Oakfield rather than a separate entrance onto Station Road. It remains unclear to me why agreement between developers could not be reached. I also understand that the separate road would result in the loss of a mature tree.
- 7.7 The Planning Authority should convene a meeting with both developers to see if the vision voted for in the Neighbourhood Plan can be implemented and if not possible, to produce a clear reason why not that can be understood by the public.
- 7.8 Buffering for neighbouring properties - it is important that the landscaped buffer area between the development and the neighbouring properties are respected. This includes both the house on Station Road, Strollings (as agreed in representation made by Simon Falconer on 20th October) and properties on Wells Close. A landscape buffering plan should be a planning condition. The plans also show the retention of the trees along the length of the churchyard. I ask that this be kept as a condition to reduce the effect of the development.
- 7.9 Hours of work - In the interest of residential amenities of the neighbours having regard to Policy DM25 of LPP2, I believe construction work should start at a later time than the 7.30am time stated. Care should also be taken to avoid school opening and closing times.

## 8. **Appraisal**

### 8.1 Principle

- 8.1.1 The site is within the amended planning boundary and is allocated for housing for up to 20 units in the Plumpton Neighbourhood Plan. As such the proposal is compliant with policies SP2, DM1, and 1 and 5.3 Of the Plumpton NP.
- 8.1.2 The scheme offers 8/40% affordable units and includes 1 and 2 bed units as well as larger dwellings, in compliance with policies CP1, CP2 and 5.
- 8.1.3 The density of the scheme will be 11dph. Policy CP2 sets out an indicative range of 20-30 dph in villages, unless there are contextual

constraints which justify a lower density. In this case, the lower density is compatible with that of much of Station Road and takes into consideration the need to create planted buffers along sensitive boundaries of the site, as well as a transition to the countryside beyond.

## 8.2 Design and Heritage

- 8.2.1 The design of the scheme has been informed by the local character and distinctiveness, as set out in the Design and Access Statement submitted with the application. The materials palette includes stock bricks, plain roof tiles, plain hanging tiles and weather boarding, all of which are prevalent locally. The typology of the dwelling types includes a mix of hipped and pitched roofs, barn hip roofs, overhanging timber frame porches and sash windows, reflecting the rural character of the village.
- 8.2.2 The layout of the scheme is arranged with plots 1-5 facing plots 12-20 either side of the estate road which runs roughly west-east. Plots 6, 7 and 8 are arranged around a cul-de-sac and turning head at the north eastern end of the site. Plots 8-11 are arranged around a cul-de-sac spur and turning head at the south eastern end. This layout is typical of the area.
- 8.2.3 In terms of heritage issues, the proposal includes plans to open up the front of the site to allow the listed Lynch Gate and War Memorial to be better viewed. The County Archaeologist has recommended conditions to secure a Written Scheme of Investigation prior to works commencing.
- 8.2.4 It is considered that the design requirements of policies CP11, DM25 and 2 are fully met.

## 8.3 Amenity

- 8.3.1 The layout avoids mutual overlooking/overshadowing/loss of light between the new dwellings. The west facing elevation of Plot 20 faces Strollings, which has a west-east aspect. Plot 20 has one west facing window at ground floor level. The landscaping strategy indicates that there will be a planted buffer to between the boundaries of these two properties to protect the privacy of the occupiers.
- 8.3.2 All of the new dwellings will fully meet the Nationally Described Space Standard. All of the houses will have a private garden to the rear. All of the units will have access to the centrally located open space.
- 8.3.3 A refuse plan was submitted with the application, with indicative locations for bins (for collection) and collection routes. Paved areas for storage of bins will be provided in the landscape plan. The flats will have a shared bin store, details of which have been submitted. Also submitted was a visibility and swept path plan, which demonstrates that refuse lorries can access and turn within the site.
- 8.3.4 The amenity aspects of policies CP11 and DM5, as well as DM26, are fully met.

## 8.4 Landscape, trees and ecology

- 8.4.1 The application documents include a broad landscape strategy, which includes a new hedge line between the former Rectory and the Church. New hedge and tree planting across the site is proposed to mitigate the loss of trees removed to facilitate the development. Full details of the proposed landscape scheme, including a planting plan, surface materials and boundary treatment will be secured by condition.
- 8.4.2 As noted above, the scheme includes two areas of open space for shared use. A plan for their management will be secured by condition.
- 8.4.3 An Ecological Appraisal was submitted with the application, which includes recommendations for enhancements. Following negotiations with the County Ecologist, a Reptile and GCN Mitigation Strategy was submitted. The County Ecologist has recommended a number of conditions, including one requiring biodiversity enhancements.
- 8.4.4 It is considered that the scheme complies with policies DM24, DM27 and 3.

## 8.5 Transport and parking

- 8.5.1 The site is relatively well served by public transport – 5 bus routes run along Station Road, with a bus stop very close to the site, and Plumpton Train Station is 720m away to the south. Station Road has a pedestrian footway along the western side.
- 8.5.2 There are 43 surface car parking spaces, mostly within the curtilage of the plots. In the case of the plots 4-6 and 16-19, allocated parking spaces are provided in a block. Of these 43, 6 are for visitors. This level of provision meets the development's demand using the ESCC Parking Calculator. A number of the plots have attached or free standing garages in addition to surface parking within the plots. ESCC Highways have noted that some of the garages don't meet the standard internal size requirements. However, given that a) the surface parking provision is fully compliant and b) most garages are used for storage of items other than vehicles (which is recognised in the ESCC Parking Guidance), it is not considered necessary to ask the applicant to amend the garages that don't comply.
- 8.5.3 A free-standing cycle store is to be provided to the dwellings that don't have garages. Details of the stores have been submitted with the application.
- 8.5.4 The scheme is compliant with policy CP13.

## 8.6 Sustainability

- 8.6.1 Although a full energy report/strategy wasn't submitted with the application, it is the intention of the applicant to provide PV panels to all of plots, including the flats. In addition, all of the plots with driveway surface parking will be provided with electric car charging points, and shared points on the two parking blocks.

- 8.6.2 As per standard practice, a more detailed Energy Report, based on SAP results which will be undertaken for Building Regulations compliance, will be secured by condition, as will details of the electric car charge points.
- 8.6.3 The scheme is compliant with policy CP14.
- 8.7 Drainage
- 8.7.1 The application was accompanied by a Flood Risk Assessment, a Drainage Strategy and a Floodplain Compensation Scheme. The ESCC SuDS Team considered the scheme to be satisfactory and recommended approval subject to conditions.
- 8.8 Assessment in relation to CP10 and sewage discharge
- 8.8.1 Southern Water has been further consulted regarding incidences of sewage discharge in the area. The response is that the foul sewage from above development site will be drained to BARCOMBE WTW. We do not have any information available assessing the impact on the number or duration of sewage discharges into local rivers/seas.
- 8.9 Comments on objections
- 8.9.1 Most of the objections that are relevant to the application have been covered in the considerations.
- 8.9.2 In response to matters raised by Cllr Banks and Plumpton Parish Council:
- 8.9.3 Use of heat pumps in place of LPG - the applicant has reported that there is insufficient capacity in the electric supply for the village to power them.
- 8.9.4 Sewage/SW – the council cannot require a third party to carry out works relating to a planning application. This is a matter between the applicant and SW.
- 8.9.5 Site management during construction – as is standard practice, the applicant has provided a Construction Environmental Site Plan and a site works layout plan. Adherence to these documents will be secured by condition.
- 8.9.6 Shared access with Oakfield development – the applicant reports that this was considered but the developer (Sigma) was not interested in pursuing the option. The new access has townscape merits in that it opens up views into the site, particularly the former Rectory and its relationship with the Church. Finally, the NP advocates pockets of development, which this option would achieve, rather than the more extensive estate layout in which a shared access with the Sigma site would result.
- 8.9.7 Landscape buffers – these are proposed, and details will be secured by condition.



## 9. Human Rights Implications

9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

## 10. Recommendation

10.1 In view of the above the proposed development is considered to be acceptable and approval is recommended subject to conditions and a s106 Agreement to secure affordable housing and a contribution to recycling.

### 10.2 Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved drawings:

<b>PLAN TYPE</b>	<b>DATE RECEIVED</b>	<b>REFERENCE</b>
Location Plan	26 August 2021	19.214 01 Rev C Site Location Plan
Proposed Layout Plan	26 January 2022	19.214 -110G Proposed Site Layout
Proposed Floor Plan(s)	4 October 2022	19.214 - 200 - Plots 1-4
Proposed Floor Plan(s)	26 January 2022	19.214 - 202A - Plot 6
Proposed Floor Plan(s)	26 January 2022	19.214 - 203A - Plot 7
Proposed Floor Plan(s)	4 October 2021	19.214 - 204 - Plot 8
Proposed Floor Plan(s)	4 October 2021	19.214 - 205 Plot 9
Proposed Floor Plan(s)	4 October 2021	19.214 - 206 - Plot 10
Proposed Floor Plan(s)	4 October 2022	19.214 - 207 - Plot 11
Proposed Floor Plan(s)	26 January 2022	19.214 - 208A - Plots 12 & 13
Proposed Floor Plan(s)	4 October 2021	19.214 - 209 - Plots 14 & 15
Proposed Floor Plan(s)	4 October 2021	19.214 - 210 - Plots 16-19
Proposed Floor Plan(s)	4 October 2021	19.214 - 211 - Plot 20
Proposed Floor Plan(s)	4 October 2021	19.214 - 300 - Garages sheet 1
Proposed Floor Plan(s)	4 October 2021	19.214 - 301 - Garages , bin & cycle stores
Street Scene	4 October 2021	19.214 - 400 - Street Scenes
Proposed Layout Plan	4 October 2021	19.214 - 500B - Unit Mix Plan
Proposed Layout Plan	4 October 2021	19.214 - 501B Unit Heights Plan
Proposed Parking Plan	4 October 2021	19.214 - 502B - Parking Plan
Proposed Layout Plan	4 October 2021	19.214 - 503B - Refuse Plan

<b>PLAN TYPE</b>	<b>DATE RECEIVED</b>	<b>REFERENCE</b>
Proposed Layout Plan	4 October 2021	19.214 - 504B - Unit Tenure Plan
Design & Access Statement	1 February 2022	Design & Access Statement
Planning Statement/Brief	1 February 2022	Planning Statement
Flood Risk Assessment	4 October 2021	FRA - Appendix A
Flood Risk Assessment	4 October 2021	FRA - Appendices B & C
Flood Risk Assessment	4 October 2021	FRA Appendices D-H
Other Plan(s)	4 October 2021	185361-010 B - Preliminary Levels Strategy
Other Plan(s)	4 October 2021	185361-020 B - Preliminary Drainage Strategy
Other Plan(s)	4 October 2021	185361-030 A - Indicative Flood Plain Compensation Scheme
Other Plan(s)	4 October 2021	185361-031 A - Indicative Culvert Construction Details
Transport Assessment	4 October 2021	Transport Statement
Justification / Heritage Statement	4 October 2021	Archaeological Desk-based Assessment
Justification / Heritage Statement	4 October 2021	Heritage Statement
Tree Statement/Survey	4 October 2021	Arboricultural Assessment - Method Statement
Tree Statement/Survey	4 October 2021	Tree Care Plan
Tree Statement/Survey	4 October 2021	Tree Management Manual
Technical Report	20 October 2021	Construction Environmental Management Plan
Other Plan(s)	20 October 2021	Site Set Up Plan
Landscaping	4 October 2021	1628 L90-200 D - Entrance Landscape Strategy
Technical Report	26 January 2022	Compliance with NDSS Areas
Other Plan(s)	6 October 2021	PV Panel Locations
Technical Report	4 October 2021	Ecological Appraisal
Technical Report	8 April 2022	Reptile & GCN Mitigation Strategy

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

2. No development shall commence until the tree protection measures as set out in the Arboricultural Assessment and Method Statement, Tree Care Plan and Manual for Managing Trees on Development Sites, by Barrell Tree Consultancy, have been carried out in full and maintained as necessary throughout the build.

Reason: To preserve trees on the site and in the interest of visual amenity and environment having regard to policy CP10 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework..

3. No development shall commence until an ecological design strategy (EDS) addressing mitigation for impacts on hedgerows, protection of retained habitats, and enhancement of the site to provide measurable biodiversity net gain has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:
  - a) purpose and conservation objectives for the proposed works;
  - b) review of site potential and constraints;
  - c) detailed design(s) and/or working method(s) to achieve stated objectives;
  - d) extent and location /area of proposed works on appropriate scale maps and plans;
  - e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
  - f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
  - g) persons responsible for implementing the works;
  - h) details of initial aftercare and long-term maintenance;
  - i) details for monitoring and remedial measures;
  - j) details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

4. Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 174 and 180 of the National Planning Policy Framework, Core Policy CP10 of the Lewes District Local Plan 2016 and Lewes District Council's Biodiversity Net Gain Technical Advice N
5. No development shall commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed;
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions, together with a plan of management compartments;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) details of the body or organisation responsible for implementation of the plan;
- h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plans shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: Biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long term management of habitats, species and other biodiversity features.ote 2021.

6. Prior to the commencement of development, a detailed surface water drainage system and flood compensation scheme shall be submitted in support to and approved in writing by the Local Planning Authority based on the principles in the Ardent Consulting Engineers FRA and drainage strategy Report Ref: 185361 (August 2021). The surface water drainage system shall incorporate the following:
  - a) Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to 2 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence.
  - b) The details of the outfall of the proposed drainage system and how it connects into the watercourse shall be submitted as part of a detailed design including cross sections and invert levels.
  - c). The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.

d) The detailed design of the surface water drainage features (underground tank) shall be informed by findings of groundwater monitoring between autumn and spring at the location of the proposed tank. The design should leave at least 1m unsaturated zone between the base of the drainage structures and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system should be provided.

Reason: To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve habitat and amenity having regard to policy CP12 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework..

7. Prior to the commencement of any construction on the site, a maintenance and management plan for the entire drainage system shall be submitted to and approved in writing by the local planning authority to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:

a) The plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped rains.

b) Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development.

The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.

These details shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter remain in place for the lifetime of the development.

Reason: To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve habitat and amenity having regard to policy CP12 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

8. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To enable the recording of any items of historical or archaeological interest having regard to policies CP11 and DM33 of the Lewes District Local Plan to comply with National Policy Guidance contained in the National Planning Policy Framework.

9. No development above ground floor slab level of any part of the development hereby permitted shall commence until a report has been submitted to, and approved in writing by, the Local Planning Authority,

to include details and drawings to demonstrate how a minimum of 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The report shall identify how renewable energy, passive energy and energy efficiency measures will be generated and utilised for each of the proposed buildings to collectively meet the requirement for the development. The approved details shall be implemented with the construction of each dwelling and thereafter retained.

Reason: To secure a proper standard of development having regard to policy CP14 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

10. No development above ground floor slab level of any part of the development hereby permitted shall commence until a scheme, including materials, of all hard and soft landscaping, including replacement tree planting, and boundary treatment 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

Reason: To ensure a satisfactory development in keeping with the locality having regard to policies CP11, DM25 and DM27 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy

11. No development shall commence above ground floor slab level of any part of the development hereby permitted until details/samples of all external 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 unless otherwise agreed.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policies CP11 and DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

12. No part of the development shall be occupied until the parking spaces , garages and vehicle turning space as shown on the approved plans have been laid out. The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles. The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

13. No part of the development shall be occupied until covered and secure cycle parking stores as shown on the approved plans have been provided and made available for use. These areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles associated with residents and visitors to the development hereby permitted.

Reason: To provide alternative travel options and encourage use of alternatives to the use of the private car, in the interests of sustainability in accordance Policy CP13 of Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

14. No part of the development shall be occupied/brought into use until details for the provision of electric car charging points, both for the dwellings and for visitors, have been submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with that approval prior to occupation.

Reason: To promote sustainable ways of transport in accordance with policies CP13 and CP14 of the Lewes District Joint Core Strategy National Policy Guidance contained in the National Planning Policy Framework.

15. No part of the development shall be occupied until the communal bin store for the flats as shown on the submitted plans, and the areas intended for the storage of refuse and recycling bins have been laid out and ready for use. These areas shall thereafter be retained.

Reason: In the interests of the amenities of the area, having regard to policy DM26 and guidance within the National Planning Policy Framework. Framework.

16. 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, to improve and protect the water quality and improve habitat and amenity having regard to policy CP12 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

17. No phase of the development hereby permitted shall be occupied until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition.

Reason: To enable the recording of any items of historical or archaeological interest having regard to policies CP11 and DM33 of the Lewes District Local Plan to comply with National Policy Guidance contained in the National Planning Policy Framework.

18. No part of the development shall be occupied until a Plan for the future management and maintenance of the areas of communal open space

and landscaping on the site has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the amenities of the residents of the development and having regard to policies CP11 and DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

19. Unless otherwise agreed in writing with the Local Planning Authority, development shall be carried out strictly in accordance with the Construction Site Management Plan and Site Set-Up Plan, dated 8th October 2021.

Reason: In the interest of the amenities of the adjoining residents having regard to policies CP11 and DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

20. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 1 and Part 2 of Schedule 2, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.

Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area having regard to policies CP11, DM25 and DM34 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

21. All ecological measures and/or works shall be carried out in accordance with the details contained in [?specify relevant landscape/ecological document(s)?] and [?dated?] as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, and to provide a net gain for biodiversity as required by paragraphs 174 and 180 of the National Planning Policy Framework, Section 40 of the Natural Environment and Rural Communities Act 2006, Policy DM24 of the Lewes Local Plan Part 1 and Core Policy 10 of the Lewes Local Plan.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without



unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DM21 of the Lewes District Local Plan and the National Planning Policy Framework.

23. The access shall not be used until visibility splays of 2.4m by 43m in both directions are provided and maintained thereafter.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

### 10.3 Informatives:

1. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: [southernwater.co.uk](http://southernwater.co.uk) or by email at: [SouthernWaterPlanning@southernwater.co.uk](mailto:SouthernWaterPlanning@southernwater.co.uk).
2. This Authority's requirements associated with this development proposal will need to be secured through a Section 106/278 Legal Agreement between the applicant and East Sussex County Council.

## 11. **Background Papers**

- 11.1 None.

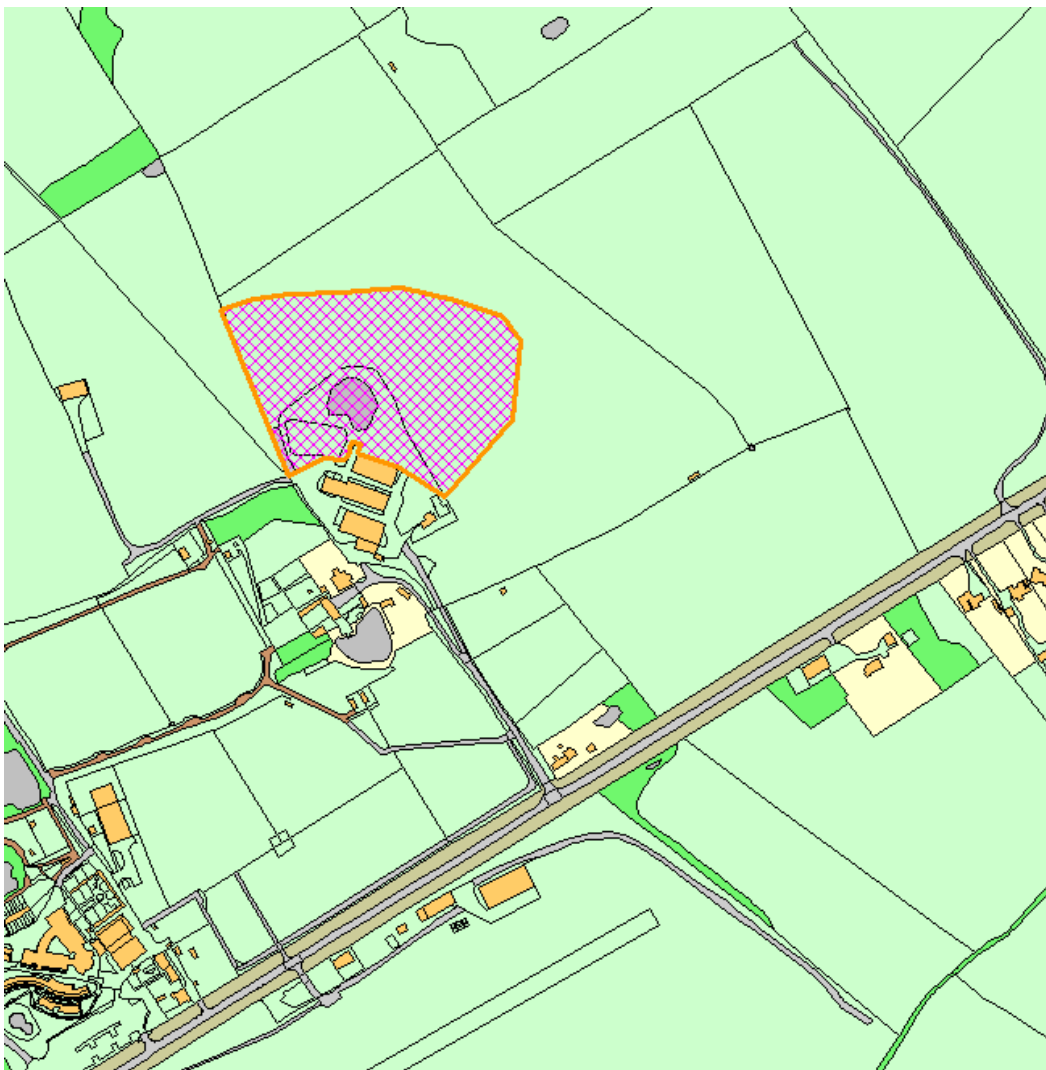
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# Agenda Item 10

**Report to:** Planning Applications Committee  
**Date:** 8 June 2022  
**Application No:** LW/20/0485  
**Location:** Upper Lodge Farm, The Broyle, Ringmer, East Sussex, BN8 5AP  
**Proposal:** Amended scheme - Replacement of existing farmyard manure store with an upgraded facility, repair and upgrade of existing slurry lagoon, with reduction in size and associated earth engineering works.  
**Applicant:** Mr Farnes  
**Ward:** Ouse Valley & Ringmer  
**Recommendation:** Grant Planning Permission.  
**Contact Officer:** **Name:** Julie Cattell  
**E-mail:** [julie.cattell@lewes-eastbourne.gov.uk](mailto:julie.cattell@lewes-eastbourne.gov.uk)

**IMPORTANT NOTE: This scheme is CIL Liable.**

**Map Location:**



## 1. **Executive Summary**

- 1.1 This application has been amended for the second time since originally submitted, and follows a deferral from the 6<sup>th</sup> of October 2021, when members instructed officers to seek a reduction in the size of the slurry lagoon. The applicant has done this and has also amended the access point for construction traffic.
- 1.2 The report that was considered on 6<sup>th</sup> October 2021 is attached as an appendix. This is a fresh report in the interest of clarity,
- 1.3 The proposed development is considered to be acceptable as amended and necessary for the future operation of the farm.
- 1.4 Approval is recommended, subject to conditions.

## 2. **Relevant Planning Policies**

### 2.1 **National Planning Policy Framework**

- Conserving and enhancing the natural environment

### 2.2 **ESCC Waste and Minerals Plan (2013)**

- **Waste hierarchy (WMP3),**
- **Location (WMP7),**
- **General Amenity (WMP25)**
- **Traffic Impacts (WMP 26)**

### 2.3 **Lewes District Local Plan**

- LDLP: – CP10 – Natural Environment & Landscape
- LDLP: – DM24 – Protection of Biodiversity and Geodiversity
- LDLP:- DM27 - Landscape Design
- LDLP:- DM35 – Footpath, Cycle and Bridleway Network

### 2.4 **East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan**

- WMP3a: - Promoting waste prevention, re-use and waste awareness
- WMP6: - Safeguarding existing waste management facilities
- WMP25: - General amenity
- WMP26: - Traffic impacts

### 2.5 **Ringmer Neighbourhood Plan**

No policies relevant to this proposal

## 3. **Site Description**

- 3.1 The application site is located on the north-west side of The Broyle (B2192), outside of the planning boundary, and comprises a long-established dairy farm of approximately 100 acres, with a herd of 75 on site.

- 3.2 The site is accessed by a road leading from The Broyle, terminating at a complex of barns/cowsheds and an agricultural dwelling. The road has a branch approximately halfway along its length serving a separate dwelling, formerly the farmhouse for Upper Lodge, and a small complex of workshops/studios and holiday accommodation. Immediately to the north-east is a pair of cottages, also formerly associated with the original farm. To the south-east is the Raystede Centre for Animal Welfare, and on the opposite side of the B2192, also to the south-east, is the East Sussex Gliding Club.
- 3.3 The area to which the application relates is located beyond the farmyard and barns and covers an area of approximately 21,840m<sup>2</sup> (2ha). It currently comprises a lagoon for the storage of slurry; a farmyard manure store (FYM), an area of hard standing currently with stacked wrapped baled waste (awaiting removal), surrounded by a grassland field. The area around the FYM and slurry lagoon is surrounded by earth bunding, covered with self seeded wild plants. The existing slurry lagoon has a capacity of 2,300m<sup>3</sup>, which allows for a freeboard of 750mm to accommodate major rainfall events.
- 3.4 The FYM store comprises a repurposed former sand school, which does meet the specification to serve its need. The slurry lagoon, whilst having been built to house slurry generated from the site, is not sufficiently large enough to cope with the farm's slurry storage requirement. Due to the position of the two stores, in close proximity to one another at the bottom of a gently sloped farmyard, the farm has an ongoing issue with water run-off flowing into the FYM store and beyond into the lower lying field pasture.
- 3.5 The site is located in the Low Weald, which is characterised by strong field patterns, mainly pastoral farming supported by clay soil. The area surrounding the farm is relatively flat, with defined wooded areas, shaws and hedgerows which form the strong field pattern. The South Downs escarpment slopes are discernible to the south (8km away) and south west (6km away) although fairly distant. The site falls within a SSSI Impact Zone. The access road is shared with Public Footpath number 26, before it crosses onto the farmland beyond towards the north-east, passing alongside the existing FYM and slurry lagoon.

#### 4. **Proposed Development**

- 4.1 This proposal is the second amendment of the scheme as originally submitted and follows a deferral from 6<sup>th</sup> October as noted above.
- 4.2 To re-cap, it is proposed to renew/upgrade the existing slurry lagoon and the existing FYM store essentially on their existing footprints. The proposal also includes an area of earthworks and landscaping surrounding these installations to the north, east and south. The existing topsoil will be removed and stored to be used to dress the outside and top of the new landscaped area. The landscaping scheme has been amended in order to reduce the amount of imported materials onto the site and thus the number of lorry movements
- 4.3 The existing lagoon will be drained and extensively repaired, and the banks will be raised and graded to ensure there is the necessary and required

750mm freeboard allowance to accommodate major rainfall events. The revised sections submitted with the application show the changes to the levels around the lagoon. In order for the development to blend into its existing agricultural surroundings, a gentle bank will be formed to gradually slope downwards back towards the existing site datum level and completed with the original topsoil. These earthworks follow the existing site contours and will be planted with new wildflowers, pollen rich grass seed mixes and indigenous mixed planting scheme, to contribute to the scheme's biodiversity net gain.

- 4.4 The new FYM will be a clay lined, earth banked, horseshoe shaped storage area on the same site as the existing. All water will be captured by the impermeable base and will be pumped out and spread over the surrounding fields. FYM from the cattle housing buildings will be loaded into a trailer and then driven direct to the store and tipped straight into it.
- 4.5 As noted above, the landscaping scheme has been reduced in size and scale in order to reduce the volume of imported materials from 23,387m<sup>3</sup> to 19,906m<sup>3</sup> and lorry movements reduced from 2,300 to 1,990. The volume of the existing lagoon is 2,222m<sup>3</sup>, which will be reduced to 2,085m<sup>3</sup> upon completion of the works, including contingencies, the works are expected to take 5 months; this translates to 60 lorry movements per day. Hours of deliveries and work on site have been reduced to 08:00-16:00 and not at all on Saturdays.
- 4.6 The applicant has also agreed to use an alternative access point and internal route further to the north-east of the current access to minimise disruption to immediately neighbouring properties. Also submitted are plans showing the routes that will be taken by the lorries delivering the material to the site. Only in-ward bound loads will be routed through Ringmer.

## 5. **Relevant Planning History**

- 5.1 LW/93/0103 - Steel framed agricultural building milking parlour and covered yard – Approved 26 May 1993.
- 5.2 LW/94/1623 - Erection of a detached agricultural dwelling – Approved 16 November 1995.
- 5.3 LW/96/1020 - Fireworks Storage Compound – Approved 2 September 1996
- 5.4 LW/97/0774 - Section 73 A Retrospective application for the retention of widened field gateway (7.5m) accessing onto The Broyle – Approved 6 December 1997.
- 5.5 LW/97/1517 - Change of use of cow shed and tank room to storage and sale of horse feeds – Approved 26 January 1998.
- 5.6 LW/01/0796 - Erection of an agricultural building for cattle - Approved – 21 June 2001.
- 5.7 LW/04/0430 - Extension to cattle building – Approved 28 April 2004.
- 5.8 LW/06/0461 - Erection of a licensed secure fireworks storage compound, access track and screening bund – Refused 26 May 2006
- 5.9 APP/G1440/C/17/3185589 – Appeal against Enforcement Notice from ESCC in respect of unauthorised change of use of land from agricultural to the use

of land for the importation, deposit, storage and processing of waste UPVC window frames and component parts – Dismissed 22 November 2018.

## **6. Consultations**

### **6.1 Environmental Health**

- 6.1.1 No comments received on original or first amended application.
- 6.1.2 I have no objection in relation to land contamination. However following informative recommended:
- 6.1.3 All waste material arising from any site clearance, demolition, preparation and construction activities at the site should be stored, removed from the site and disposed of in an appropriate manner.
- 6.1.4 The applicant is hereby reminded of the Control of Asbestos Regulations 2012 when carrying out demolition and other works associated with the development hereby permitted. For more information please visit <http://www.hse.gov.uk/Asbestos/regulations.htm>

### **6.2 Environment Agency**

- 6.2.1 Comments on second amended application
- 6.2.2 We have no objection to the proposal as submitted. The existing slurry lagoon and manure store was constructed before the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991, (as amended), ('SSAFO') came into effect and, consequently, are not presently required to meet those standards.

### **6.3 Natural England**

- 6.3.1 Comments on second amended application
- 6.3.2 Natural England has previously commented on this proposal and made comments to the authority in our letter dated 3<sup>rd</sup> September 2020 (our ref: 325710).
- 6.3.3 The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

### **6.4 ESCC Waste and Minerals**

- 6.4.1 No comments received on either amended application, original comments still applicable - see previous report attached as appendix.

### **6.5 ESCC Landscape Architect**

- 6.5.1 Comments on second amended application
- 6.5.2 It is recommended that the proposed development can be supported imposition of landscape conditions as outlined below
- 6.5.3 The site and immediate surroundings would not be considered valued landscape in the context of the NPPF. The application is supported by a Landscape and Visual Impact Assessment (LVIA), hla June 2020. The LVIA provides a fair and accurate assessment

of the baseline landscape and visual context for the site and surrounding area.

- 6.5.4 The proposed development site is a large and open agricultural field which lacks distinctive or historic landscape features. The open character of the area would make it visually sensitive as there are potentially long views across the area towards the site. The proposal would offer an opportunity to upgrade the poor landscape and visual quality of the existing farmyard and lagoon area. The proposed bund would help to screen the farmyard and associated buildings from the wider countryside.
- 6.5.5 The importation of soils to create the new landform would cause disturbance for a temporary period during the construction. The proposed contoured mounding and associated planting would help to integrate the proposed manure store and slurry lagoon into the local landscape.
- 6.5.6 It is not clear on cross section 2 how the proposed bund would tie on to the existing levels as the section does not extend to the edge of the site. A steep bank would be created here which would appear as an artificial engineered feature when viewed from the footpath. A reduction in the overall height of the filled area would allow for the bank on this boundary to be graded out to a more natural slope. The existing hedge on this boundary could be adversely affected if the root protection area is impacted by the works. If that is the case the edge of the filled area would need to be pulled back from this boundary and the hedge protected during construction.
- 6.5.7 The email from the agent dated February 2022 suggests that an alternative access would be created crossing adjacent fields. The CEMP needs to be updated to ensure the local environment is protected during construction of this access. This should include details of how the track will be constructed. It is not clear whether the proposed access would use existing access points to the fields or whether it would impact on trees and hedges. This needs to be clarified. The CEMP also needs to set out protection measures for the hedge on the western boundary of the site.
- 6.5.8 It is recommended that the proposed development can be supported subject to the imposition of landscape conditions as follows:
  - a) The full implementation of the proposed landscape mitigation measures as outlined in the LVIA. In addition, it is recommended that tree and understorey planting is required on the bank on the western



boundary between the public footpath and the manure store, as this would help to mitigate for impacts on views from the footpath.

b) A detailed specification for the proposed planting and wildflower seeding.

c) A long-term management plan to ensure the successful establishment of the planting and wildflower seeding.

d) Temporary access tracks are removed on completion of the works and the ground restored to its original state.

e) Trees and hedges are protected during construction and reinstated if removed or damaged.

## **6.6 Agricultural Advisor**

6.6.1 Not consulted on second amended application as Advisor supports the proposal in principle – see previous report attached as appendix.

## **6.7 Ringmer Parish Council**

6.7.1 Comments on second amended application:

6.7.2 Due to increased traffic movement within the village, damage to road surfaces and that the lagoon is still unnecessarily large/disproportionate for the site.

## **6.8 Laughton Parish Council**

6.8.1 Comments on second amended application

6.8.2 LPC Would like to raise concerns with regard to the increased traffic, specifically a very large number of HGV loads, which would result is this planning application were to be approved. We note that the applicant has undertaken to avoid routing HGVs via Ringmer, and has stated that instead it will endeavour to route the lorries through the villages to the north and east of the site, namely Laughton and Halland. The proposed number of traffic movements (we understand that 30-40 deliveries per day are anticipated, which would mean 60-80 lorry journeys) through Laughton would impose and unfair burden on the village and would have an adverse impact on local residents, particularly if any of the minor roads were to be used to cut through to Upper Lodge (for example Shortgate Lane). If approval if granted we would ask that there be conditions attached, including that a suitable route be agreed to avoid the minor roads through Laughton.

## **7. Neighbour Representations**

7.1 Representations in respect of the second amended application only:

7.2 Objections received from 20 residents on the following summarised grounds:

- Residents of Laughton haven't been consulted on the proposal to re-route the lorries, which would result in an unfair burden of noise and

disruption on the village, damage to roads, endangering pedestrians and cyclists.

- Appreciate changes to the application, but concerned that the lagoon will be used for purposes other than slurry from the farm – can it be conditioned for farm use only? Still questions size of the lagoon as there is only a small herd on site, scheme should be re-designed to take this into account.
- Scale of earthworks proposed is over-engineered, will use far more lorry loads than is actually needed – this has been backed up by two expert engineers in the field, concerned that agent would not share landscape architect's original CAD files with objectors, no meaningful reduction in lorry loads and additional impact on Laughton.
- Questions why rubble should be brought onto a farm.
- There will be an adverse impact on the businesses that are located on the adjacent site. The alternative scheme produced by Reading Agricultural Consultants would require less landscaping and fewer lorry movements.

7.3 An opinion from Reading Agricultural Consultants was commissioned by a nearby resident (who has also submitted an objection), which suggests that there is no 'practical or aesthetic' purpose to the landscape scheme and that the amount of material to be brought onto the site could be reduced. Also questions the design of the landscape scheme in relation to the NPPF. Evidence should be sought from agent that the current lagoon is not suitable for repair rather than re-configured. Suggests that another design approach would reduce the number of lorry loads.

## 8. **Appraisal**

### 8.1 **Key Considerations**

8.1.1 The main considerations are i) the need for the proposed FYM store and the upgraded slurry lagoon; b) the impact of the works required to implement the FYM store and upgraded slurry lagoon and landscaping on the surrounding area and c) measures to mitigate the impact of the proposal.

### 8.2 **Principle**

8.2.1 The existing slurry lagoon and FYM are not fit for purpose and the current needs of the farm. The works will need to meet the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991, (as amended), ('SSAFO'), as they do not currently meet the standards set out in these regulations.

8.2.2 The District Council's Agricultural Advisor has confirmed that "...it is essential for the agricultural business that the replacement of the existing farmyard manure store and the repair of the existing slurry store is undertaken as soon as possible".

8.2.3 It is therefore considered that due to the need of the farm enterprise, confirmed by the EA, that the principle of the development is acceptable.

### **8.3 Landscaping**

- 8.3.1 The application was supported by a comprehensive Landscape and Visual Impact Assessment, upon which the County Landscape Architect has commented and found to be satisfactory, subject to conditions.
- 8.3.2 Also submitted was a Preliminary Ecological Appraisal (PEA) to assess the various habitats on the site as well as to ensure there are no protected species that may be impacted as a result of the development.
- 8.3.3 Various recommendations have been made to enhance the site for biodiversity in accordance with NPPF, which predominantly focus on generous native and nectar rich planting, installation of bird boxes and enhancements for hedgehogs.
- 8.3.4 Additional recommendations and biodiversity enhancements have also been made to reduce the indirect impacts that the development may have on surrounding flora and fauna given its position within a 500m buffer zone of ancient woodland and a nearby SSSI.
- 8.3.5 Again, these measures can be secured by condition.

### **8.4 Transport and Traffic**

- 8.4.1 The proposal in and of itself, will have no additional traffic and transport impacts. For this reason, ESCC Highways Team was not consulted.
- 8.4.2 It should be noted that the number of lorry movements have been reduced and that the point of access to the site has been amended to reduce the impact on residential properties adjoining the main access and that routeing through Ringmer will be minimised to inward bound only.
- 8.4.3 The works will take approximately 5 months (including any contingencies), during which it is anticipated that there will be an average of 60 lorry movements to and from the site. In this respect it is similar to what would be expected from any major construction project.
- 8.4.4 It is standard practice to secure a Construction Environment Management Plan (CEMP) by condition. However, in this case, the applicant has now submitted a Plan in advance of the determination of the application in order to address the understandable concerns raised in the representations. Adherence to the CEMP can be controlled by condition. Matters covered in the CEMP include:
- Site Working Hours & Delivery schedule
  - Public engagement.
  - Site security.
  - Vehicle routing and site access.
  - Site Car Parking, Plant and Equipment.
  - Road Cleaning Regime and Wheel Washing Facilities.

- Remediation

## 8.5 Waste Local Plan

- 8.5.1 As the proposal involves alterations to an existing waste management facility, it falls also to be considered against the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan, adopted in 2013.
- 8.5.2 The waste products involved in the operations – e.g., slurry and manure – will be used to fertilise the surrounding farmland owned by the applicant. In this respect the proposal complies with the principles of policy WMP3a.
- 8.5.3 The improvements to the slurry lagoon and FYM store will safeguard the facility in compliance with policy WMP6.
- 8.5.4 The construction works required to improve and upgrade the facility will inevitably involve some disturbance to the nearby and wider residents due to the lorry movements that will be generated. The CEMP that has been submitted with the application covers all aspects of amenity and traffic – see section 8.4 above. It is considered that there will be no conflict with policies WMP25 and WMP26.

## 8.6 Comments on objections

- 8.6.1 The majority of the objections are based on concerns about the impact of the number of lorry movements to and from the site for the duration of the works, rather than the impact of the completed scheme.
- 8.6.2 The measures set out in the CEMP and the recommended conditions will restrict timing of the lorry movements and the routes to and from the site. However, to refuse the application on what is an essential part of the construction process, would be unreasonable and unlikely to be sustained at appeal.
- 8.6.3 It should be noted in respect of lorry movements that an appeal against refusal of an application that involved importation of materials to the East Sussex Gliding Club, located close to this application site, was allowed by the Planning Inspectorate. In coming to his decision, the Inspector stated: *'I conclude that the development would not cause unacceptable harm to the living conditions of the residents of the area as a consequence of either HGVs using the local highway network or the on-site works. There would therefore be no conflict with saved Policy ST3 of the Lewes District Local Plan of 2003 and paragraph 17 (the fourth core planning principle) of the National Planning Policy Framework. That is because the development would be respectful of the amenities (living conditions) of residents of the area because the works would not give rise to undue noise disturbance.'* The Inspector also awarded costs against the council. (Application ref. LW/16/0775, appeal reference APP/P1425/W/31721.)
- 8.6.4 Comments questioning the justification and need for the works are noted. However, there is a requirement for the applicant to comply

with Environmental legislation, and both the EA and the Council's Agricultural Advisor have accepted the need for the development.

- 8.6.5 The application has been considered on its planning merits only. Comments that the proposal is a 'land raise' project, designed to take on hardcore from one specific operator are based on speculation, which together with those comments about the applicant and his motives, are not planning matters and cannot be taken into consideration.
- 8.6.6 It has not been proposed to import any "waste". Works will be carried out under the CL:aire direct transfer protocol meaning the use of confirmed and verified 'non-waste' material. This is fully supported by the EA regulatory position statement (RPS) 91.
- 8.6.7 In response to the questions as to whether the scale of landscaping is necessary, the applicant's agent has confirmed that it is to assist with landscape assimilation and to provide an enhancement to the weak existing landscape. Also, that the civil engineers who would undertake these works could not guarantee any work using the existing lagoon as a foundation, as previously stated and confirmed by the EA and ESCC the lagoon is already leaking, suggesting firstly, that the material is not suitable and, secondly, the construction of the existing structure is questionable. It is likely that there is a lack of key trenches and proper compaction with this in mind, with using the existing lagoon as a foundation, the contractors could not guarantee an EA compliant structure post completion and therefore it would be irresponsible and far from best practice to use the existing lagoon as a foundation and which may result in a lagoon which does not serve purpose and comply with current EA regulations.

## **8.7 Conclusions**

- 8.7.1 Since the application was originally submitted in 2020, the applicant and his agent have made a number of changes to the scheme in order to address as far as practicable, objections raised by local residents.
- 8.7.2 The proposed wastewater lagoon has been removed, the landscaping scheme has been amended to reduce the amount of imported material to be brought onto the site, the point of access has been moved further away to reduce impact on properties immediately adjacent to the farm access, hours of deliveries have been reduced, with none at all at weekends, and lorry routes provided to reduce impact on Ringmer.
- 8.7.3 It is considered that these changes are sufficient to address where possible the concerns and objections. Approval is recommended.

## **9. Human Rights Implications**

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and

furthermore, the proposals will not result in any breach of the Equalities Act 2010.

## 10. Recommendation

10.1 In view of the above the proposed development is considered to be acceptable and approval is recommended subject to conditions.

## 10.2 Conditions

- The development hereby permitted shall be carried out in accordance with the following approved drawings:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Additional Documents	16 July 2021	CEMP
Planning Statement/Brief	24 March 2021	Planning Statement
Proposed Layout Plan	24 March 2021	Layout Plan 020321_001
Location Plan	28 July 2020	Location Plan 020320_003C
Proposed Section(s)	1 February 2022	Sections 020322_002D
Proposed Section(s)	1 February 2022	020320_006D
Additional Documents	25 May 2021	Landscape & Visual Impact Assessment
Additional Documents	28 July 2020	L VIA Appendix 1
Additional Documents	28 July 2020	L VIA Appendix 2
Additional Documents	28 July 2020	L VIA Appendix 3
Additional Documents	28 July 2020	L VIA Appendix 4
Additional Documents	16 July 2021	Environment Impact Assessment Screening Matrix
Landscaping	24 March 2021	hla 381 01A
Landscaping	24 March 2021	hla 381 02A

Landscaping	24 March 2021	hla 381 02A (with lagoon edge)
Technical Report	28 July 2020	Preliminary Ecological Appraisal Report
Proposed Layout Plan	11 May 2022	Revised site access
Location Plan	11 May 2022	Delivery Routes 1
Location Plan	11 May 2022	Delivery Routes 2
Additional Documents	2 December 2020	Agricultural Justification Statement

Reason: For the avoidance of doubt and in the interests of proper planning

2. The development hereby approved shall not be commenced until a planting scheme for the landscaped area has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
  - a) written specifications (including cultivation and other operations associated with plant and grass establishment:
  - b) schedules of plants noting species, planting sizes and proposed numbers/densities where appropriate.
  - c) A long-term management plan to ensure the successful establishment of the planting and wildflower seeding

All temporary access tracks shall be removed on completion of the works and the ground restored to its original state.

All existing trees and hedges shall be protected during construction and reinstated if removed or damaged.

The planting scheme shall be implemented during the first planting season following the substantial completion of the development hereby approved.

Reason: To ensure landscape planting and its establishment in order to blend with the existing landscape in the interests of visual amenity having regard to policies CP10 and DM27 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework

3. The development hereby approved shall not be commenced until details of a scheme of biodiversity enhancements has been submitted to and approved in writing by the Local Planning Authority, in accordance with the Preliminary Ecological Appraisal Report produced by Corylus Ecology.

Reason: To improve and enhance the biodiversity of the site having regard to policy DM24 of the Lewes District Local Plan and to comply

with National Policy Guidance contained in the National Planning Policy Framework

4. The development hereby approved shall be carried in broad accordance with the Landscape Plan drawing hla 381 01A. The planting scheme approved by condition 2 shall not be carried out until details of the finished levels of the landscaped area have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure landscape planting and its establishment in order to blend with the existing landscape in the interests of visual amenity having regard to policies CP10 and DM27 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

5. The works hereby approved shall be carried out with strict adherence to the Construction Environmental Management Plan submitted on 16<sup>th</sup> July 2021 and amended. Any amendment to the CEMP shall be agreed in writing with the Local Planning Authority

Reason: In the interests of highway safety and the amenities of the area.

6. No noise producing construction audible outside the boundary of the site, shall take place outside the hours of 8:00 to 16:30 Monday to Friday and 09:00 to 13:00 on Saturdays, with no working on Sundays or Bank Holidays

Reason: In the interests of the amenities of the area, having regard to guidance within the National Planning Policy Framework.

7. Deliveries to site shall be limited to 30 maximum inbound movements per day, with an expected daily average of between 25 and 30. Deliveries will only take place between the hours of 08:00 and 18:00 Monday to Friday. No deliveries will be made to site on Saturdays, Sundays or bank holidays.

Reason: In the interests of the amenities of the area, having regard to guidance within the National Planning Policy Framework.

8. No material shall be imported to within the development site until the developer has submitted details of the assessment of the imported material which demonstrates the suitability of the material for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the amenities of the area, having regard to guidance within the National Planning Policy Framework.

## 11. **Appendices**

- 11.1 Appendix A – Original report (*planning application LW/20/0485*) to the Lewes District Council Planning Applications Committee on 6 October 2021.



12. **Background Papers**

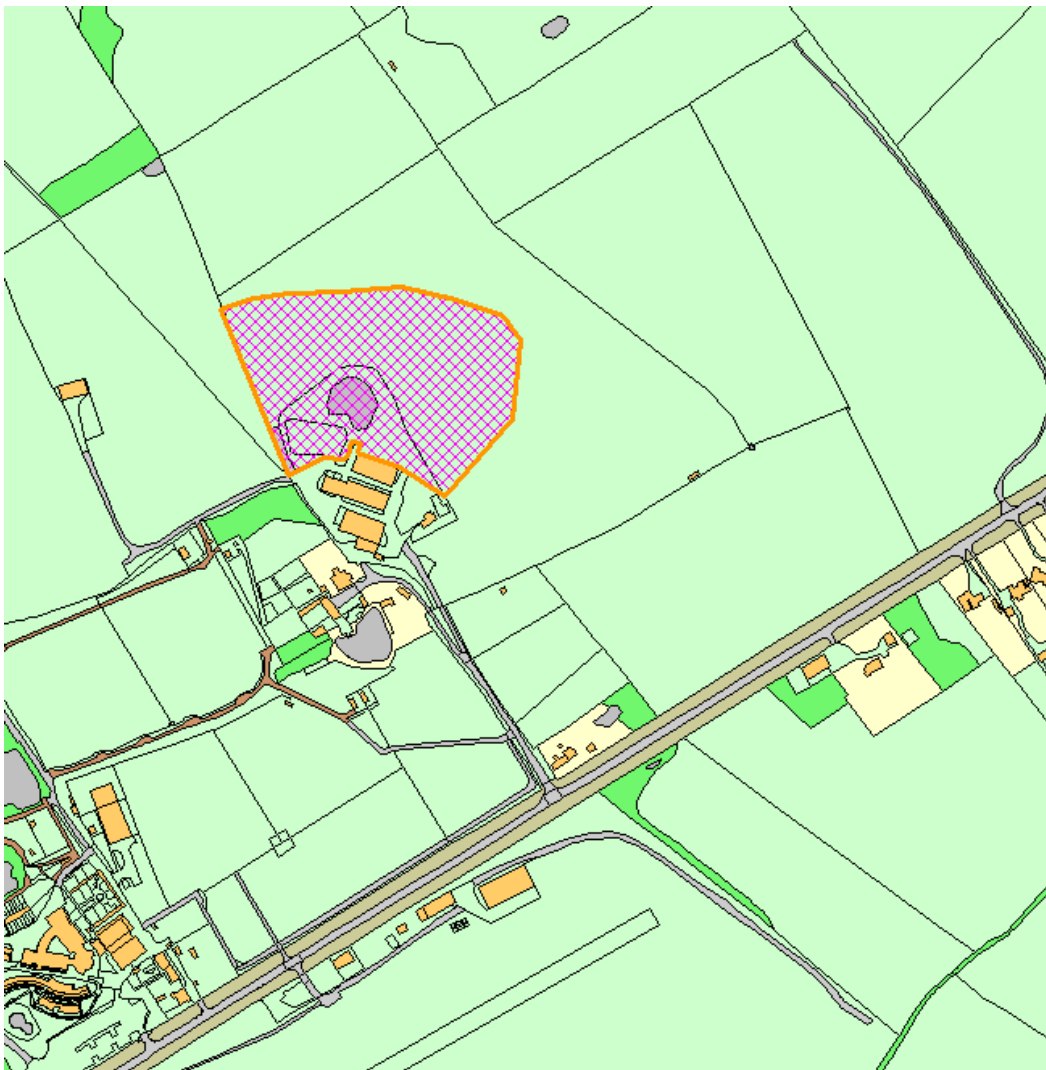
12.1 None.

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**Report to:** Planning Applications Committee  
**Date:** 6 October 2021  
**Application No:** LW/20/0485  
**Location:** Upper Lodge Farm, The Broyle, Ringmer, East Sussex, BN8 5AP  
**Proposal:** Amended scheme - Replacement of existing farmyard manure store with an upgraded facility, repair and upgrade of existing slurry lagoon and associated earth engineering works.  
**Applicant:** Mr Farnes  
**Ward:** Ouse Valley & Ringmer  
**Recommendation:** Grant Planning Permission.  
**Contact Officer:** **Name:** Julie Cattell  
**E-mail:** [julie.cattell@lewes-eastbourne.gov.uk](mailto:julie.cattell@lewes-eastbourne.gov.uk)

**IMPORTANT NOTE: This scheme is CIL Liable.**

**Map Location:**



### 1. **Executive Summary**

1.1 The proposed development is considered to be acceptable and necessary for the future operation of the farm.

1.2 Approval is recommended, subject to conditions.

### 2. **Relevant Planning Policies**

#### 2.1 National Planning Policy Framework

- Conserving and enhancing the natural environment

#### 2.2 ESCC Waste and Minerals Plan (2013)

- Waste hierarchy (WMP3),
- Location (WMP7),
- General Amenity (WMP25)
- Traffic Impacts (WMP 26)

#### 2.3 Lewes District Local Plan

- LDLP: – CP10 – Natural Environment & Landscape
- LDLP: – DM24 – Protection of Biodiversity and Geodiversity
- LDLP:- DM27 - Landscape Design
- LDLP:- DM35 – Footpath, Cycle and Bridleway Network

#### 2.4 East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan

- WMP3a: - Promoting waste prevention, re-use and waste awareness
- WMP6: - Safeguarding existing waste management facilities
- WMP25: - General amenity
- WMP26: - Traffic impacts

#### 2.5 Ringmer Neighbourhood Plan

No policies relevant to this proposal

### 3. **Site Description**

3.1 The application site is located on the north-west side of The Broyle (B2192), outside of the planning boundary, and comprises a long-established dairy farm of approximately 100 acres, with a herd of 75 on site.

3.2 The site is accessed by a road leading from The Broyle, terminating at a complex of barns/cowsheds and an agricultural dwelling. The road has a branch approximately halfway along its length serving a separate dwelling, formerly the farmhouse for Upper Lodge, and a small complex of workshops/studios and holiday accommodation. Immediately to the north-east is a pair of cottages, also formerly associated with the original farm. To

the south-east is the Raystede Centre for Animal Welfare, and on the opposite side of the B2192, also to the south-east, is the East Sussex Gliding Club.

- 3.3 The area to which the application relates is located beyond the farmyard and barns and covers an area of approximately 21,840m<sup>2</sup> (2ha). It currently comprises a lagoon for the storage of slurry; a farmyard manure store (FYM), an area of hard standing currently with stacked wrapped baled waste (awaiting removal), surrounded by a grassland field. The area around the FYM and slurry lagoon is surrounded by earth bunding, covered with self seeded wild plants. The existing slurry lagoon has a capacity of 2,300m<sup>3</sup>, which allows for a freeboard of 750mm to accommodate major rainfall events.
- 3.4 The FYM store comprises a repurposed former sand school, which does meet the specification to serve its need. The slurry lagoon, whilst having been built to house slurry generated from the site, is not sufficiently large enough to cope with the farm's slurry storage requirement. Due to the position of the two stores, in close proximity to one another at the bottom of a gently sloped farmyard, the farm has an ongoing issue with water run-off flowing into the FYM store and beyond into the lower lying field pasture.
- 3.5 The site is located in the Low Weald, which is characterised by strong field patterns, mainly pastoral farming supported by clay soil. The area surrounding the farm is relatively flat, with defined wooded areas, shaws and hedgerows which form the strong field pattern. The South Downs escarpment slopes are discernible to the south (8km away) and south west (6km away) although fairly distant. The site falls within a SSSI Impact Zone. The access road is shared with Public Footpath number 26, before it crosses onto the farmland beyond towards the north-east, passing alongside the existing FYM and slurry lagoon.

#### 4. **Proposed Development**

- 4.1 The application seeks full planning permission to upgrade the existing slurry lagoon and the existing FYM store essentially on their existing footprints. The proposal also includes an area of earthworks and landscaping surrounding these installations to the north, east and south. The existing topsoil will be removed and stored to be used to dress the outside and top of the new landscaped area.
- 4.2 The existing lagoon will be repaired, and the banks will be raised and graded to ensure there is the necessary and required 750mm freeboard allowance to accommodate major rainfall events. The sections submitted with the application show the changes to the levels around the lagoon. In order for the development to blend into its existing agricultural surroundings, a gentle bank will be formed to gradually slope downwards back towards the existing site datum level and completed with the original topsoil. These earthworks follow the existing site contours and will be planted with new wildflowers, pollen rich grass seed mixes and indigenous mixed planting scheme, to contribute to the scheme's biodiversity net gain.
- 4.3 The new FYM will be a clay lined, earth banked, horseshoe shaped storage area on the same site as the existing. All water will be captured by the

impermeable base and will be pumped out and spread over the surrounding fields. FYM from the cattle housing buildings will be loaded into a trailer and then driven direct to the store and tipped straight into it.

- 4.4 Approximately 23,387m<sup>3</sup> of imported material will be required to facilitate the repair and reconstruction of the slurry lagoon and FYM store. This will equate to approximately 2,300 lorry loads to the site. It is envisaged that the site could accommodate 30-40 deliveries per day, being 60-80 movements to and from the site.

### 5. **Relevant Planning History**

- 5.1 LW/93/0103 - Steel framed agricultural building milking parlour and covered yard – Approved 26 May 1993.
- 5.2 LW/94/1623 - Erection of a detached agricultural dwelling – Approved 16 November 1995.
- 5.3 LW/96/1020 - Fireworks Storage Compound – Approved 2 September 1996
- 5.4 LW/97/0774 - Section 73 A Retrospective application for the retention of widened field gateway (7.5m) accessing onto The Broyle – Approved 6 December 1997.
- 5.5 LW/97/1517 - Change of use of cow shed and tank room to storage and sale of horse feeds – Approved 26 January 1998.
- 5.6 LW/01/0796 - Erection of an agricultural building for cattle - Approved – 21 June 2001.
- 5.7 LW/04/0430 - Extension to cattle building – Approved 28 April 2004.
- 5.8 LW/06/0461 - Erection of a licensed secure fireworks storage compound, access track and screening bund – Refused 26 May 2006
- 5.9 APP/G1440/C/17/3185589 – Appeal against Enforcement Notice from ESCC in respect of unauthorised change of use of land from agricultural to the use of land for the importation, deposit, storage and processing of waste UPVC window frames and component parts – Dismissed 22 November 2018.

### 6. **Consultations**

#### 6.1 Environmental Health

- 6.1.1 No response received in respect of original or amended application.

#### 6.2 Environment Agency

- 6.2.1 Comments on original application:
- 6.2.2 We have no objection to the proposal as submitted.
- 6.2.3 These proposals seek to improve and extend the, currently inadequate, manure, slurry and water sludge storage arrangements at Upper Lodge Farm. The present storage is below the capacity required to meet current regulatory standards and is also leading to a mixing of different wastes. The proposal is to separate the various wastes, thereby not only meeting legal requirements but also ensuring that these wastes can be used for agricultural benefit across the farm.

- 6.2.4 The scheme will be constructed to meet the standards contained in The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations (known as the 'SSAFO' regulations) and will ensure that the risk of pollution from these stored materials is minimised.
- 6.2.5 Comments on amended application:
- 6.2.6 We have no objection to the proposal as submitted.
- 6.2.7 These proposals seek to improve and extend the manure and slurry storage arrangements at Upper Lodge Farm. It is noted that references to the additional storage of water clarification sludge have been removed from the amended application.
- 6.2.8 The existing slurry lagoon and manure store was constructed before the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991, (as amended), ('SSAFO') came into effect and, consequently, are not presently required to meet those standards.
- 6.3 Natural England
- 6.3.1 Comments on original application:
- 6.3.2 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 6.3.3 Comments on amended application:
- 6.3.4 Natural England has previously commented on this proposal and made comments to the authority in our letter dated 3<sup>rd</sup> September 2020 (our ref: 325710).
- 6.3.5 The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.
- 6.4 ESCC Waste and Minerals
- 6.4.1 Comments on original application:
- 6.4.2 Firstly, the statement accompanying the planning application is somewhat misleading in respect of discussions held between officers from this Authority and the applicant (paragraph 2.6). It should be pointed out that the discussions which took place related to proposals to (1) repair the existing lagoon; and (2) raise the levels of the fields adjacent to the slurry lagoon, for the benefit of agriculture. During the conversations, there was no mention of a second, new lagoon. Consequently, any reference to previous discussions with ESCC should be taken in the context of this and not as being in relation to the current proposal as submitted.
- 6.4.3 In respect of the proposal itself, as you will no doubt be aware, the Waste and Minerals Plan (2013) forms part of the Development Plan, and therefore should be taken into account when this proposal is considered. As the determining authority, it will be for LDC to decide which policies are most relevant. However, matters relating to the waste hierarchy (WMP3), location (WMP7), general amenity

(including residential and use of the public right of way) (WMP25) and traffic impacts (WMP 26) should be considered. This response has not looked at the agricultural need/merits of the proposal, as it is for LDC to be satisfied in this respect.

- 6.4.4 The proposal has the potential to significantly impact on local residents and users of the public right of way, particularly during construction but also the subsequent operation of the development. If LDC is minded to grant planning permission, it is strongly recommended that conditions limiting the number of lorry movements and hours of deliveries are imposed. Such conditions should apply to both the construction phase of the development and the subsequent operation.
- 6.4.5 With regard to the volume of material to be imported to facilitate the repair/reconstruction of the slurry lagoon, FYM store and the construction of the new lagoon, a figure of 20,750 cubic metres is provided (paragraph 9.4) and that this will involve approximately 2,080 lorry loads (paragraph 9.5). This therefore suggests that lorries delivering the material will be carrying under 10 cubic metres per load. Generally, the lorries that transport the nature of material that will be used carry between 12 and 15 cubic metres. The proposal, therefore, based on the number of lorry movements could potentially involve 24,000 – 31,200 cubic metres of material.
- 6.4.6 Again, if LDC is minded to grant planning permission, it is recommended that further conditions relating to the nature of the material imported (both for the construction and operation) be controlled, as well as requiring the provision of marker posts and profile boards to delineate the tipping area.
- 6.4.7 You may also wish to consider a condition requiring a topographical survey to be undertaken and submitted to the LPA three months after repair/construction of the lagoons and FYM store has been completed. This will enable the LPA to check that there hasn't been over tipping.
- 6.4.8 Comments on amended application:
- 6.4.9 No response received.
- 6.5 ESCC Landscape Architect
  - 6.5.1 Not consulted on original application.
  - 6.5.2 Comments on amended application:
  - 6.5.3 The site and immediate surroundings would not be considered valued landscape in the context of the NPPF.
  - 6.5.4 The application is supported by a Landscape and Visual Impact Assessment (LVIA), hla June 2020. The LVIA provides a fair and accurate assessment of the baseline landscape and visual context for the site and surrounding area.
  - 6.5.5 The proposed development site is a large and open agricultural field which lacks distinctive or historic landscape features. The open character of the site would make it visually sensitive as there are



potentially long views across the area towards the site. The weak landscape character of the site offers opportunities for landscape enhancement through replacing lost hedgerows and strengthening the site area with new woodland planting.

6.5.6 The importation of soils to create the new landform would cause disturbance for a temporary period during construction period. The proposed contoured mounding and associated planting would help to integrate the relocated manure store and slurry lagoon into the local landscape. It is recommended that the proposed development can be supported subject to the imposition of landscape conditions as follows:

- The full implementation of the proposed landscape mitigation measures as outlined in the LVIA.
- A detailed specification for the proposed planting and wildflower seeding.
- A long-term management plan to ensure the successful establishment of the planting and wildflower seeding.

### 6.6 Agricultural Advisor

6.6.1 Summarised comments on original application:

6.6.2 The proposed development seeks full planning permission for the replacement of the existing farmyard manure (FYM) store with an upgraded, Water Resources (Control of Pollution) Regulations 2010 (SSAFO Regulations) compliant earth bunded FYM store, the repair of the existing slurry lagoon and its upgrade to a SSAFO compliant facility, and the installation of a new water purification sludge lagoon.

6.6.3 The proposed agricultural enterprise involves the keeping of many cattle on the holding at Upper Lodge Farm throughout the year. In winter, the animals must be kept indoors and ideally undercover due to the inclement weather and wet ground conditions. As a result, there will be a large amount of FYM and liquid accumulating around the yards and buildings which must be periodically removed and stored.

6.6.4 Normal and accepted methods of storage of farm effluent from housed and yarded cattle is to separate the solid manure, including straw used for bedding from the liquid waste. It is therefore normal practice to have two storage facilities for solid and liquid waste. The farm waste will be stored during the six winter months ready for spreading onto land during the summer months, when ground conditions allow.

6.6.5 The applicants and their agent have advised that the current storage facilities are in poor condition and need renewal. From inspection, I would agree that the current facilities are below standard and are in immediate need for upgrading, to not only comply with environmental legislation but also improve the working environment for livestock and operatives.

- 6.6.6 For the above reason I consider that it is essential for the agricultural business that the replacement of the existing farmyard manure store and the repair of the existing slurry store is undertaken as soon as possible.
- 6.6.7 Regarding the importation of water purification sludge, this is an activity where waste product from local sewage works is transported to the farm property and stored ready for spreading by injection onto farmland. This is paid for by the water companies to the receiving property owner in return for taking the waste product. This activity is controlled and monitored by other agencies. There is no essential agricultural need for this sewage waste to be stored and spread on farmland at Upper Lodge Farm. This waste product can be spread on any other farmland subject to local conditions such as Nitrogen Vulnerable Zones (NVZ), location of nearby water courses, etc. The importation of waste material not produced on the farm nor resultant from agricultural activity is a matter for your authority and control by other agencies. Consequently, I shall make no further comment on the proposed new water purification sludge lagoon.
- 6.6.8 The construction of bunding to the north and east of the proposed development is assumed to reduce the impact of the development within the landscape. The importation of inert material and construction of the bunding is a planning matter and I shall make no comment on this aspect of the application.
- 6.6.9 Further summarised comments following applicant's response to above:
- 6.6.10 The application of sewage sludge is beneficial but not essential. If it were essential all farm owners would be requiring this material to spread on the land. There are alternatives to farming in this manner. It is not a requirement that sewage sludge has to be applied. Most farmers spread artificial fertiliser because it is easier to handle and requires minimal storage capacity. The importation of waste material not produced on the farm nor resultant from agricultural activity is a planning matter. Consequently, I shall make no further comment on the proposed new water purification sludge lagoon.
- 6.6.11 Comments on amended application:
- 6.6.12 From the additional information provided I note that only the new replacement farmyard manure store and upgraded slurry lagoon is proposed. I note that a new lagoon previously proposed for the storage of imported sewage sludge it now deleted from the scheme.
- 6.6.13 As previously commented, there is an essential need for upgrading the storage arrangements for farmyard manure and slurry that is resultant from the keeping of cattle on the holding. The proposed new manure store and upgraded slurry lagoon are considered essential for the agricultural activity to continue successfully and in accordance with environmental rules and guidance.
- 6.6.14 I have noted that with the deletion of the sewage/water sludge lagoon the area of land raising has not been reduced in size. It would seem appropriate that with one less artificial construction there

would be less of a need for the importation of so much soil for landscaping. This is a planning matter, and I shall make no further comment on the landscaping.

### 6.7 Ringmer Parish Council

6.7.1 Comments on original application:

6.7.2 Ringmer Parish Council opposes and objects to this application as it is un-neighbourly. Ringmer Parish Council has significant concerns regarding the shared access which may become damaged due to an increase in lorry movement. Ringmer Parish Council is genuinely concerned that the proposal is too near a public footpath.

6.7.3 Comments on amended application:

6.7.4 Ringmer Parish Council objects to this application on the grounds of shared drive. Ringmer Parish Council found it hard to comment further, due to the lack of a Traffic Management Plan.

## 7. **Neighbour Representations**

7.1 Representations have been received from 30 local residents, objecting to the application for the following reasons:

- Unnecessary noise
- Increase in traffic volumes
- Amount of traffic along The Broyle is already intrusive, dangerous and damaging
- Application's traffic movements are too much and should not be allowed
- Traffic will lead to noise, hazards and pollution in Ringmer
- The application is about land raise. The use of imported material for the bunding is unsuitable and should be re-considered
- Infrastructure in the area not adequate to support this level of lorry movements
- Farmyard is a disgrace, full of dumped machinery and falling down barns
- Too many heavy lorries already for works being carried out elsewhere
- Request to reduce number of daily movements and only between 09:30 and 14:30 to avoid school drop off and pick up times.
- Houses are suffering from cracks due to traffic
- Request for conditions to get applicant to repair the road and up to entrance of Raystede Animal Welfare Centre
- Request condition to stop slurry lorries to and from the site

- Impact on wildlife
- Danger to children
- Amount of imported material will have a serious impact on road network, roads are not sufficiently well-maintained to support extra heavy goods usage
- B2192 is always being dug up by one utility or another, creating fumes and congestion
- Proposal will increase problems faced by Ringmer residents
- Condition requested to ensure that footpath is protected
- Residents have been “tipped off” that the proposal is really a “land raise” scheme to get rid of hardcore
- The Broyle is a fairly narrow residential road that was not built to accommodate heavy traffic
- Lorry fumes will lead to pollution at a time when the world is facing a climate catastrophe
- Danger to cyclists
- Concern that a company from Crawley will use this area to import so much material
- Residents in the area suffering from so many heavy lorries delivering materials to building sites
- Concern that the enlargement of the existing slurry lagoon is for landfill
- Request for applicant to create another access to the site, away from local homes
- This is a landfill project and should be refused
- Speed limit is often not adhered to
- Proposal will exacerbate existing problems regarding state of road and number of lorries using it
- Concern about noise of reversing alarms on lorries
- Concern about previous activities on the farm, involving waste disposal
- Businesses adjacent to site concerned about impact of lorry movements
- This is about a deal with a business in Crawley to get rid of hardcore
- Applicant doesn’t consider the environment
- Roads and pavements in Ringmer Village are deteriorating due to traffic, pavements are not safe, too much noise and backdraft from lorries

- Endless lorries thundering through Ringmer, damaging verges. Deliveries of hardcore to the site on such a large scale will have a detrimental impact on quality of life
- Reading Agricultural Consultants – questions information regarding livestock and need for works to the lagoon and FYM store, lack of justification for the extent of the works, need for imported material. Applicant has failed to demonstrate that the proposal is a) required and b) appropriately designed.

### 8. Appraisal

#### 8.1 Key Considerations

8.1.1 The main considerations are i) the need for the proposed FYM store and the upgraded slurry lagoon; b) the impact of the works required to implement the FYM store and upgraded slurry lagoon on the surrounding area and c) measures to mitigate the impact of the proposal.

#### 8.2 Principle

8.2.1 As confirmed by the Environment Agency (EA), the works to renew the FYM store and to upgrade the slurry lagoon are necessary to meet the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991, (as amended), ('SSAFO'), as they do not currently meet the standards set out in these regulations.

8.2.2 The District Council's Agricultural Advisor has confirmed that "*....it is essential for the agricultural business that the replacement of the existing farmyard manure store and the repair of the existing slurry store is undertaken as soon as possible*".

8.2.3 It is therefore considered that due to the need of the farm enterprise, confirmed by the EA, that the principle of the development is acceptable.

#### 8.3 Landscaping

8.3.1 The application was supported by a comprehensive Landscape and Visual Impact Assessment, upon which the County Landscape Architect has commented and found to be satisfactory, subject to conditions.

8.3.2 Also submitted was a Preliminary Ecological Appraisal (PEA) to assess the various habitats on the site as well as to ensure there are no protected species that may be impacted as a result of the development.

8.3.3 Various recommendations have been made to enhance the site for biodiversity in accordance with NPPF, which predominantly focus on generous native and nectar rich planting, installation of bird boxes and enhancements for hedgehogs.

8.3.4 Additional recommendations and biodiversity enhancements have also been made to reduce the indirect impacts that the development

may have on surrounding flora and fauna given its position within a 500m buffer zone of ancient woodland and a nearby SSSI.

8.3.5 Again, these measures can be secured by condition.

### 8.4 Transport and Traffic

8.4.1 The proposal in and of itself, will have no additional traffic and transport impacts. For this reason, ESCC Highways Team was not consulted.

8.4.2 It should be noted that the amended proposal, which has removed the new water sludge lagoon, will actually lead to a reduction of vehicle/lorry movements to and from the site as the applicant will no longer be processing waste water.

8.4.3 However, the works required to carry out the proposal will involve temporary increased traffic movements to and from the site, for the duration of those works only. This is the main reason cited in the objections generated by the amended application. Also raised is the impact on the existing access road from The Broyle to the farm and to the spur access road to Upper Lodge Farmhouse, and Public Footpath 26.

8.4.4 The works will take approximately 3 months, during which it is anticipated that there will be 60-80 lorry movements to and from the site. In this respect it is similar to what would be expected from any major construction project.

8.4.5 It is standard practice to secure a Construction Environment Management Plan (CEMP) by condition. However, in this case, the applicant has now submitted a Plan in advance of the determination of the application in order to address the understandable concerns raised in the representations. Adherence to the CEMP can be controlled by condition. Matters covered in the CEMP include:

- Site Working Hours & Delivery schedule
- Public engagement.
- Site security.
- Vehicle routing and site access.
- Site Car Parking, Plant and Equipment.
- Road Cleaning Regime and Wheel Washing Facilities.
- Remediation

8.4.6 Regarding the access road, prior to works commencing, the applicant will carry necessary patch repairs to the access road in order to prevent further deterioration and when completed, the road will be fully repaired and re-surfaced, to be secured by conditions.

8.4.7 Regarding Footpath 26, As set out in the CEMP, signs will be erected directed at both footpath users and construction vehicles advising caution and alerting them to each other's presence. The width of the shared access is on average 4.3m, providing ample room for vehicles and pedestrians to pass at a safe distance.

Construction vehicles are 2.5m wide, this allows 1.8m for footpath users. A strict 10mph site speed limit and 5mph along the shared access will be put in place and enforced throughout the works.

### 8.5 Waste Local Plan

- 8.5.1 As the proposal involves alterations to an existing waste management facility, it falls also to be considered against the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan, adopted in 2013.
- 8.5.2 The waste products involved in the operations – e.g., slurry and manure – will be used to fertilise the surrounding farmland owned by the applicant. In this respect the proposal complies with the principles of policy WMP3a.
- 8.5.3 The improvements to the slurry lagoon and FYM store will safeguard the facility in compliance with policy WMP6.
- 8.5.4 The construction works required to improve and upgrade the facility will inevitably involve some disturbance to the nearby and wider residents due to the lorry movements that will be generated. The CEMP that has been submitted with the application covers all aspects of amenity and traffic – see section 8.4 above. It is considered that there will be no conflict with policies WMP25 and WMP26.

### 8.6 Comments on objections

- 8.6.1 The majority of the objections are based on concerns about the impact of the number of lorry movements to and from the site for the duration of the works, rather than the impact of the completed scheme.
- 8.6.2 The measures set out in the CEMP and the recommended conditions will restrict timing of the lorry movements. However, to refuse the application on what is an essential part of the construction process, would be unreasonable and unlikely to be sustained at appeal.
- 8.6.3 It should be noted in respect of lorry movements that an appeal against refusal of an application that involved importation of materials to the East Sussex Gliding Club, located close to this application site, was allowed by the Planning Inspectorate. In coming to his decision, the Inspector stated: *'I conclude that the development would not cause unacceptable harm to the living conditions of the residents of the area as a consequence of either HGVs using the local highway network or the on-site works. There would therefore be no conflict with saved Policy ST3 of the Lewes District Local Plan of 2003 and paragraph 17 (the fourth core planning principle) of the National Planning Policy Framework. That is because the development would be respectful of the amenities (living conditions) of residents of the area because the works would not give rise to undue noise disturbance.'* The Inspector also awarded costs against the council. (Application ref. LW/16/0775, appeal reference APP/P1425/W/31721.)

- 8.6.4 Comments questioning the justification and need for the works are noted. However, there is a requirement for the applicant to comply with Environmental legislation, and both the EA and the Council's Agricultural Advisor have accepted the need for the development.
- 8.6.5 The application has been considered on its planning merits only. Comments that the proposal is a 'land raise' project, designed to take on hardcore from one specific operator are based on speculation, which together with those comments about the applicant and his motives, are not planning matters and cannot be taken into consideration.

### 9. **Human Rights Implications**

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.

### 10. **Recommendation**

- 10.1 In view of the above the proposed development is considered to be acceptable and approval is recommended subject to conditions.

#### 10.2 Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved drawings:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Additional Documents	16 July 2021	CEMP
Planning Statement/Brief	24 March 2021	Planning Statement
Proposed Layout Plan	24 March 2021	Layout Plan 020321_001
Additional Documents	25 May 2021	Landscape & Visual Impact Assessment
Additional Documents	28 July 2020	LVIA Appendix 1
Additional Documents	28 July 2020	LVIA Appendix 2
Additional Documents	28 July 2020	LVIA Appendix 3



Additional Documents	28 July 2020	LVIA Appendix 4
Additional Documents	16 July 2021	Environment Impact Assessment Screening Matrix
Landscaping	24 March 2021	hla 381 01A
Landscaping	24 March 2021	hla 381 02A
Landscaping	24 March 2021	hla 381 02A (with lagoon edge)
Technical Report	28 July 2020	Preliminary Ecological Appraisal Report

Reason: For the avoidance of doubt and in the interests of proper planning

2. The development hereby approved shall not be commenced until details of:
  - a) a scheme for temporary repairs to the access road
  - b) a scheme for permanent repairs to the access road

have been submitted to and approved in writing by the Local Planning Authority. The permanent repairs shall be carried out within 3 months of the completion of the works hereby approved.

Reason: In the interests of the amenities of the area, having regard to guidance within the National Planning Policy Framework.

3. The development hereby approved shall not be commenced until a planting scheme for the landscaped area has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
  - a) written specifications (including cultivation and other operations associated with plant and grass establishment:
  - b) schedules of plants noting species, planting sizes and proposed numbers/densities where appropriate.
  - c) A long-term management plan to ensure the successful establishment of the planting and wildflower seeding

The planting scheme shall be implemented during the first planting season following the substantial completion of the development hereby approved.

Reason: To ensure landscape planting and its establishment in order to blend with the existing landscape in the interests of visual amenity having regard to policies CP10 and DM27 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework

4. The development hereby approved shall not be commenced until details of a scheme of biodiversity enhancements has been submitted to and approved in writing by the Local Planning Authority, in accordance with the Preliminary Ecological Appraisal Report produced by Corylus Ecology.

Reason: To improve and enhance the biodiversity of the site having regard to policy DM24 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework

5. The development hereby approved shall be carried in broad accordance with the Landscape Plan drawing hla 381 01A. The planting scheme approved by condition 3 shall not be carried out until details of the finished levels of the landscaped area have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure landscape planting and its establishment in order to blend with the existing landscape in the interests of visual amenity having regard to policies CP10 and DM27 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

6. The works hereby approved shall be carried out with strict adherence to the Construction Environmental Management Plan submitted on 16<sup>th</sup> July 2021. Any amendment to the CEMP shall be agreed in writing with the Local Planning Authority

Reason: In the interests of highway safety and the amenities of the area.

7. No noise producing construction audible outside the boundary of the site, shall take place outside the hours of 8:00 to 16:30 Monday to Friday and 09:00 to 13:00 on Saturdays, with no working on Sundays or Bank Holidays

Reason: In the interests of the amenities of the area, having regard to guidance within the National Planning Policy Framework.

8. Deliveries to site shall be limited to 40 maximum inbound movements per day, with an expected daily average of between 25 and 30. Deliveries will only take place between the hours of 08:00 and 18:00 Monday to Friday and 8:00 and 13:00 on Sat. No deliveries will be made to site on Sundays or bank holidays.

Reason: In the interests of the amenities of the area, having regard to guidance within the National Planning Policy Framework.

9. No material shall be imported to within the development site until the developer has submitted details of the assessment of the imported material which demonstrates the suitability of the material for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the amenities of the area, having regard to guidance within the National Planning Policy Framework.

**11. Background Papers**

11.1 None.

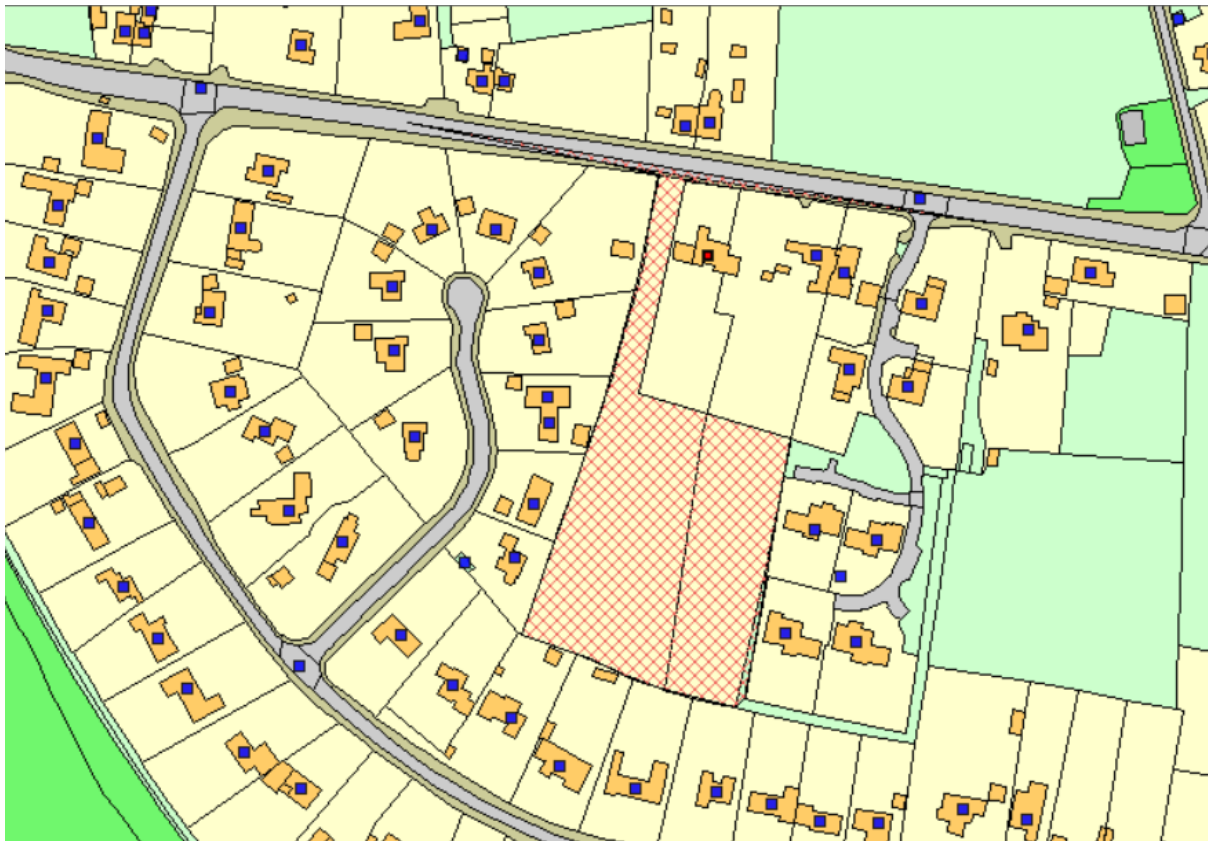
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**Report to:** Planning Applications Committee  
**Date:** 8 June 2022  
**Application No:** LW/21/0942  
**Location:** Camelia Cottage, Station Road, North Chailey, BN8 4PJ  
**Proposal:** Erection of 7no dwelling houses.  
**Applicant:** M Davies  
**Ward:** Chailey Barcombe & Hamsey  
**Recommendation:** Grant planning permission subject to conditions.  
**Contact Officer:** **Name:** James Emery  
**E-mail:** [james.emery@lewes-eastbourne.gov.uk](mailto:james.emery@lewes-eastbourne.gov.uk)

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**IMPORTANT NOTE: This scheme is CIL Liable.**

**Map Location:**



## 1. **Executive Summary**

- 1.1 The proposed development as is considered to meet all relevant national and local planning policies and is considered to be acceptable.
- 1.2 Approval is recommended, subject to conditions.

## 2. **Relevant Planning Policies**

### 2.1 National Planning Policy Framework

- Delivering a sufficient supply of homes
- Promoting sustainable transport
- Making effective use of land
- Achieving well designed places

### 2.2 Lewes District Local Plan

- CP2 – Housing Type, Mix and Density
- CP10 – Natural Environment and Landscape Character
- CP11 – Built and Historic Environment & Design
- CP14 – Renewable and Low Carbon
- DM1 – Planning Boundary
- DM25 – Design
- DM26 Refuse and Recycling
- DM27 Landscape Design

### 2.3 Chailey Neighbourhood Plan

- HO1 – Design
- HO2 – Housing Mix
- HO3 – Size of new dwellings
- HO4 – Building Height
- HO5 – Pedestrian Connections
- ENV1 – Landscape
- ENV3 - Countryside Protection and the village setting

## 3. **Site Description**

- 3.1 The application site is located on the south side of Station Road approx. 1km east of the centre of Chailey and about 0.5km west of the main built-up area of Newick. Whilst being closer to Newick, it is administratively located within Chailey Parish. The site is currently occupied by a detached bungalow (Camelia Cottage) with extensive front and rear gardens.
- 3.2 Aside from the existing dwelling itself, the site contains the off-road parking and front garden associated with Camelia Cottage. The driveway is laid as gravel and the front garden is laid as lawn. The rear garden has been

cleared of vegetation, for which no planning permission was required. There is a single access point onto Station Road which serves the whole site.

- 3.3 The boundary to the lane, which runs along the western boundary, consists of mature native hedge with two access gates. The site has a general slope from north to south with a fall of between 2-2.5m. There is an approx. 1.8m high close board fencing along the eastern boundary of the property, with trees and shrubs to the southern and western boundaries.
- 3.4 The site is located outside the planning boundary of Chailey. It appears as an infill site which is situated between low-density ribbons of development comprising the A272 Station Road to the north, Upper Station Gardens to the east, Great Rough to the west and Lower Station Road to the south. Properties within the surrounding area are characterised as detached two storey dwellings set on large plots.
- 3.5 The application site is not listed and there are no specific planning designations or constraints attached to the site.

#### **4. Proposed Development**

- 4.1 The application seeks permission for the erection of 7no dwelling houses. The dwellings would be positioned within newly formed plots in the rear garden of the application property. A widened access would be provided via the existing access onto Station Road. Properties 01, 02, 03 and 05 would be provided with double garages, with properties 04, 06 and 07 provided with triple garages.
- 4.2 The application comprises a mix of 2 x 4 bed and 5 x 5 bed properties.
- 4.3 In total, there 21 car parking spaces across the site, including garages and hardstanding.
- 4.4 The proposed design of the new houses is a traditional typology – pitched and hipped roofs, with tile hanging details to the first floor. The external materials comprise a varied palette.
- 4.5 Properties 01 and 04 will have red plain clay tiles to the roofs, multi-stock facing bricks and red clay hanging tile detailing features, with mid grey windows and doors.
- 4.6 Properties 02 and 05 will have grey plain clay tiles to the roofs, multi-stock facing bricks and red clay hanging tile detailing features, with white windows and doors.
- 4.7 Properties 03 and 06 will have red plain clay tiles to the roofs, dark red multi-stock facing bricks and red clay hanging tile detailing features, with white windows and doors.
- 4.8 Property 07 will have a grey plain clay tile roof, multi-stock facing bricks and red clay hanging tiles with Tudor cladding features and mid grey windows and doors.
- 4.9 Boundary treatments will comprise of 1.8m high close board fences.

## 5. Relevant Planning History

- 5.1 There have been no previous relevant applications for new dwellings at the site itself. The neighbouring site has been the subject of two successful planning appeals which were determined by the Planning Inspectorate under application and planning appeals LW/15/0154 / 3138509 in 2015 and LW/17/1027 / 3199039 in 2017.

## 6. Consultations

### 6.1 Newick Parish Council

- 6.1.1 Newick Parish Council were consulted and resolved to object to the proposed development, offering that although the development is in Chailey, inevitably it will impact more upon Newick than Chailey as it is very close to the Newick Parish Boundary.
- 6.1.2 Newick Parish Council wish to register their objection to this application for the erection of 7 large houses. Although located in Chailey, inevitably it will impact more upon Newick than Chailey. This is a significant infill site located very close to the Newick Parish Boundary. Nestled in between Station Rd (A272 ) to the north, the back gardens of Great Rough to the west, Lower Station road to the south and The Warren to the east. It will further erode the declining green gap between the 2 villages. DM1 of the local plan part 2 (LLP2) recognises the importance of this, stating that: "Within the planning boundaries, as defined on the Policies Map, new development will be permitted provided that it is in accordance with other policies and proposals in the development plan. Outside the planning boundaries, the distinctive character and quality of the countryside will be protected, and new development will only be permitted where it is consistent with a specific development plan policy or where the need for a countryside location can be demonstrated."
- 6.1.3 Furthermore, in reaching decisions on recent planning appeals, PINS Inspectors have emphasised the need to retain open space between the two villages and this proposal, especially when coupled with a nearby pre-application proposal (at Chagley Corner) would significantly impact and reduce that open space to the point where it becomes virtually non-existent. The following are examples of those decisions.
- 6.1.4 In February of 2021, an appeal for development of a nearby site at Mitchelswood Farm located on the Newick side of the Chailey boundary (APP/P1425/W/15/3119171), was conducted by Mr Andrew Lynch and the appeal dismissed by the Secretary of State. The grounds for dismissal were:
- 6.1.5 'Planning balance and overall conclusion - For the reasons given above, the Secretary of State considers that the appeal scheme is not in accordance with Policies DM1, CP10(1), and EN1 of the development plan, and is not in accordance with the development plan overall. He has gone on to consider whether there are material



considerations which indicate that the proposal should be determined other than in accordance with the development plan.

- 6.1.6 As the Secretary of State has concluded that the authority is unable to demonstrate a five year housing land supply, paragraph 11(d) of the Framework indicates that planning permission should be granted unless: (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole.
- 6.1.7 The proposed development would have a seriously damaging impact on the character and appearance of the local landscape, and there would be substantial visual harm to the character and appearance of the landscape and village setting. This harm carries substantial weight. The conflict with national policy in the Framework (NPPF 170) in terms of failing to recognise the intrinsic character and beauty of the countryside, and in the loss of woodland carries moderate weight, and the lack of positive accord with the NNP's general aims and strategy carries limited weight against the scheme.
- 6.1.8 The Secretary of State considers that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against policies in the Framework taken as a whole. Overall, he considers that the material considerations in this case indicate a decision in line with the development plan - i.e. a refusal of permission.
- 6.1.9 The Secretary of State therefore concludes that the appeal should be dismissed, and planning permission refused.'
- 6.1.10 Just over two years ago another application, LW/19/0106 , to build houses at a location a short distance along Station Road to the west was rejected by LDC and also at Appeal. The reasons for its rejection remain equally valid for this site over two years later - 'the proposed development will, by reason of the siting and location of the application site, represent an incursion of development and urbanisation of residential cartilage outside of the planning boundary in this rural location, resulting in harm to the rural and natural character of the landscape?'
- 6.1.11 Both decisions highlighted the significance of maintaining the identity of individual settlements and maintaining the character of the countryside in accordance with NPPF 170 and we urge that a consistent approach be taken in consideration of this application also.
- 6.1.12 With regard to environmental considerations, Core Policy 2 seeks to: "conserve and enhance the high quality and character of the district's towns, villages, and rural environment by ensuring that all forms of new development are designed to a high standard and maintain and enhance the local vernacular and 'sense of place' of individual settlements."

- 6.1.13 In line with national policy, LDC has declared a climate emergency and has a strong environmental agenda that includes reducing car dependency and thus harmful emissions. This site is car dependent for travel. It has limited public transport and no footpaths leading to services in the two settlements of Chailey Village and South Chailey, nor to services within Newick. Bus services although regular are infrequent on weekdays and do not operate at all on Sundays. The A272 (where the proposed site is situated and also the road which links North Chailey with Newick) is an extremely busy, single carriageway that does not encourage safe cycling or walking. Consequently journeys for travel to and from school, to a medical centre and shops etc will be conducted largely by car, thereby increasing environmental harm. To develop a new car dependent site, particularly one contrary to the Local Plan cannot be justified, regardless of what mitigation might be argued by the Applicant.
  - 6.1.14 In conclusion, the site is located outside the development boundary of Chailey and subject to Countryside Policies.
  - 6.1.15 No specific need for development outside that boundary has been demonstrated, nor has a need, sufficiently robust to override the policies and constraints relevant to Countryside development been established, to justify the proposed development of large houses. The proposal is contrary to DM1 of the LLP2 and Core Policy 2.
  - 6.1.16 Although situated just outside the Newick Parish Boundary, NPC object strongly to this application. and recommend it be refused.
- 6.2 Chailey Parish Council
- 6.2.1 Chailey Parish Council were consulted and also resolved to object citing reasons of, drainage, loss of light & overshadowing, development outside of the planning boundary, loss of trees and erosion of the gap between Newick and Chailey.
  - 6.2.2 Drainage - There is a major issue with surface water drainage; the drainage assessment submitted for the application contains worrying flaws There is an established and long running history of run-off from an adjacent development site Upper Station Gardens which has resulted in saturation and flooding to land south of the proposed development
  - 6.2.3 The assessment rests on the assumption that surface water can be discharged on to adjoining land This will make the situation of saturation worse and is unacceptable Soil surface testing carried out at the next stage as indicated in the submission report is astonishing as this is a major and fundamental issue and needs to be put in order well before a next stage The report also says that on the adjoining site, the water levels in two tests rose in two hours therefore testing had to be abandoned The report goes on to say that the soil may be sufficiently porous but the presence of a ditch and the test results on a neighbouring site makes the probability low The alternative route of discharging into the ditch is attractive at this stage The topographic survey says that the ditch is untraceable but notes a private ditch on neighbouring land A surface water drawing

shows the surface water outflow terminating effectively onto adjoining land which is not acceptable. The application does not contain a sustainable strategy of discharging surface water into a public drain or water course without run off onto neighbouring land. Evidence for an impregnable drainage system should be provided now which it has failed to do. The same problem occurred with the adjacent development of Upper Station Gardens which resulted in destructive consequences for residents south of the development that remain unsolved to this day.

- 6.2.4 If planning consent is given then the drainage problems that are already there will get worse. It needs to go through the public drainage system. Unfortunately there is no public drainage system. The ditches that the applicant refers to are field ditches, the drainage through gardens are standard land drains, most of which are of the old clay type. They are not sealed and most likely filled with silt, therefore the water does not go anywhere apart from ditches dug on private land. Highways have said that this is not an issue but CPC and residents feel the exact opposite.
- 6.2.5 Southern Water have put in two new pumps which work to capacity. If more water enters the pumping station then the pumps will fail, which will cause an outpour of sewage to those living on the southern side of Lower Station Road, creating a public health issue.
- 6.2.6 The drainage system needs major review before any development can be sanctioned.
- 6.2.7 To note should LDC and other authorities require evidence of the existing problems with drainage that have occurred after the Upper Station Gardens development, then we will be happy to provide.
- 6.2.8 Light & Overshadowing - The development will have a massive impact on those houses to the west in Great Rough. Properties will be overshadowed. Diagrams professionally drawn up by residents living in Great Rough show that their back gardens and rear elevations from September to March will be overshadowed. This goes against the Neighbourhood Plan. The applicant has not provided a full daylight and sunlight analysis and should be asked to do so.
- 6.2.9 There will also be overlooking. One building will have a roof terrace, there are two triple garages that will have external staircases with platforms and five houses with Juliette balconies. Some properties situated in Great Rough are on terraced land, therefore one of the properties as an example will be looking out at one of the triple garages which will be over 8 metres tall, cutting out light and outlook.
- 6.2.10 Interim Policy Statement on Housing Delivery - Issued by LDC as guidance to development sites outside the planning boundary. This gives criteria on which sites can be assessed. Many aspects of the proposed development do not satisfy the criteria such as biodiversity and building on green space, to which LDC as the providers of the Policy are asked to reflect upon when making their decision on this application.

- 6.2.11 The overall layout the over development and the size of the properties are unacceptable This type of housing is not needed in the village it is not appropriate and not affordable
- 6.2.12 Tree Clearance - CPC and many residents consider the initial clearing of the trees on the site as rather underhand No prior warning was given and it is plain to see that land has been cleared before planning permission has been given This does not give the Parish Council confidence in the credence of the Developer
- 6.2.13 Erosion of the gap between Newick and Chailey - The gap between the villages of Newick and Chailey will disappear Both parishes do not wish to see a coalescence of the two villages.
- 6.3 ESCC Highways
  - 6.3.1 East Sussex County Council Highways offered no objection to the proposed works, subject to the imposition of conditions.
- 6.4 Southern Water
  - 6.4.1 Southern Water offered no objection to the proposed works, subject to conditions and an informative covering discovery of public sewers on site during construction.
  - 6.4.2 In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be undertaken to protect the public sewers.
  - 6.4.3 Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.
  - 6.4.4 The supporting documents make reference to drainage using Sustainable Drainage Systems
  - 6.4.5 Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:
    - 6.4.6 - Specify the responsibilities of each party for the implementation of the SuDS scheme.
    - 6.4.7 - Specify a timetable for implementation.
    - 6.4.8 - Provide a management and maintenance plan for the lifetime of the development.
    - 6.4.9 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.
  - 6.4.10 The Council's technical staff and the relevant authority for land drainage should comment on the adequacy of the proposals to discharge surface water to the local watercourse.
- 6.5 LDC Contaminated Land
  - 6.5.1 LDC Contaminated Land offered no objection subject to the imposition of conditions.

- 6.6 LDC Air Quality
  - 6.6.1 LDC Air Quality offered no objection subject to the imposition of conditions.
- 6.7 Naturespace
  - 6.7.1 Naturespace offered no objection, subject to the imposition of pre-commencement conditions.
  - 6.7.2 In line with guidance from Natural England; and due to the proximity of the pond to the north of the development site, it is recommended that works are carried out under a precautionary working method statement.
  - 6.7.3 Prior to commencement on site the applicant must submit a Naturespace Report or Certificate to demonstrate that the impacts of the proposed development through Lewes Councils District Licence or provide a precautionary Working Statement in the form of Reasonable Avoidance Measures (RAMS)/Non-Licensed Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist.
  - 6.7.4 Reason: In line with guidance from Natural England (Great crested Newts -District Level Licencing) with regard to biodiversity and the protection of Great Crested Newts.
- 6.8 Natural England
  - 6.8.1 Natural England offered no objection to the proposed development.
- 6.9 ESCC SUDS
  - 6.9.1 No Objection, subject to the below conditions:
    - 1) Prior to occupation of the development, evidence, including photographs) showing that the drainage system has been constructed as per the final agreed detailed drainage designs included within GTA Civil's Flood Risk Assessment (March 2022)
    - 2) The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or be incorporated within a Construction Management Plan for the development.

## 7. Neighbour Representations

- 7.1 Maria Caulfield MP objected to the development on the basis of erosion of the green gap between the parishes of Chailey and Newick. Safety of pedestrians and cyclists, Car dependency development contrary to environmental objectives, drainage issues and previous applications which have been refused in the vicinity.
- 7.2 Neighbour representations are summarised below. Representations were received from 46 residents in the close vicinity of the site and the wider area. Issues raised are summarised as follows:

Ecology, impact on wildlife

Concern about quality of ecology report

- Concern over protection of hedgerows
- Concern about extension of site into wildlife areas
- Concern over levels
- Development not needed in the village
- Drainage/flooding
- Too many hard surfaces
- Highway hazards, lack of pavements
- Accessibility of site
- Sightlines
- Increase in traffic
- Concern about increase in parking spaces
- Concern about road width and refuse and recycling vehicles
- Pollution
- Design
- Expansion outside of the village envelope
- Development on greenfield site
- Impact on infrastructure
- Overdevelopment
- Contamination
- Concern of length of building process and impact on residents
- Loss of privacy, overlooking and Loss of light.

7.3 Councillor Objections are summarised below:

Councillor Linnington raised concerns regarding overdevelopment, serious concerns about surface water drainage and the effect on the right to light of existing houses next to the proposed site.

Councillor Milligan (of East Sussex County Council) raised the issue of drainage, outlining that their biggest concern regarding this development is the drainage. Residents of Lower Station Road have had the unacceptable experience of having surface water from an existing development flow through their garden. One particular household had to dig a gully all through their garden as the excess surface water was flooding their garden and garage.

7.4 OFFICER RESPONSE: The surface water management scheme has been designed in conjunction with the Lead Local Flood Authority, who are satisfied with the information submitted and the drainage strategy and have offered no objection, subject to the below Conditions:

7.5 1) Prior to occupation of the development, evidence, including photographs) showing that the drainage system has been constructed as per the final agreed detailed drainage designs included within GTA Civil's Flood Risk Assessment (March 2022)

- 7.6 2) The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or be incorporated within a Construction Management Plan for the development.
- 7.7 A planning condition will be used to secure a thorough Construction Management Plan that would be assessed by ESCC SuDS. Other matters raised are addressed in the main body of this report.

## 8. **Appraisal**

### 8.1 Principle

- 8.1.1 The site is located outside the defined planning boundary as defined by policy DM1 of the Lewes District Local Plan part 2, and as such will need to comply with all other applicable policies of the Local Plan in order to be found acceptable..
- 8.1.2 Planning boundaries in the development plan were defined on the basis of accommodating a housing requirement of 345 dwellings per annum, as set out in Spatial Policy 1 of the Local Plan. A recently issued Interim Policy Statement for Housing (March 2021), the housing need figure for Lewes District has significantly increased (from 345 per annum to 782 per annum) since 11th May 2021 due to being recalculated using the standard method as a result of the Lewes District Local Plan Part 1 being over 5 years old.
- 8.1.3 The net benefit achieved through the provision of additional housing would be applied in the context of a tilted balance in favour of sustainable residential development.
- 8.1.4 Paragraph 11 of the National Planning Policy Framework (NPPF) outlines that there should be a presumption in favour of sustainable development.
- 8.1.5 Para. 120 of the NPPF outlines that development of under-utilised land and buildings should be promoted and supported, especially where this would help to meet identified needs for housing. Para. 123 of the Revised NPPF encourages the efficient and sustainable use of sites for housing development, stating ‘where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 8.1.6 From a housing delivery perspective, para. 69 of the NPPF acknowledges the important contribution that small and medium sized sites, such as the application site, can make towards meeting the housing, particularly as development on such sites is often built-out relatively quickly.
- 8.1.7 The use of site allocations in neighbourhood plans is recognised in the LDC Housing Delivery Test Action Plan (2019) as a means to bring forward appropriate development sites whilst also empowering the local community to identify how and where housing will be

delivered within their area. Notwithstanding this, the Chailey Neighbourhood Plan does not allocate sites for development. The site is however identified in the 2018 Strategic Housing and Economic Land Availability Assessment (SHELAA) and the most recent 2022 Interim Land Availability Assessment (LAA).

- 8.1.8 Para. 80 of the NPPF maintains that the development of isolated homes in the countryside should be avoided. The site is categorised as potentially developable in the 2022 Interim Land Availability Assessment. The ILA assessment elaborates that given the proximity of existing surrounding development, development of this site would be an infill, which would likely be acceptable in landscape terms and would not make significant impact on the gap between the settlements.
- 8.1.9 The proposed development is therefore considered to be acceptable in principle and, as such, should be approved provided its specific characteristics and attributes align with the wider policies of the NPPF. Development Plan policies that are consistent with the NPPF will also be referred to. A full assessment against these relevant policies is provided in the main body of the report below.

## 8.2 Design

- 8.2.1 The site is not subject to any special designation in terms of character, nor is it listed or within a Conservation area.
- 8.2.2 The site is positioned to the rear of; and shares access with 'Camelia Cottage' on the southern side of Station Road. Being located behind the existing property, it has a somewhat restrained street scene presence. This is further diminished by fact that the ground level gently slopes about a north to south axis, meaning that much of the development will appear lower from the public domain of Station Road. The proposed scheme is considered to represent a design which is comparable to the appearance of surrounding development, particularly the neighbouring development at Upper Station Gardens to the east.
- 8.2.3 The site area is approx. 1.04 hectares and, therefore the density of the proposed development equates to 6.7 dwellings per hectare. This falls below the optimum density for residential development in villages (20-30 dph) as defined by policy CP2 of the Lewes District Local Plan part one. It is considered that this lower density development is acceptable given the characteristics of the site in an area where density of surrounding residential development is lower than the developed centre of the village.
- 8.2.4 Each of the seven houses would be afforded a generous garden area and overall floorspace and bedroom sizes which exceed the Nationally Described Space Standards. The resultant properties would not be overlooked or overshadowed by neighbouring properties. Space for refuse and recycling bins is shown on the plans.
- 8.2.5 The design and materials palette of the proposed new dwellings reflects those in the surrounding location, in accordance with policies



DM25 of the Lewes District Local Plan and policies HO1, HO3, HO4 and HO5.

### 8.3 Amenity, landscaping, contamination

- 8.3.1 Planning policies CP11 of LLP1 and DM25 of LLP2 seek to preserve the privacy of the occupants of neighbouring properties. The nearest neighbouring dwellings to the development are on Upper Station Gardens to the east, Lower Station Road to the south and Great Rough to the west, these dwellings are afforded some degree of screening in the form of mature trees and hedging.
- 8.3.2 The orientation of the proposed dwellings is such that direct overlooking is mitigated. Properties 01, 02 and 03 face westwards, with rear windows facing east with a minimum of approx. 10.0m from the shared boundary and 15.0m from the side elevations of neighbouring properties to the east on Upper Station Gardens.
- 8.3.3 Properties 04,05 and 06 face northwards with south facing rear windows which are approx. 20m from the shared boundary and 40.0m from the rear elevations of neighbouring properties to the south on Lower Station Road.
- 8.3.4 Property 07 is also orientated north to south. Properties 06 and 07 are located 11.0m from the shared boundary and 19.5m from the rear of properties to the west on Great Rough.
- 8.3.5 Due to the orientation and separation between the proposed dwellings and neighbouring dwellings, it is not considered that the proposed dwellings would appear overbearing towards surrounding properties. Nor would they introduce unacceptably high levels of overlooking or overshadowing between properties.
- 8.3.6 In response to neighbour objections, the applicant has undertaken a sunlight / daylight assessment which demonstrates that rear facing windows in the neighbouring properties at No's 9 and 10 Great Rough retain between 82 to 100% of their former daylight level, in accordance with BRE Guidelines.
- 8.3.7 The access road, hardstandings and turning areas are concentrated towards the interior of the site and are not positioned adjacent to any neighbouring dwellings. As such, it is not considered that neighbouring residents would be exposed to any unacceptable level of noise, light or air pollution.
- 8.3.8 Para. 126 of the National Design Guide (2019), which is a companion to the Revised National Planning Policy Framework, states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.' This is echoed in policy CP11 of the Lewes District Joint Core Strategy.
- 8.3.9 All habitable rooms are served by clear glazed openings allowing for a good level of natural sunlight permeation. The layout of each dwelling is considered to be clear, with hallway lengths kept to a

minimum and awkwardly sized and shaped rooms being avoided, thereby enhancing functionality, accessibility and adaptability.

- 8.3.10 The Department for Communities and Local Government has produced the Technical housing standards - nationally described space standard. This document sets out minimum recommended Gross Internal Area (GIA) for new residential units, based upon number of bedrooms provided, number of storeys and number of occupants. Each of the proposed dwellings exceed these National Space Standards.
  - 8.3.11 Each dwelling would have access to a private outdoor amenity area. The proposed garden sizes are considered to be acceptable in this instance as they are sympathetic to the characteristics of the development site, being comparable to those of surrounding properties.
  - 8.3.12 Overall, the large amount of garden space provided across the development would be consistent with the low-density residential development in the surrounding area.
- 8.4 Transport and parking
- 8.4.1 The ESCC Parking Calculator indicates that the proposal would generate a total demand for 17.44 parking spaces. There is space on site to accommodate 21 parking spaces, with detached garages providing secure cycle storage.
  - 8.4.2 The access to the site would be from the existing access onto the A272 Station Road. Each of these properties has off-street parking for at least 2 vehicles. ESCC Highways have not objected to the proposals, subject to the imposition of conditions.
  - 8.4.3 The site is considered to be in an acceptably sustainable location where there is adequate access to public transport with bus stops served by the 'Compass' service between Lewes, Chailey and Newick being within approx. 170 metres walking distance on Avondale Road. This bus service also provides connectivity with the rail service at Lewes which provides access to destinations further afield. Local shops and services at Lewes Town Centre are accessible by public transport. Each dwelling would be provided with secure and covered bicycle storage facilities in the garage. It is considered that the infill location of the site and provision of cycle storage facilities would encourage uptake in use of alternative modes of transport to the private car.
  - 8.4.4 Electric car charge points will be secured by condition.
- 8.5 Sustainability
- 8.5.1 The dwellings and fenestrations have been orientated to allow for good access to natural light. The submitted plans show solar pv panels on the roof of each building. A condition will be used to obtain further details of the amount of power these panels could generate and to ensure that they are installed prior to the occupation of any dwelling. Energy efficient lighting and appliances would be provided as would electric vehicle charging points.

- 8.5.2 The application was not accompanied by a standalone Sustainability Statement; however this can be secured by condition in order to comply with policy DM14.
- 8.6 Ecology
- 8.6.1 The site does not fall within the Ashdown Forest 7km Zone or any other protected area. The proposal is for the erection of infill dwellings on a residential garden which has been cleared prior to the submission of this application. It is noted that permission is not required for the clearance undertaken by the applicant.
- 8.6.2 The Technical Advice Note (TAN) for Biodiversity Net Gain states that there is an expectation for minor development (9 new dwellings or less) to incorporate some biodiversity net gain. Notwithstanding the above, the proposed landscaping associated with the development can be utilised to provide biodiversity net gain. Habitat in the form of bat and bird boxes could also be provided in appropriate locations. This approach is in line with para.023 of the Planning Practice Guidance for the Natural Environment which states that ‘planning conditions or obligations can, in appropriate circumstances, be used to require that a planning permission provides for works that will measurably increase biodiversity.’
- 8.7 Previous appeals in the vicinity.
- 8.7.1 The application site has materially similar characteristics to a comparable development site that it shares a border with immediately to the east, that has seen two decisions to refuse planning permission overturned by the Planning Inspectorate at appeal.
- 8.7.2 The first of these appeals was 3138509, which was an application for three dwelling houses. In which the inspector identified that the main issue would be whether the proposal would result in a sustainable form of development having regard to development plan policy and the prevailing character of the area.
- 8.7.3 The Inspector found that the development would be located within an area of low-density housing, which the development would emulate and consolidate.
- 8.7.4 The Inspector identified that whilst the site was outside of the development boundary, it would contribute much needed dwellings in a way that would not cause material harm, tilting the balance in favour of the development. Ultimately, the Inspector overturned the council’s decision and allowed planning permission.
- 8.7.5 The second of these appeals was 3199039, an application for four dwelling houses. In this case the inspector outlined that the main issue was the effect of the proposed development on the character and appearance of the area and the countryside.
- 8.7.6 The inspector found that the character of the site was one of a “near continuous run of ribbon development along the road between the settlements of Chailey and Newick” and was not countryside *per se*,

as it was an area of informal garden (like the application site for LW/21/0942).

8.7.7 They found that the presence of existing screening and access onto Station Road was considered acceptable to retain the wider character of the area and was sufficient for the Inspector to overturn the council's decision and allow planning permission (subject to conditions).

8.7.8 On the basis that two Inspectors assigned by the Planning Inspectorate have found similar development on a neighbouring site, which has similar characteristics to this proposed development, to be acceptable, this application is considered to be, on balance, acceptable.

## 9. **Human Rights Implications**

9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

## 10. **Recommendation**

10.1 On balance approval is recommended subject to conditions.

10.2 Conditions

2. 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority.

The remediation strategy shall be implemented as approved.

Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, para 170, 178 and 179].

3. No development shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the Planning Authority. The approved plan shall set out the arrangements for managing all environmental effects of the development during the construction period, including traffic (including a workers' travel plan), temporary site security fencing, artificial illumination, noise, vibration, dust, air pollution and odour, site illumination and shall be implemented in full throughout the duration of the construction works, unless a variation is agreed in writing by the Planning Authority.

Reason: In the interests of amenity of the locality

4. Hours of work at the site shall be restricted to 08:00 to 18:00 hours Monday to Friday and 09:00 to 13:00 hours on Saturday. No working is permitted at any time on Sunday or Bank Holidays.

Reason: To protect the amenity of the locality in accordance with policy DM25 of the Lewes District Local Plan.

5. Before the development proceeds past damp proof course level, evidence, including photographs) showing that the drainage system has been constructed as per the final agreed detailed drainage designs included within GTA Civil's Flood Risk Assessment (March 2022) shall be submitted to an approved in writing by the Local Planning Authority.

Reason: In the interests of proper planning and neighbour amenity.

6. Before development commences on site the applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or be incorporated within a Construction Management Plan for the development.

Reason: In the interests of proper planning and neighbour amenity.

7. Electric vehicle charge points shall be supplied at each property and must comply with the latest BS7671. Each charge point shall be 'active' and capable of charging electric vehicles without the need for further works.

Reason: To protect and exploit opportunities for the use of sustainable transport modes and to manage air quality in accordance with NPPF 35 and 181.

8. In line with guidance from Natural England; and due to the proximity of the pond to the north of the development site, it is recommended that works are carried out under a precautionary working method statement.

Prior to commencement on site the applicant must either -

Submit a Naturespace Report or Certificate to demonstrate that the impacts of the proposed development through Lewes Councils District Licence, or

Provide a precautionary Working Statement in the form of Reasonable Avoidance Measures (RAMS)/Non-Licensed Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist.

Reason: In line with guidance from Natural England (Great crested Newts -District Level Licencing) with regard to biodiversity and the protection of Great Crested Newts.

9. The development shall not be occupied until all parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor

vehicles. Dimensions of each parking bay shall be a minimum of 5 metres in length by 2.5 metres in width.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large having regard to policy CP13, of the Lewes District Local Plan part one, policy DM25 of the Lewes District Local Plan part two and para. 110 of the NPPF.

10. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans which shall have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the turning space shall thereafter be retained for that use and shall not be obstructed.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

11. The development shall not be occupied until a cycle parking area has been provided in accordance with the approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non- car modes and to meet the objectives of sustainable development

12. The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).

Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

13. The access shall not be used until visibility splays of 2.4m by 160m are provided to the west and 2.4m X 150m to the east and maintained thereafter.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

14. The vehicular access serving the development shall be constructed in accordance with the approved drawing ref: FA20-1797-055- REV F

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

15. The developer must agree with Southern Water, prior to commencement of the development, the measures to be undertaken to protect the public sewers

Reason: in the interests of proper planning.

16. No development shall take place until an ecological design strategy (EDS) addressing enhancement of the site for biodiversity, to include the provision of bat and bird boxes and wildlife friendly planting, has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:

- purpose and conservation objectives for the proposed works;
- review of site potential and constraints;
- detailed design(s) and/or working method(s) to achieve stated objectives;
- extent and location /area of proposed works on appropriate scale maps and plans;
- type and source of materials to be used where appropriate, e.g. native species of local provenance;
- timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- persons responsible for implementing the works;
- details of initial aftercare and long-term maintenance;
- details for monitoring and remedial measures;
- details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 170 and 175 of the National Planning Policy Framework, and Core Policy CP10 of the Lewes District Local Plan 2016.

## **INFORMATIVE(S)**

1. The applicant is hereby reminded of the Control of Asbestos Regulations 2012 when carrying out demolition / other works associated with the development hereby permitted. For more information please visit <http://www.hse.gov.uk/Asbestos/regulations.htm>

2. All waste material arising from any site clearance, demolition, preparation and construction activities at the site should be stored, removed from the site and disposed of in an appropriate manner.

3. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

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

<u>Plan Type</u>	<u>Date Received</u>	<u>Reference</u>
Existing Section(s)	8 December 2021	FA20-1797-052- Rev A - Existing Site Sections AA and BB
Existing Section(s)	8 December 2021	FA20-1797-053 - Rev A - Existing Site Sections CC and DD

Proposed Layout Plan	8 December 2021	FA20-1797-055 -Rev F - Proposed Site Layout Plan
Proposed Layout Plan	8 December 2021	FA20-1797-056 - Rev F - Proposed Site Layout Plan (Coloured)
Other Plan(s)	8 December 2021	FA-20-1797-060 - Rev A - Proposed Building Heights Plan
Other Plan(s)	8 December 2021	FA20-1797-061 - Rev A - Proposed Building Mix Plan
Other Plan(s)	8 December 2021	FA20-1797-062 - Rev B - Proposed Refuse Strategy Plan
Other Plan(s)	8 December 2021	FA20-1797-063 - Proposed Parking Strategy Plan
Other Plan(s)	8 December 2021	FA20-1797-064 - Proposed Tenure Plan
Other Plan(s)	8 December 2021	FA20-1797-067 - Proposed Boundary Plan
Proposed Section(s)	8 December 2021	FA20-1797-080- Rev B - Proposed Site Sections AA and BB
Proposed Section(s)	8 December 2021	FA20-1797-081- Rev B - Proposed Site Sections CC, DD and EE
Proposed Floor Plan(s)	8 December 2021	FA20-1797-100 - Rev C - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 01)
Proposed Roof Plan	8 December 2021	FA20-1797-100 - Rev C - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 01)
Proposed Section(s)	8 December 2021	FA20-1797-100 - Rev C - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 01)
Proposed Elevation(s)	8 December 2021	FA20-1797-101 - Rev C - Proposed Elevations (Plot 01)
Proposed Floor Plan(s)	8 December 2021	FA20-1797-105 - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 02)



Proposed Roof Plan	8 December 2021	FA20-1797-105 - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 02)
Proposed Section(s)	8 December 2021	FA20-1797-105 - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 02)
Proposed Elevation(s)	8 December 2021	FA20-1797-106 - Rev C - Proposed Elevations (Plot 02)
Proposed Floor Plan(s)	8 December 2021	FA20-1797-110 - Rev B - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 03)
Proposed Roof Plan	8 December 2021	FA20-1797-110 - Rev B - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 03)
Proposed Section(s)	8 December 2021	FA20-1797-110 - Rev B - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 03)
Proposed Elevation(s)	8 December 2021	FA20-1797-111 - Rev D - Proposed Elevations (Plot 03)
Proposed Floor Plan(s)	8 December 2021	FA20-1797-115 - Rev C - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 04)
Proposed Roof Plan	8 December 2021	FA20-1797-115 - Rev C - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 04)
Proposed Section(s)	8 December 2021	FA20-1797-115 - Rev C - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 04)
Proposed Elevation(s)	8 December 2021	FA20-1797-116 - Rev D - Proposed Elevations (Plot 04)
Proposed Floor Plan(s)	8 December 2021	FA20-1797-120 - Rev D - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 05)
Proposed Roof Plan	8 December 2021	FA20-1797-120 - Rev D - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 05)

Proposed Section(s)	8 December 2021	FA20-1797-120 - Rev D - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 05)
Proposed Elevation(s)	8 December 2021	FA-20-1797-121 - Rev B - Proposed Elevations (Plot 05)
Proposed Floor Plan(s)	8 December 2021	FA20-1797-125 - Rev B - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 06)
Proposed Roof Plan	8 December 2021	FA20-1797-125 - Rev B - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 06)
Proposed Section(s)	8 December 2021	FA20-1797-125 - Rev B - Proposed Ground Floor, First Floor, Roof Plan and Section (Plot 06)
Proposed Elevation(s)	8 December 2021	FA20-1797-126 - Rev D - Proposed Elevations (Plot 06)
Proposed Floor Plan(s)	8 December 2021	FA20-1797-130 - Rev D - Proposed Ground Floor, First Floor, Roof Plan and Sections (Plot 07)
Proposed Roof Plan	8 December 2021	FA20-1797-130 - Rev D - Proposed Ground Floor, First Floor, Roof Plan and Sections (Plot 07)
Proposed Section(s)	8 December 2021	FA20-1797-130 - Rev D - Proposed Ground Floor, First Floor, Roof Plan and Sections (Plot 07)
Proposed Elevation(s)	8 December 2021	FA20-1797-131 - Rev B - Proposed Elevations (Plot 07)
Proposed Floor Plan(s)	8 December 2021	FA20-1797-150 - Proposed Double Garage Plans and Elevations (Plot 01)
Proposed Roof Plan	8 December 2021	FA20-1797-150 - Proposed Double Garage Plans and Elevations (Plot 01)
Proposed Elevation(s)	8 December 2021	FA20-1797-150 - Proposed Double Garage Plans and Elevations (Plot 01)
Proposed Floor Plan(s)	8 December 2021	FA20-1797-155 - Proposed Double Garage Plans and Elevations (Plots 02, 03 and 05)

Proposed Roof Plan	8 December 2021	FA20-1797-155 - Proposed Double Garage Plans and Elevations (Plots 02, 03 and 05)
Proposed Elevation(s)	8 December 2021	FA20-1797-155 - Proposed Double Garage Plans and Elevations (Plots 02, 03 and 05)
Proposed Floor Plan(s)	8 December 2021	FA20-1797-160 - Proposed Triple Garage Ground Floor, First Floor and Roof Plans (Plot 04)
Proposed Roof Plan	8 December 2021	FA20-1797-160 - Proposed Triple Garage Ground Floor, First Floor and Roof Plans (Plot 04)
Proposed Elevation(s)	8 December 2021	FA20-1797-161 - Proposed Triple Garage Elevations (Plot 04)
Proposed Floor Plan(s)	8 December 2021	FA20-1797-165 - Proposed Triple Garage Ground Floor, First Floor and Roof Plans (Plot 06)
Proposed Roof Plan	8 December 2021	FA20-1797-165 - Proposed Triple Garage Ground Floor, First Floor and Roof Plans (Plot 06)
Proposed Elevation(s)	8 December 2021	FA20-1797-166 - Proposed Triple Garage Elevations (Plot 06)
Proposed Floor Plan(s)	8 December 2021	FA20-1797-170 - Proposed Triple Garage Ground Floor and Roof Plan (Plot 07)
Proposed Roof Plan	8 December 2021	FA20-1797-170 - Proposed Triple Garage Ground Floor and Roof Plan (Plot 07)
Proposed Elevation(s)	8 December 2021	FA20-1797-171 - Proposed Triple Garage Elevations (Plot 07)
General	8 December 2021	Development Schedule
General	8 December 2021	Arboricultural Survey
General	8 December 2021	Arboricultural Impact Assessment
General	14 December 2021	Ecological Report
Illustration	14 December 2021	3D Images

General	8 December 2021	Transport Statement
Design & Access Statement	8 December 2021	Design and Access Statement
Planning Statement/Brief	8 December 2021	Planning Statement
Location Plan	8 December 2021	FA-20-1797-050 - Rev A - Site Location Plan
Other Plan(s)	8 December 2021	11358_1600 - Rev A - Surface Water Drainage Layout
Other Plan(s)	8 December 2021	PJC-1028-001 - Rev D - General Arrangement Landscape Plan (1/2)
Other Plan(s)	8 December 2021	PJC-1028-001 - Rev D - General Arrangement Landscape Plan (2/2)
Other Plan(s)	8 December 2021	PJC-1028-002 - Rev D - Hard Landscape and Boundary Treatment Plan (1/2)
Other Plan(s)	8 December 2021	PJC-1028-002 - Rev D - Hard Landscape and Boundary Treatment Plan (2/2)
Other Plan(s)	8 December 2021	PJC-1028-003 - Rev C - Landscape Detailed Planting Plan (1/2)
Other Plan(s)	8 December 2021	PJC-1028-003 - Rev C - Landscape Detailed Planting Plan (2/2)
General	8 December 2021	Foul and SuDS Drainage Assessment
Technical Report	23 March 2022	Daylight / Sunlight Report

## 11. Background Papers

11.1 None.