

# Planning Applications Committee 5 October 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); Councillor Laurence O'Connor (Vice-Chair); Councillors Graham Amy, Tom Jones, Christoph von Kurthy, Sylvia Lord, Imogen Makepeace, Milly Manley, Nicola Papanicolaou, Steve Saunders and Richard Turner**

**Quorum: 5**

*Published: Monday, 26 September 2022*

## Agenda

### 1 **Minutes (to follow)**

To confirm and sign the minutes of the previous meeting held on 7 September 2022.

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

### 3 **Declarations of interest**

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

### 4 **Urgent items**

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972.

### 5 **Petitions**

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

## **6 Written questions from councillors**

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

## **7 Officer Update *(to follow)***

Where additional information has been received by Planning Officers subsequent to the publication of the agenda, a supplementary report will be added to this item and published on the Council's website the day before the meeting to update the main reports with any late information.

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

**8 SDNP/22/00694/FUL - Northease Farm, Whiteway Lane, Northease, BN7 3EX (Pages 5 - 20)**

**9 SDNP/19/02125/FUL - Downlands House, Underhill Lane, Westmeston, BN6 8XE (Pages 21 - 34)**

**10 SDNP/22/01125/FUL - Land west of Lewes Road, Westmeston, East Sussex (Pages 35 - 56)**

**11 SDNP/22/02707/FUL - 130 South Street, Lewes, East Sussex, BN7 2BS (Pages 57 - 74)**

### **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, 9 November 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](#).



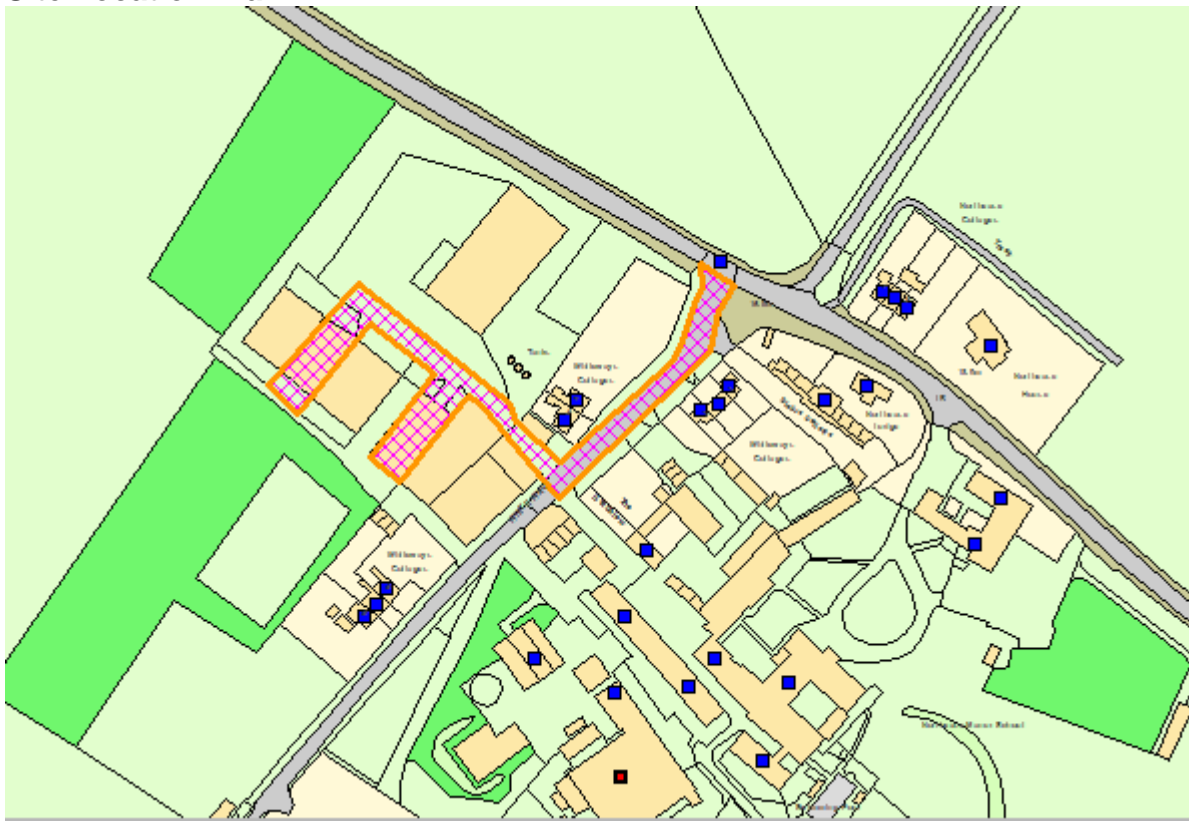
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**Report to:** Planning Applications Committee  
**Date:** 5<sup>th</sup> October 2022  
**Application No:** SDNP/22/00694/FUL  
**Location:** Northease Farm, Whiteway Lane, Northease, BN7 3EX  
**Proposal:** Retrospective change of use from Class E Business and Cattle Building to Class B8 Storage  
**Applicant:** Mr D Robinson  
**Ward:** Kingston Ward  
**Recommendation:** Grant Permission subject to conditions.  
**Contact Officer:** **Name:** Claire Tester  
**E-mail:** [Claire.test@lewes-eastnourne.gov.uk](mailto:Claire.test@lewes-eastnourne.gov.uk)

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

## Site Location Plan



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| <b>1.</b> | <b>Executive Summary</b>   |
| 1.1       | It is considered that the existing use of these buildings for bus storage and vehicle repairs complies with the relevant development plan policies and meets the purposes and duty of the National Park provided that conditions are imposed which control any future intensification. |

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| <b>2.</b> | <b>Relevant Planning Policies</b>   |
| 2.1       | <p><u>National Planning Policy Framework</u></p> <p>Paragraph 81          Economic growth and productivity<br/> Paragraphs 84-85    Supporting the rural economy<br/> Paragraph 176        Conserving and enhancing National Parks</p>  |
| 2.2       | <p><u>Lewes District Local Plan:</u></p> <p>Not applicable as the application site is located within the South Downs National Park</p> <p><u>South Downs Local Plan 2019</u></p> <p>Policy SD1 Sustainable Development<br/> Core Policy SD2: Ecosystem Services<br/> Strategic Policy SD7: Relative Tranquillity<br/> Strategic Policy SD19: Transport and Accessibility<br/> Development Management Policy SD21 Highway Design<br/> Development Management Policy SD41: Conversion of Redundant Agricultural or Forestry Buildings</p> |

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| <b>3.</b> | <b>Site Description</b>  |
| 3.1       | The application relates to the former agricultural buildings in Northease Farm located on the west side of White Way, which is a private road, accessible from Piddinghoe Road. The buildings are separated by other adjoining agricultural buildings and accessed via a slip road off White Way.  |
| 3.2       | Both buildings face northeast onto the farmyard and are screen from the wider countryside by buildings opposite. The machinery store is on the end of the first set of buildings on the farmyard access. This building has sliding double doors and is of steel and sheet construction. The former cattle building is in the second set of buildings with grain and other farm buildings either side. It is also of steel frame and sheeted construction but along with its neighbours it has an open front. |

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| <b>4.</b> | <b>Proposed Development</b>  |
| 4.1       | The application is for the change of use of a machinery storage building to business use under Class E and the change of use of a 'cattle building' to storage or distribution use (Class B8). Both changes of use are retrospective with a vehicle repair business occupying the first building and the second being used for the storage of vintage buses. |
| 4.2       | The storage building has a floor area of 627sqm and used to contain tractors and farm machines. Contract farming has reduced the farm's requirement for farming equipment. This building is used as a garage which provides servicing work and repairs for vehicles.   |
| 4.3       | The cattle building has a floor area of 585sqm and was used for calving and housing young calves. The farm now purchases youngstock from other farms, so the building was considered redundant. This building currently stores vintage buses.  |
| 4.4       | No physical alterations have taken place following the change of uses of the buildings.  |

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| <b>5.</b> | <b>Relevant Planning History:</b>  |
| 5.1       | A number of decisions relating to agricultural developments, the latest being LW/11/0995/NP for solar panel modules on two agricultural barns, approved on 14.10.2011. |

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| <b>6.</b> | <b>Consultations:</b>   |
| 6.1       | <p><u>ESCC Highways: First Response</u></p> <p>This planning application seeks approval for the change of use of the machinery store to Class E business and cattle building to Class B8 storage or distribution use. Whilst the proposal is retrospective and gives an indication of the current businesses operating from the site, use class E and B8 use could allow a whole range of uses and for use class E these uses can be altered without the need for additional planning permission. No matter the class E use the proposals could increase traffic using the existing access which has substandard visibility. On this basis I object to this proposed development.</p> <p>Response</p> <p>Trip Generation<br/>No information is given on trip generation, just an indication of the previous uses and current tenants, which include vehicle repairs and the storage of a collection of 6 vintage buses. Although the detail suggests that the buses</p> |

infrequently leave the building, I have no evidence of what this means nor the level of associated employee trips. The application form only indicates 1 employee for the two units. As the farm buildings were used for maintenance of farm machinery and cattle rearing, some of vehicular trips associated with these buildings are likely to remain within the farm complex. As a result, the proposed development would generate new vehicular trips onto the public highway network.

#### Access

The proposal includes using the existing vehicular access onto Piddinghoe Road (C7). Piddinghoe Road fronting the site is subject to a 50mph speed limit, whereby visibility splays of 2.4m x 160m should be provided in accordance with Design Manual for Roads and Bridges. It is clear that the required sightlines fall significantly short to the south due to the alignment of the road.

Having checked the police crash records, there have been 4 reported incidents within the last 5 years within 250m of the site access. 2 accidents were slight in nature and 2 serious. Although the accidents did not occur at the junction of Whiteway Lane the causation of 1 of the accidents related to an access being in close proximity to a blind bend within a 50mph. On the basis that the visibility splays at the proposed access fall short of the requirement this should be a consideration.

#### Reason

1. The existing access at its junction with Piddinghoe Road has substandard visibility and width and existing hazards would be increased by the additional slowing, stopping, turning, and reversing traffic which would be created and would therefore be contrary to para 111 of the National Planning Policy Framework I wish to be re-consulted on this application following the applicant's response to these comments.

#### ESCC Highways Updated Comments Second Response 24.08.2022

This planning application seeks approval for the change of use of the machinery store to Class E business and cattle building to Class B8 storage or distribution use. Following my initial comments on the 30th of March 2022 additional information has been provided by the applicant on the number of movements associated with the current businesses operating from the site. Although my concerns regarding the substandard access remain, following clarification from the case officer that the proposed use will maintain the same level of vehicular movements and that conditions can be imposed to limit the number of employees and prevent the use as a bus operating centre the site then an objection would be difficult to uphold.



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| 7.  | <b>Other Representations:</b>   |
| 7.1 | <p data-bbox="320 262 667 297"><u>Rodmell Parish Council:</u></p> <p data-bbox="320 338 544 374"><b>Setting/Context</b></p> <p data-bbox="320 374 1382 813">Northeast Farm is located within Rodmell Parish, in the Lower Ouse Valley, a particularly beautiful part of the South Downs National Park. The farm is on Whiteway Lane, a restricted byway leading from the C7 (Lewes - Newhaven) Road to the South Downs Way, and beyond to Breaky Bottom Vineyard. The lower part of Whiteway Lane is also a private road belonging to the farm. There are eleven residential houses situated on Whiteway Lane, with houses on both sides of the lane adjacent to the farmyard. A number of agricultural buildings on the farm are already being used for a wide range of light industrial and storage purposes, including industrial roofing and cladding, resin surfacing, cider-making, ophthalmic consumables manufacture and veteran car storage, with associated yards, offices, warehousing and car parking.</p> <p data-bbox="320 853 1382 1068">Northeast has no Settlement Boundary within the SDNP Local Plan, so is designated as Open Countryside. Rodmell Parish Council (RPC) believes that the setting of Northeast farm, within the national park and adjacent to residential houses, means that this retrospective planning application for the establishment of an automotive centre, and a 'storage' base for double decker buses, is inappropriate for this setting.</p> <p data-bbox="320 1108 663 1144"><b>2. Impact and Suitability</b></p> <p data-bbox="320 1144 1382 1359">As this is a retrospective application, residents living in Whiteway Lane, and other users of the restricted byway such as walkers, are already well aware of the effects of the 'proposed' changes of use, which have been in place since summer 2021. Several residents of Whiteway Lane have voiced their concerns, which have been considered in our response to this application.</p> <p data-bbox="320 1400 831 1435"><b>a) Storage of Double Decker Buses</b></p> <p data-bbox="320 1476 1382 1803">1. Purpose of storage. The application is for storage only of a 'veteran' bus collection and states that the buses are not frequently moved. However, these buses are of the type (some with no roof), usually used for weddings, scenic tours, and parties, some with a digital display on the front and others with tour bus signwriting. Residents are concerned that with the start of summer these buses will be hired out, especially at weekends. The existence of operating licences needs to be investigated, and restrictions on movements should be strictly conditioned in the event of application approval.</p> <p data-bbox="320 1843 1382 2058">2. Safety implications. Moving double decker buses on and off Northeast Farm is also a concern. Turning into and out of the farmyard involves negotiating a tight corner with a residential house close on one side, crossing a deep drainage gully across Whiteway Lane, and driving along Whiteway Lane, which is a restricted byway without pavements, frequented by walkers using the South Downs Way. Whiteway Lane is</p> |

lined by cottages, some lived in by children, who use the lane to walk to and from the bus stop for school. Special Needs children from nearby Northease Manor School also use the lane regularly for group walks.

3. Access to and use of the C7. This is already hazardous for cars, being on a blind bend with cars travelling at 50+ mph. For slow-moving buses access would be particularly dangerous. The C7 has an axle weight restriction of 7.5 tonnes except for access. Granting approval for this application would be granting access for double decker buses to the farm, thereby permitting double decker buses to travel along the C7.

4. Noise and pollution. Residents report that even in winter the buses were brought out into the farmyard at intervals to have their diesel engines 'warmed up'. This is a very noisy, smelly (clouds of diesel fumes) and prolonged process for each bus. No assessment of noise associated with this application has been conducted and is stated as not needed. We believe it is clear that an assessment is needed.

5. Use of Whiteway Lane. Extensive use by double-decker buses could well damage the structure of Whiteway Lane. This is a concern to people owning their own houses along the lane, who are liable to contribute to the costs of maintaining it.

#### b) Establishment of an Automotive Centre Specialising in Servicing and Repairing Land Rovers and Other 4 x 4 Vehicles

1. Parking required. The application states that the three new parking spaces on the machinery store ramp (out of sight of Whiteway Lane) are sufficient to supply the automotive centre. However, several additional spaces (on hardstanding) have also been provided in the entrance to the farmyard. These are now used by 4 x 4s waiting with their bonnets raised to be attended to, or while they are being worked on. This has an adverse visual impact on the character of the lane and farm within the national park.

2. Noise levels. The application claims that there is no change in noise levels because the new automotive centre is housed in the old farm machine shop, and therefore no impact assessment of noise is required. This is not the case, because the farm machine shop would only have been used as and when works on farm vehicles were needed. In any case, it is acknowledged that the machine shop had not been used for this purpose for some years, because this function has been contracted out to another farm. It therefore cannot be claimed that there has been no change in noise production from this building. The automotive centre, on the other hand, has been widely advertised in the local area, and is an on-going full-time commercial business, looking to expand its clientele. Nearby residents report that working hours include weekends and evenings and complain of fumes and nuisance noise such as the prolonged revving of engines and machine noise of metal on metal. In considering this application, the impact of both noise and fumes on neighbouring residents should be assessed, as well as the impact of

additional vehicle movements on Whiteway Lane, ie.4 x 4 vehicles coming daily to be serviced, delivery of parts, et

### 3. SDNPA Policies and the Proposed Changes of Use

Approval for the establishment of a) an automotive centre, and b) a garage for double decker buses at Northease Farm, would be in contravention of the following SDNPA policies.

- Strategic Policy SD7 - Relative Tranquillity states, 'Development proposals will only be permitted where they conserve and enhance relative tranquillity and should consider the following impacts:.....Direct impacts that the proposals are likely to cause by changes in the visual and aural environment in the immediate vicinity of the proposals'.
- Development Policy SD41 - Conversion of Redundant Agricultural Buildings states that they will be permitted where '.... the existing vehicular access is suitable in landscape terms for the use proposed'.
- NPPF Para 85, Supporting a Prosperous Rural Economy, states '.....it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads, and exploits any opportunities to make a location more sustainable, for example, by improving the scope for access on foot, by cycling....'
- Policy SD1 states that the SDNPA will pay due regard to its duty to seek to foster the economic and social wellbeing of the local communities.

### 4. Cumulative Impact of Changes of Use of Agricultural Buildings to industrial/commercial/storage purposes at Northease Farm.

Rodmell Parish Council recognises the economic pressures on farmers to diversify. However, in considering individual change of use applications we believe it is also important to consider the cumulative impact on the character of the landscape and the people wishing to enjoy it. The concepts of 'creeping incrementalism' and 'creeping industrialisation' are relevant to consideration of this retrospective application. There are already numerous redundant agricultural buildings at Northease farm being used for light industrial, commercial and storage purposes. In considering two further retrospective changes of use, the cumulative impact should be considered in the context of the proportion of buildings already so used. 'Changes of use' on a farm can take place without public consultation, and these changes then become used as a baseline for ever more expansion of increasingly unacceptable activities. This expansion has brought many negative results to Whiteway Lane, a restricted byway used by residents, walkers and cyclists, which have caused concerns to residents and even comments on social media that Northease Farm more closely resembles an industrial estate than a farm. Rodmell Parish Council therefore objects to this retrospective application, and requests that it be refused

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| 7.2 | <p><u>Other Representations:</u></p> <p><u>Green Consultancy 23.03.2022</u></p> <p>In terms of land contamination issue, I recommend the following informative:</p> <p>No activity at the site should contaminate groundwater at the site and surrounding area.</p>   |
| 7.3 | <p><u>Neighbour Representations</u></p> <p>2 letters of objection on the following grounds:</p> <p>General:</p> <ul style="list-style-type: none"> <li>• Recognise need for farmers to supplement their income</li> <li>• Uses must be appropriate to National Park</li> <li>• Uses must be appropriate for a residential lane which is a restricted by-way, without pavements, which leads up to the South Downs Way and to Breaky Bottom Vineyard and well used by walkers, cyclists and others seeking to enjoy the national park, as well as by local residents, including children.</li> <li>• Whiteway Lane has a relatively deep drainage gully which crosses the lane near the site</li> <li>• These two applications ought not to be considered in isolation to several other [unauthorised] commercial activities already operating on farm premises. If these applications are approved, they would consolidate the area as a de facto business park/industrial estate. The cumulative unsightly visual impact of existing commercial activity, in repurposed agricultural buildings on the farm, needs to be considered.</li> </ul> <p>1.</p> <p>Storage of double decker buses</p> <ul style="list-style-type: none"> <li>• The buses may be used in the summer months for weddings and parties and therefore be making frequent movements on and off the farm.</li> <li>• To reach Northease farm, these buses will need to travel along the C7 Lewes to Newhaven Road, which has an axle restriction of 7.5 tonnes because the narrow and winding nature of this country road, within a national park, means that it is unsuitable for this kind of vehicles, except for essential access.</li> <li>• Double decker buses turning in and out of the farmyard, close to a cottage, and travelling along the lane, without pavements, will be dangerous for residents and walkers.</li> <li>• Turning from the farm on to the narrow C7 will be extremely hazardous to oncoming vehicles because the junction is located on a blind bend within a 50mph speed zone.</li> <li>• Although the buses are described as static, they still need to have their diesel engines warmed up, at intervals and prior to moving. This is a very noisy process and causes clouds of diesel fumes, close to the gardens of the adjacent cottages.</li> </ul> |

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|  | <ul style="list-style-type: none"> <li>• There are therefore issues of pollution, noise, and safety with this application.</li> </ul> <p>Automotive Centre</p> <ul style="list-style-type: none"> <li>• Objection on the grounds of additional traffic into the farmyard, including parts deliveries and noise from engine testing and repairs, particularly metal work.</li> <li>• Although the garage (automotive centre) itself is out of sight of the lane, several additional parking spaces for the waiting 'client vehicles' have been provided in the entrance to the farmyard, in sight of the lane.</li> <li>• This automotive centre has been widely advertised and is steadily building up its clientele. There is frequent weekend and evening working. The work is often noisy, (machine tools, revving engines etc), and polluting for the residents of the adjacent cottages (exhaust fumes).</li> <li>• The establishment of 'a garage' on the farm means that more vehicles are travelling up and down the lane.</li> <li>• The machine shop would have been used on an 'as needed' basis, whereas this is a commercial enterprise with a steady stream of clients. Moreover, the building has not been used as a machine shop in recent years. The impact on residents needs to be considered.</li> </ul> <p>Conclusion: No decision should be made without impact assessments of: -</p> <ul style="list-style-type: none"> <li>• Noise</li> <li>• Fumes</li> <li>• Safety implications of double decker buses turning in to and out of the C7</li> <li>• Impact on local roads</li> </ul> <p>In the event that the application is approved, strict conditions should be imposed and enforced, in particular:</p> <ul style="list-style-type: none"> <li>• Restrictions on the movements of the buses. (A log of movements should be kept and be made available for inspection)</li> <li>• Working hours permitted</li> <li>• Noise restriction</li> </ul> |
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| <b>8.</b> | <b>Appraisal:</b>   |
| 8.1       | <p><u>Key Considerations:</u><br/>The main considerations for this application are as follows:</p> <ul style="list-style-type: none"> <li>• Whether the use of these buildings complies with Policy SD41 of the South Downs Local Plan on the Conversion of Agricultural Buildings.</li> <li>• Whether the proposal results in highway safety issues contrary to policies SD19 and SD21 of the Local Plan; and</li> </ul> |

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|     | <ul style="list-style-type: none"> <li>• Whether the uses harm neighbouring amenity or adversely impact the tranquillity of the National Park contrary to policy SD7 of the Local Plan.</li> </ul>   |
| 8.2 | <p><u>Conversion Agricultural Building:</u><br/>Policy SD41 states as follows:</p> <ol style="list-style-type: none"> <li>1. The conversion of redundant agricultural or forestry buildings outside of defined settlement boundaries to an alternative use will be permitted where:       <ol style="list-style-type: none"> <li>a) The location is sufficiently well related to existing infrastructure, amenities, and services.</li> <li>b) The existing vehicular access is suitable in landscape terms for the use proposed.</li> <li>c) The original building is worthy of conversion with regard to its current character, scale, and condition, without the need for substantial reconstruction, significant extensions, or ancillary buildings.</li> <li>d) Conversion will not result in the need for another agricultural or forestry building on the holding.</li> <li>e) If the building proposed for conversion is not a traditional one, there are no redundant traditional buildings within the holding capable of being re-used in the first instance.</li> <li>f) There is no adverse impact on the character of the building and its setting, in particular its agricultural/forestry character, and</li> <li>g) The building is converted to the most appropriate viable use according to the following cascade:           <ol style="list-style-type: none"> <li>i. Firstly, housing for essential agricultural or forestry workers, or succession housing for former agricultural or forestry workers</li> <li>ii. Farm/forestry diversification for employment use</li> <li>iii. Affordable housing</li> <li>iv. Farm/forestry diversification for visitor accommodation or facilities</li> <li>v. Open market housing.</li> </ol> </li> </ol> </li> <li>2. (Only applicable to heritage assets).</li> </ol> <p>In respect of the SD41 criteria the application performs as follows:</p> <ol style="list-style-type: none"> <li>1a) The location is 3km from Lewes and on a bus route and is considered to be sufficiently well related to existing infrastructure, amenities, and services.</li> <li>1b) No changes are proposed to the existing vehicular access.</li> <li>1c) No physical changes to the buildings have been carried out or are proposed.</li> </ol> |

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|     | <p>1d) The buildings were no longer in use by the farm and their conversion has not resulted in the need for another agricultural building on the holding.</p> <p>1e) There are no redundant traditional buildings within the holding capable of being reused for these purposes.</p> <p>1f) The change of use has not impacted on the agricultural character of the buildings as no physical changes have taken place and storage of agricultural machinery would have a similar impact.</p> <p>1g) The conversion of the buildings to employment use as part of farm diversification is second in the cascade of preferred uses and the buildings would not be suitable for housing, neither has a need for essential agricultural or forestry workers been demonstrated.</p> <p>In conclusion the application proposal is considered to comply with policy SD41.</p> <p>Also material to the application is NPPF paragraphs 84-85 which support the sustainable growth and expansion of all types of business in rural areas, including through conversion of existing buildings, and says that decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport</p> |
| 8.3 | <p><u>Highway Safety</u></p> <p>Policy SD19 says in criterion 3 that “Development proposals must demonstrate the continued safe and efficient operation of the strategic and local road networks”. Policy SD21 says in criterion 1 that “Development proposals will be permitted provided that they protect and enhance highway safety”.</p> <p>The access to the site has sub-standard visibility to the south and ESCC Highways initially raised objection to the application. However, additional information has been provided by the agent as follows:</p> <ul style="list-style-type: none"> <li>• The bus storage use is for the long-term storage of vintage buses. It is not an operating centre and is not registered as such.</li> <li>• Each bus moved for its MoT once a year, and they are rotated from the main depot to storage in the building according to vehicle suitability for the seasonal conditions.</li> <li>• The cattle building can store up to 6 buses at any one time, and the use generates around 84 trips per year (36 by buses and 48 by cars). A condition could be imposed limiting the number of buses and all the buses are fitted with trackers so the operator can evidence the pattern of use.</li> </ul>   |

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|     | <ul style="list-style-type: none"> <li>The storage building is occupied by one mechanic repairing mainly land rovers and could be conditioned to only include one vehicle repair bay to avoid future intensification.</li> </ul> <p>As a result, ESCC Highways has withdrawn its objection provided that the current intensity of use is secured in future through conditions.</p>   |
| 8.4 | <p><u>Neighbouring Amenity and Tranquillity of the National Park:</u><br/>The buses are electrically isolated when in store and there is no engine testing, and no work carried out on vehicles at this building. Any restoration work is carried out at the main depot where there is a workshop. There will be some noise and potentially fumes when the buses are started up prior to leaving the site but this will be infrequent and not dissimilar to that created by farm vehicles.</p> <p>The use for vehicle repairs is being applied for under ‘Class E’, which is defined as a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. The limitation of the use to one repair bay and one mechanic will also assist in controlling the level of activity associated with this use.</p> <p>Overall, the vehicular movements and level of noise and activity needs to be viewed in the context of the existing lawful use for agriculture, including use by large, heavy farm vehicles and agricultural operations including repair of such vehicles. This also applies to the use of the access track, which is a public right of way.</p> <p>In the light of the concerns raised by residents and the Parish Council about cumulative impacts with other unauthorised uses the site was visited by the case officer and the enforcement officer. However, no unauthorised uses were observed. Notwithstanding this the current application must be determined on its own merits.</p> |
| 8.5 | <p><u>Ecosystems Services</u><br/>The ecosystems services statement submitted with the application notes that benefits are limited by the application being solely for the change of use of the two buildings with no physical alterations. However, there are indirect benefits for the environment because of the rental income from diversified uses facilitating ongoing participation in environmental schemes for the wider farm holding. Additionally, some opportunity for biodiversity net gain could be achieved through the installation of bird and bat boxes and a condition securing this is recommended.</p>  |
| 8.6 | <p><u>Planning Obligations:</u><br/>There are no S106 Planning obligations associated with this proposal</p>   |



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| 8.7 | <p><b><u>Human Rights Implications:</u></b></p> <p>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 considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.</p> |
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| <b>9.</b> | <b>Recommendations</b>  |
| 9.1       | In view of the above the proposed development is considered to be acceptable and approval is recommended subject to conditions. |

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| <b>10.</b> | <b>Conditions:</b>  |
| 10.1       | <p><b>Time Limit</b></p> <p>No vehicles, plant or machinery shall be operated, and no process carried out and no deliveries taken or dispatched from either of the two buildings on the site hereby permitted outside the following times: -</p> <p>a) 8:00-18:00; Mondays to Fridays,<br/> b) 9:00-13:00; Saturdays<br/> c) Not at any time on Sundays, Bank or Public Holidays.</p> <p>Reason: To ensure the use of the buildings does not have a harmful environmental effect and in the interests of neighbouring amenity.</p>  |
| 10.2       | <p><b>Restriction on the Use ‘Storage Building’</b></p> <p>The ‘storage building’ shall be used for Class E vehicle repair by a maximum of 1 mechanic on the premises at any one time; and for no other purpose (including any other purpose in Class E; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order). All repair operations shall be carried out within the building and the outside space shall only be used for vehicle access and parking.</p> <p>Reason: To ensure the use of the building does not have a harmful environmental effect and in the interests of neighbouring amenity and highway safety.</p> |
| 10.3       | <p><b>Restriction on the use ‘Cattle Building’</b></p> <p>The ‘cattle building’ shall be used for Class B8 storage of up to 6 vintage buses on the site at any one time; and for no other purpose (including any other purpose in Class B8; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 or in any provision equivalent to that Class in any other statutory instrument</p>   |

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|      | <p>revoking and re-enacting that Order). No repairs to the buses shall be carried out on site and it shall not be used as an operating centre.</p> <p>Reason: To ensure the use of the building does not have a harmful environmental effect and in the interests of neighbouring amenity and highway safety.</p>  |
| 10.4 | <p><b>Number of Bus Trips</b></p> <p>The movement of buses in and out of the site shall not exceed 40 trips in any one year. The operator will install trackers on the buses and provide evidence of this at the request of the Local Planning Authority.</p> <p>Reason: In the interests of neighbouring amenity and highway safety.</p>  |
| 10.5 | <p><b>Bird and Bat Boxes</b></p> <p>Within 3 months of the date of this decision details of bird and bat boxes and the timing of their installation shall be submitted to and approved by the Planning Authority and installed according to these details. The boxes shall thereafter be retained for that purpose.</p> <p>Reason: To enhance the ecological interest of the site in accordance with South Downs Local Plan policy SD09 Biodiversity and Geodiversity.</p> |
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| <b>11.</b> | <b>Plans:</b>  |
| 11.1       | This decision relates solely to the following plans: |

|  | <u>Plan Type</u>                       | <u>Date Received</u> | <u>Reference:</u> |
|--|--|----------------------|-------------------|
|  | Location Plan                          | 09.02.2022           | -                 |
|  | Block Plan                             |                      | 0530/05           |
|  | Existing Floor Plan<br>Machinery Store |                      | 0530/01           |
|  | Existing Floor Plan<br>Cattle Yard     |                      | 0530/04           |
|  | Proposed Floor Plan<br>Machinery Store |                      | 0530/02           |
|  | Proposed Floor Plan<br>Cattle Yard     |                      | 0530/03           |

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| <b>12.</b> | <b>Appendices</b> |
| 12.1       | None.             |

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| <b>13.</b> | <b>Background Papers</b> |
| 13.1       | None.                    |



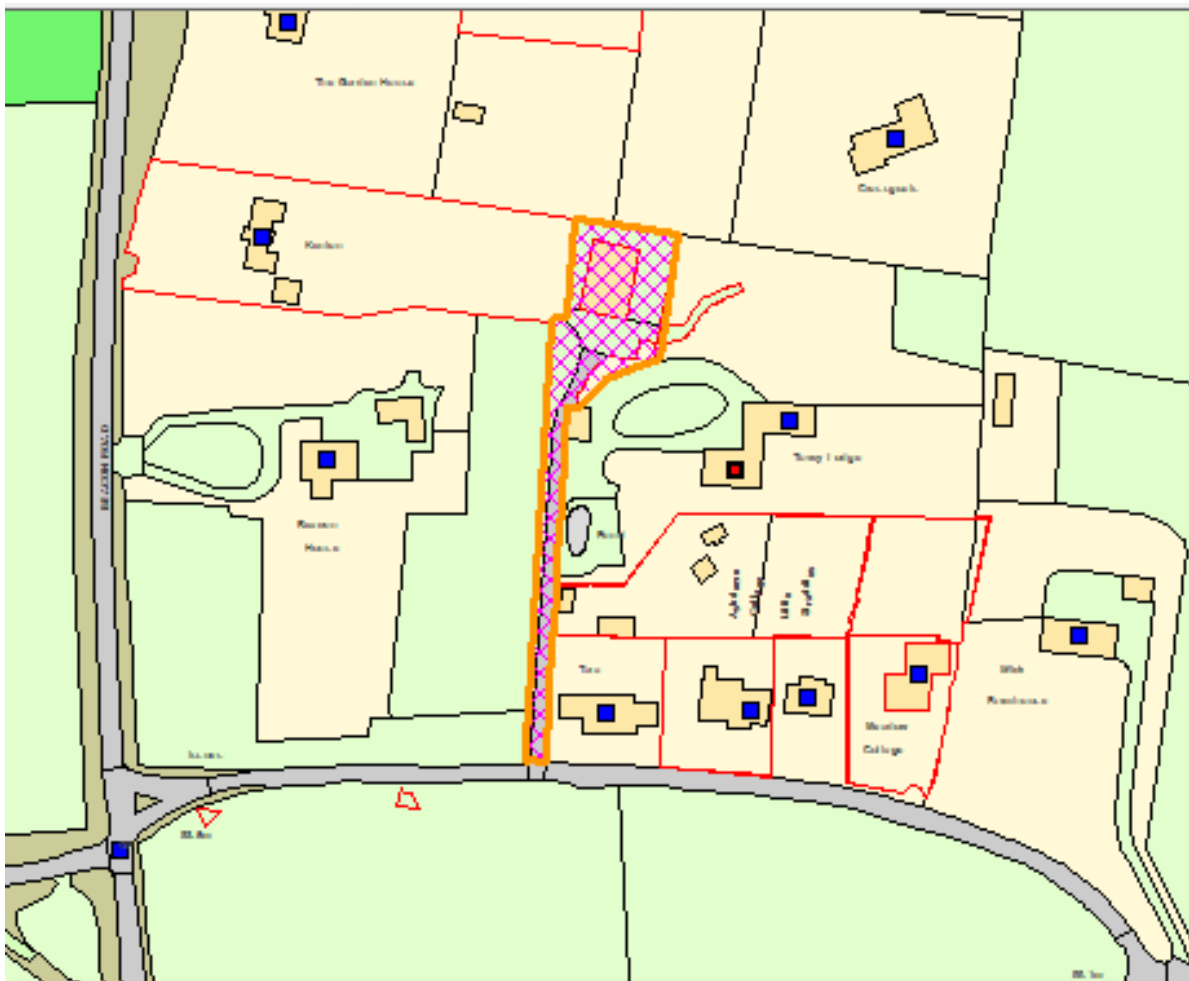
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**Report to:** Planning Applications Committee  
**Date:** 5<sup>th</sup> October 2022  
**Application No:** SDNP/19/02125/FUL  
**Location:** Downlands House, Underhill Lane, Westmeston, BN6 8XE  
**Proposal:** Change of use from Storage and Distribution building to self-contained dwelling house, re-cladding of roof and walls, enlargement of garden areas.  
**Applicant:** Mr R Burman  
**Ward:** Ditchling and Westmeston Ward  
**Recommendation:** Grant Permission subject to conditions.  
**Contact Officer:** **Name:** Claire Tester  
**E-mail:** [claire.tester@lewes-eastbourne.gov.uk](mailto:claire.tester@lewes-eastbourne.gov.uk)

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

## Site Location Plan



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| <b>1.</b> | <b>Executive Summary</b>   |
| 1.1       | The proposed development to change the use of a storage and distribution building to a dwelling with associated physical alterations is considered to comply with the relevant development plan policies and to meet the purposes and duty of the South Downs National Park. |

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| <b>2.</b> | <b>Relevant Planning Policies</b>   |
| 2.1       | <p><u>National Planning Policy Framework</u></p> <p>79 and 80 New dwellings in rural areas<br/> 126 Importance of good design<br/> 176 National Parks</p>   |
| 2.2       | <p><u>South Downs Local Plan</u></p> <p>Core Policy SD1: Sustainable Development<br/> Core Policy SD2: Ecosystem Services<br/> Strategic Policy SD4: Landscape Character<br/> Strategic Policy SD5: Design<br/> Strategic Policy SD8: Dark Night Skies<br/> Strategic Policy SD9: Biodiversity and Geodiversity<br/> Development Management Policy SD11: Trees, Woodland and Hedgerows<br/> Strategic Policy SD19: Transport and Accessibility<br/> Strategic Policy SD25: Development Strategy</p> <p><u>Lewes Local Plan:</u></p> <p>Not applicable given the sites location within the South Downs National Park</p> |
| 2.3       | <p>Ditchling, Streat and Westmeston Neighbourhood Plan</p> <p>DS1: Development strategy<br/> CONS 2 Set standards for design of new development<br/> CONS 6: Conserve landscape and important views<br/> CONS 9: Protect and enhance habitats and biodiversity</p>  |

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| <b>3.</b> | <b>Site Description</b>  |
| 3.1       | The application site is located on the north side of Underhill Lane at the Ditchling end, and is accessed via a track to the west of properties along Underhill Lane (the nearest being 'Tara) and to the east of Beacon House which is accessed from the Beacon Road. Also adjacent to the site are Beacon Nurseriesm, Kenton and Crossgoat, all accessed from the Beacon Road. |

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| 3.2 | Downlands House is a mixed-use site comprising the main house (Downlands House), a self-contained holiday let (called Tovey Lodge) and the storage and distribution building that is the subject of the current planning application. The storage and distribution building were last used by the site's owner for his mail order business. The owner has now retired and so the building is unused. |
| 3.3 | The site comprises the B8 storage building and the access drive. The building is a utilitarian structure of concrete fibre sheeting with a concrete hardstanding in front of it. Mature trees are located around the boundaries of the site.   |

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| <b>4.</b> | <b>Proposed Development</b>   |
| 4.1       | It is proposed to re-clad and re-roof the building and convert it to a 3-bedroom dwelling of 9 metres by 12.5 metres (112.5 square metres). Amended plans were submitted in September 2021 which show a reduction in the size of the existing building to pull it away from the adjacent trees. The timber clad walls would be recessed in from the roof and the Atcost metal frame forming an overhang over a veranda. The existing cement fibre clad roof would be replaced with a shallow pitched green roof with photovoltaic panels. |
| 4.3       | An existing portacabin and lighting pole on the site would be removed and new landscaping of the garden is proposed.  |

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| <b>5.</b> | <b>Relevant Planning History:</b>  |
| 5.1       | LW/93/1558F. Change of use of the building from "agricultural / horticultural storage" to "over wintering of caravans". Approved |
| 5.2       | SDNP/16/05875/FUL. New dwelling on site of building. Refused   |
| 5.3       | SDNP/17/03066/FUL. Conversion of the barn to dwelling. Refused and dismissed on appeal in January 2018.                          |

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| <b>6.</b> | <b>Consultations:</b>   |
| 6.1       | <u>Ditchling Parish Council Object</u><br>Noting a similar application on this site was refused at appeal in 2017; since this time the NP is now in place with policy DS1 and the SDNP policy SD25 being relevant to the objection. The proposal would also be contrary to policies CP10 and CP11 of the Joint Core Strategy and to the framework of the NPPF. The Council would request that the SDNP call in the application to be consistent with the recent application (SDNP/18/06553/FUL) which was outside the settlement boundary and |

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|            | <p>involved re-use of redundant buildings, where permission was refused for this application by the SDNP Committee on the 9th May.</p>  |
| <p>6.2</p> | <p><u>The Ditchling Society Objected to this application</u><br/> Conversion of this storage unit has been refused twice and was turned down on appeal in February 2018. Since this date, the Beacon Parishes Neighbourhood Plan has been adopted and the South Downs Plan will come into force in July. Both contain fundamental policies which are pertinent to this application.</p> <p>The location for this change of use development is outside the Settlement Boundary. Policies DS1 of the Neighbourhood Plan and SD25 discourage development outside such boundaries unless it meets exceptional circumstances or need. This proposal does not meet any of the criteria.</p> <p>The site sits amongst a cluster of houses and is part of a residential plot which already contains two units. It is therefore not appropriate to quote NPPF 79 as this is not an isolated site. However, we would refer you to a decision by SDNPA earlier this May on an application to build on an immediately adjacent site SDNP/18/06553/FUL which was refused, and I quote from the Decision:<br/> "It would not constitute an appropriate re-use of the site and, by reason of its form and intensification of use of the site, would fail to conserve and enhance the special qualities of the National Park. There are no exceptional circumstances to justify a dwelling in this location."</p> <p>Development of another residential unit in this location so close to the northern scarp of Ditchling Beacon would be in contravention of policies CONS6 of the Neighbourhood Plan and SD4 of the South Downs Plan: it neither conserves nor enhances the landscape character.</p> <p>We would also ask that you also consider the traffic implications of another house on this site using the single access road. This leads onto the narrow and often dangerous Underhill Lane and straight into one of the few passing places.</p> <p>This application again challenges the central purpose of the SDNPA and Neighbourhood Plan and should be called-in to be heard by the SDNPA Planning Committee. The Ditchling Society believe approval would be contrary to current planning policy and should be refused.</p> |
| <p>6.3</p> | <p><u>Friends Society for the South Downs National Park:</u></p> <p>The above application seeks a change of use from a storage and distribution building to self-contained dwelling house, re-cladding of roof and walls, and enlargement of garden areas.<br/> The site lies within the South Downs National Park, on the narrow Underhill Lane, at the foot of Ditchling Beacon, which is outside of the built-up areas of Ditchling and Westmeston and can be seen from the Downs.</p>   |



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|  | <p>This was previously applied for under SDNP/16/05875/FUL when the Society objected saying “Our concern is that should this development be given permission it would increase the housing density in this area and thus traffic along this narrow, single track road. The barn in the “Design and Access Planning Statement” photo does not appear, in our opinion, to be an asset worth securing by developing, nor does there appear to be a justification for it”.</p> <p>It was further applied for under SDNP/17/03066/FUL when we again objected saying “Despite this application being a revision of the previous one, it is still outside the settlement boundaries of Ditchling and Westmeston, with access along a narrow road, and we maintain that it does not appear to be a structure worthy of preserving. It is also contrary to all that is in the emerging Ditchling, Streat and Westmeston Neighbourhood Plan”.</p> <p>With this further application our opinion remains the same, and we still object to it. Furthermore, as the applicant is now a member of Lewes District Council, feel that there could be a conflict of interests, and that this application should be called in to be heard by the SDNPA Planning Committee.</p> |
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| <p><b>7.</b></p> | <p><b>Other Representations:</b></p>  |
| <p>7.1</p>       | <p><u>Neighbour Representations:</u><br/>7 letters of objection on the following grounds:</p> <ul style="list-style-type: none"> <li>• The applicant is Lewes District Councillor and therefore the application should be called in by the SDNP.</li> <li>• The site is within the South Downs National Park, and adjacent to an area of Special Scientific interest and would be detrimental to views from Ditchling Beacon.</li> <li>• There is no architectural or visual merit to the proposed building and the proposed construction would not enhance the setting.</li> <li>• This would constitute a new build, not change of use of an existing building as claimed due to the extent of the alterations.</li> <li>• The proposal is outside the Settlement Boundary and contrary to the adopted Neighbourhood Plan as there are no exceptional circumstances to justify it.</li> <li>• The application is slightly amended compared to the previous one (17/03066/FUL) that was rejected by Lewes District Council in August 2017 and rejected at Appeal in February 2018.</li> <li>• The development is not in a sustainable location, is inadequately served by public transport and walking and cycling is hazardous.</li> <li>• Access to the development is via a narrow track and the submitted Site Location and Plan is inaccurate as it includes land at the southern end of the track that belongs to Beacon House.</li> <li>• The proposed passing place is not suitable to become one and is currently the subject of a boundary dispute</li> <li>• The Transport Report is also inaccurate because it compares predicted traffic to historical traffic when the building was used as a</li> </ul> |

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|  | <p>storage, distribution and administrative centre for a busy lighting business which did not have planning permission.</p> <ul style="list-style-type: none"> <li>• The Transport Report refers to the potential to improve access from Underhill Lane into the track without stating that the corner referred to belongs to Beacon House.</li> <li>• The development is contrary to the Local and Neighbourhood Plans which carry more weight now than at the time of the appeal because they have been adopted.</li> <li>• The development fails to conserve and enhance the National Park, is not landscape-led and would be incongruous and discordant with the locality. No improvement to previous appeal where it was described as “a new industrial building yet with multiple windows and openings, providing an awkward semi-industrial, semi domestic appearance which would neither fit with existing patterns or with the rural environment”.</li> <li>• The existing building is a functional shed screened by trees and hardly visible from the Downs.</li> <li>• A similar development SDNP/18/06553/FUL was rejected and this should also be refused.</li> <li>• The Downs are now nearing environmental limits.</li> <li>• Intensification of the use of the Downland House/Tovey Lodge site / holiday complex. As such this would be likely to increase the noise in the area, especially as Downland House/Tovey Lodge has a 24-hour alcohol licence.</li> <li>• Any increase in residential density is likely to cause further deterioration to the Dark Sky Reserve.</li> <li>• The applicant seeks permission under para 79 of the NPPF. Paragraph 79 relates to 'isolated homes in the countryside'; the proposed development at Downlands House is on a site already occupied by a large dwelling and holiday accommodation, with adjacent housing on both sides. It would not be an isolated home.</li> <li>• There are large trees in close proximity to the building which would be likely to be damaged by building works, particularly drainage and works to the foundations. The Ditchling Beacon area suffers from Ash die-back and several of the Ash trees near the site are suffering from it. We cannot afford to lose other species of healthy trees as it would add to the visibility of this and other buildings in the locality.</li> <li>• Tree information notes submitted with the application assume no changes to the foundations which is inconsistent with the application which proposes underpinning.</li> </ul> |
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| <b>8.</b> | <b>Appraisal:</b>   |
| 8.1       | <p><u>Key Considerations:</u></p> <p>Sec 38 (6) of the Planning Compulsory Purchase Act 2004 requires that regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must</p> |

be made in accordance with the plan unless material considerations indicate otherwise.

The NPPF also advises that there is a presumption in favour of sustainable development.

The site is located within the South Downs National Park and therefore determine by the SDNPA who further to the presumption in favour of sustainable development and sec 38 (4) of the statutory purposes and duty of the National Park are:

- Purpose 1: To conserve and enhance the natural beauty, wildlife, and cultural heritage of the area.
- Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.
- Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.

The main considerations for this application are whether:

- the conversion to a dwelling is acceptable in principle in compliance with policies SD25 of the South Downs Local Plan and DS1 of the Ditchling, Streat and Westmeston Neighbourhood Plan.
- the design of the proposal conserves and enhances the landscape of the National Park as required by policies SD4, SD5 and SD8 of the Local Plan and CONs 2 and CONS 6 of the Neighbourhood Plan.
- the development will conserve and enhance the biodiversity of the site including the adjacent trees in compliance with policies SD9 and SD11 of the Local Plan and CONS 9 of the Neighbourhood Plan; and
- the development is acceptable in transport and highway safety terms as required by policy SD19 of the Local Plan.

8.2

Principle:

Policy SD25 of the Local Plan states in part 2 that “Exceptionally, development will be permitted outside of settlement boundaries, where it complies with relevant policies in this Local Plan, responds to the context of the relevant broad area or river corridor, and...

d) It is an appropriate reuse of a previously developed site, excepting residential gardens, and conserves and enhances the special qualities of the National Park”.

Policy DS1 of the Neighbourhood Plan has similar wording and also allows for “appropriate re-use of a previously developed site, excepting residential gardens”.

Paragraph 80 (previously 79) of the NPPF supports the re-use redundant or disused buildings provided the development enhances the immediate setting.

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|     | <p>In this case the site is previously developed and does not form part of a residential garden. The planning history shows that the current building has been used for employment uses for at least 30 years.</p> <p>The previous appeal decision is also a material consideration, albeit that it was made in a different policy context against the Lewes Core Strategy policies rather than those of the South Downs Local Plan or the Ditchling, Streat and Westmeston Neighbourhood Plan. Nonetheless the Inspector's concern with the previous proposal was the adverse effect of its design on the character and appearance of the landscape and natural beauty of the National Park. He considered that the development would be acceptable in terms of proximity of services and traffic impact.</p> <p>In summary, it is considered that the principle of the conversion of the building to a dwelling complies with the relevant development plan policies and NPPF paragraph 80.</p>  |
| 8.3 | <p><u>Design, Character and Impact Upon Landscape:</u></p> <p>The proposal as originally submitted was very similar to the appeal proposal, with the main difference being the replacement of the previously proposed metal sheets on the walls with wood cladding. Large windows were proposed on the south elevation.</p> <p>The proposal has since been amended in the following ways:</p> <ul style="list-style-type: none"> <li>• the rear portion of the building is proposed to be demolished to reduce its impact on the adjacent trees.</li> <li>• the walls are stepped back inside the steel frame such that the roof forms an overhang over a veranda around the building.</li> <li>• The existing cement fibre clad roof would be replaced with a shallow pitched green roof with photovoltaic panels; and</li> <li>• The windows have been redesigned to be smaller and with a more domestic appearance.</li> </ul> <p>Whilst this increases the level of change to the building, it will retain its steel frame so would technically be a conversion rather than a re-build. Regardless, the Local and Neighbourhood Plan policies allow for redevelopment of previously developed sites and do not require that this be restricted to conversion of existing buildings.</p> <p>It is considered that the changes to the design result in a building that will be modest and attractive in its surroundings, and appropriate for its future residential use. The green roof is particularly welcomed for its biodiversity as well as its visual qualities. The Inspector for the previous appeal commented: "Views of the existing site and of the proposed development are reasonably difficult to come by aside from neighbouring properties. The building is however visible from Ditchling Beacon as part of the patchwork of small-scale development located below the escarpment. From this distance the roof and basic form of the building can be made out, although from the views that I saw on my visit neither the portacabin extension nor the lighting pole was visible. I do not consider that from such views and distance the proposal would appear significantly different. While</p> |

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|     | <p>the existing roof lights would go, the proposed solar panels on the rear of the roof would also appear visible, at least in day light.</p> <p>The green roof will make the building even less visible in these longer views and will help to mitigate the impact of the solar panels, especially if these are treated with a non-reflective coating. Conditions are also recommended preventing additional window or roof openings and external lighting and requiring details of the glazing for the south facing windows to be agreed to protect the dark skies of the National Park.</p> <p>The Inspector’s primary concern was with closer views within the site, where he was not convinced that the proposal would lead to an enhancement of the immediate setting. Details of the wall panelling proposed at that time were unclear, and he felt that “The proposal would have the potential to alter a standard rural type building, which has assimilated into the local environment over time, into a building which would appear as a new industrial building yet with multiple windows and openings, providing an awkward semi industrial, semi domestic appearance which would neither fit with existing patterns and character of neighbouring dwellings or with the rural environment”.</p> <p>It is considered that the proposed design has overcome these issues and will contribute positively to the landscape of the site and the wider National Park.</p> |
| 8.4 | <p><u>Biodiversity:</u></p> <p>As previously mentioned, the reduction in the size of the building pulls it away from the perimeter trees and ensures that the works will not damage the tree roots or place pressure on the future retention of these trees. A condition is recommended requiring retention of the trees and root protection measures during construction.</p> <p>A landscaping scheme is also conditioned along with requirements for bird and bat boxes. These in combination with the green roof will ensure that the scheme achieves biodiversity net gain as required under Local Plan policy SD9.</p>   |
| 8.5 | <p><u>Transport and Access:</u></p> <p>The limitations of the existing access track and Underhill Lane are understood, but the traffic and access implications of this proposal need to be considered in the light of the existing lawful use of the building. A small dwelling on this site will generate less trips and by smaller vehicles than the existing lawful use, which could be reinstated at any time. As noted above, the Inspector for the previous appeal considered that the residential use of the site would be acceptable in terms of proximity of services and traffic impact.</p> <p>The comments raised about the ownership dispute are for the private parties to resolve. No changes to the layout of the track or access are required to facilitate this development.</p>  |

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| 8.6 | <p><u>Conclusion:</u><br/>Overall, it is considered that the proposed development complies with the relevant development plan policies and meets the purposes and duty of the South Downs National Park.</p>   |
| 8.7 | <p><u>Planning Obligations:</u><br/>There are no S106 planning obligations connected to this planning application</p>  |
| 8.8 | <p><u>Human Rights Implications:</u><br/>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 considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.</p> |

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| <b>9.</b> | <b>Recommendations</b>  |
| 9.1       | In view of the above the proposed development is considered to be acceptable and approval is recommended subject to conditions. |

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| <b>10.</b> | <b>Conditions:</b>  |
| 10.1       | <p><b>Time Limit</b><br/>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.<br/>Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>   |
| 10.2       | <p><b>External Materials</b><br/>No development shall be carried out above ground floor slab level until a schedule of external materials finishes and samples to be used on the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved schedule and samples.<br/>Reason: To safeguard the appearance of the building and the character of the area and to enable the Local Planning Authority to properly consider the development.</p> |
| 10.3       | <p><b>Green Roof</b><br/>Prior to the development hereby permitted reaching slab level, details of the green roof shall be submitted to and approved in writing by the Local Planning Authority, including:</p> <p>i) The type and character of green roof proposed.</p>  |

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|      | <p>ii) The loading requirements and specifications of the roof, which shall be incorporated into the building's structural design.</p> <p>iii) The species proposed</p> <p>Reason: In the relation of ecology, sustainability, and appearance of the site.</p>   |
| 10.4 | <p><b>Tree Protection</b><br/> Prior to the commencement of the development hereby permitted details of the protection of the trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. The measures of protection should be in accordance with BS5837:2012 and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the Root Protection zones.</p> <p>Reason: In the interests of the amenity and the landscape character of the area.</p>  |
| 10.5 | <p><b>Sustainability</b><br/> Prior to the commencement of the development hereby permitted a design stage sustainability report shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For energy this must demonstrate with reference to design stage SAP data</p> <p>a) Predicted CO2 emissions from all proposed new dwellings to be at least 19% reduced through the energy efficiency of the buildings. compared to the target emission rate baseline set by building regulations</p> <p>b) Predicted CO2 emissions from all proposed new dwellings to be at least 20% reduced through the use of on-site low or zero carbon energy generation compared to the target emission rate baseline set by building regulations.</p> <p>For water this must demonstrate via a BRE (or equivalent) water calculator that the predicted internal mains water consumption is no more than 105 litres/person/day.</p> <p>Reason: To ensure an environmentally sustainable development.</p> |
| 10.6 | <p><b>Sort Landscaping</b> Prior to the commencement of the development hereby permitted a detailed scheme of planting proposals shall be submitted to and approved in writing by the Local Planning Authority. All such work as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting 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 otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure a satisfactory development and in the interests of amenity and landscape character.</p>   |

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| 10.7  | <p><b>Bird and Bat Boxes</b><br/> Prior to the occupation of the dwelling hereby permitted details of bird and bat boxes and the timing of their installation shall be submitted to and approved by the Planning Authority and installed according to these details. The boxes shall thereafter be retained for that purpose.</p> <p>Reason: To safeguard and enhance the ecological interest of the site in accordance with South Downs Local Plan policy SD09 Biodiversity and Geodiversity</p>  |
| 10.8  | <p><b>External Lighting</b><br/> No external lighting shall be installed on the building or within the site unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail in the interests of night-time amenity, tranquillity and protect and conserve the International Dark night Skies.</p>   |
| 10.9  | <p><b>Anti-reflective Coating to Solar Panels</b><br/> Prior to the installation of the new solar panels they shall be treated with an anti-reflective coating in accordance with details to be submitted to and agreed in writing with the Local Planning Authority. The panels shall thereafter be maintained in this condition.</p> <p>Reason: to reduce the reflection from these panels to protect the landscape of the National Park.</p>  |
| 10.10 | <p><b>Removal of Existing Structures</b><br/> Prior to the occupation of the dwelling hereby permitted the existing portacabin and lighting pole shall be removed from the site.</p> <p>Reason: In the interest of the amenity of the area and protection of the dark skies of the National Park.</p>  |
| 10.11 | <p><b>Removal of Permitted Development</b><br/> 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.</p> <p>Reason: To enable the Local Planning Authority to regulate and control the development of land.</p> |
| 10.12 | <p><b>No New Windows</b><br/> Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order or revoking and re-enacting that order with or without modification), no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the development without</p>  |



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|       | <p>the prior permission of the Local Planning Authority pursuant to an application for the purpose.<br/>Reason: In the interests of night time amenity, tranquillity and protect and conserve the International Dark night Skies.</p>  |
| 10.13 | <p><b>Glazing Details</b><br/>Prior to the installation of the windows on the south elevation, details of the glazing shall be submitted to and approved by the Local Planning Authority and the glazing shall be installed according to these details and thereafter maintained in that condition.</p> <p>Reason: To ensure that the glazing type protects the dark skies of the National Park in accordance with policy SD8 of the South Downs Local Plan.</p> |
| 10.14 | <p><b>Informatives</b></p> <p>Your attention is drawn to the requirement to obtain a protected species licence from Natural England if any protected species, including bats, will be disturbed by the development. Further information can be obtained at <a href="https://www.gov.uk/government/publications/bats-apply-for-a-mitigation-licence">https://www.gov.uk/government/publications/bats-apply-for-a-mitigation-licence</a></p>                       |

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| <b>11.</b> | <b>Plans:</b>  |
| 11.1       | This decision relates solely to the following plans: |

|  | <u>Plan Type</u>             | <u>Date Received</u> | <u>Reference:</u> |
|--|------------------------------|----------------------|-------------------|
|  | Existing Details             | 01.05.2019           | 36060/1A          |
|  | Existing Access Lane Details | 01.05.2019           | 36060/3A          |
|  | Existing Rear Elevation      | 01.05.2019           | 36060/6           |
|  | Site Location Plan           | 01.05.2019           | 36060/4A          |
|  | 3D Image                     | 27.09.2021           |                   |
|  | Proposed Details             | 27.09.2021           | 36060/2 F         |
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| <b>12.</b> | <b>Appendices</b> |
| 12.1       | None.             |

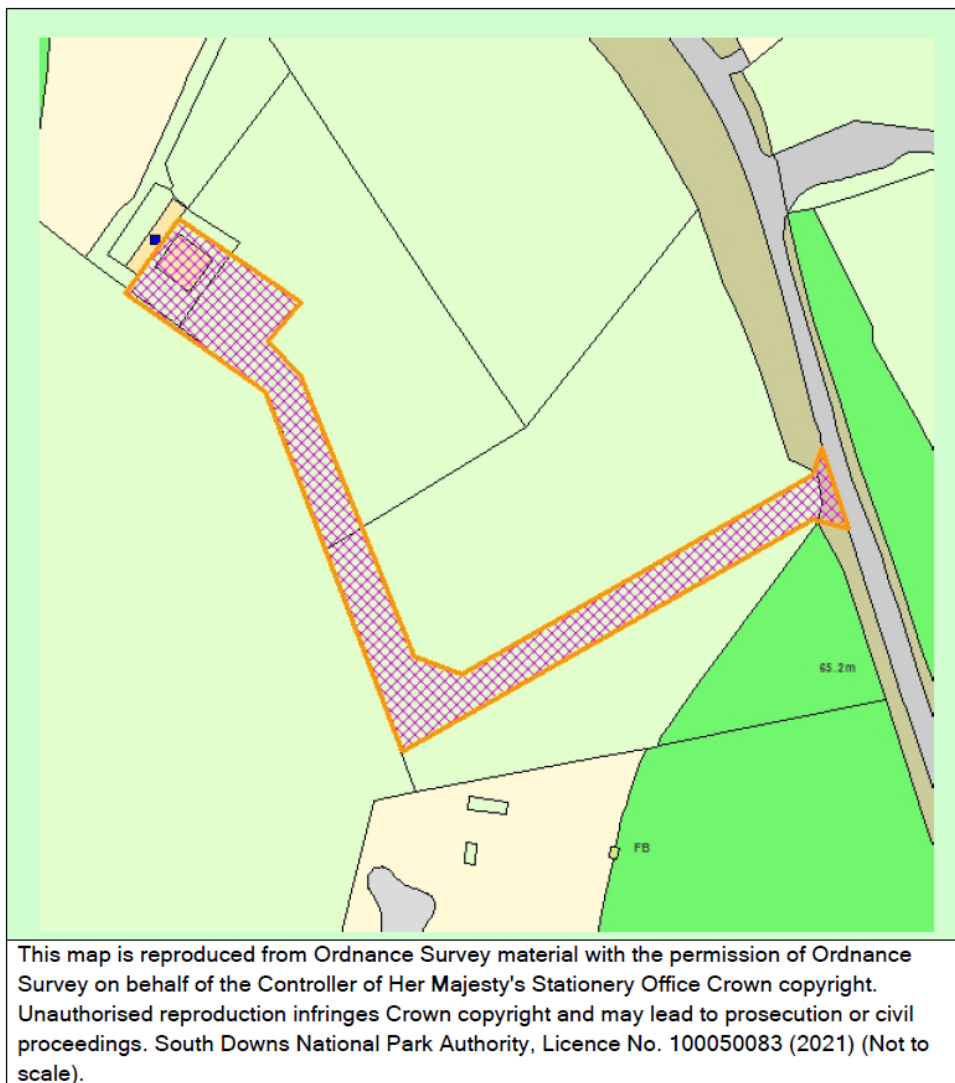
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| <b>13.</b> | <b>Background Papers</b> |
| 13.1       | None.                    |

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**Report to:** Planning Applications Committee  
**Date:** 5<sup>th</sup> October 2022  
**Application No:** SDNP/22/01125/FUL  
**Location:** Land west of Lewes Road, Westmeston, East Sussex  
**Proposal:** Redevelopment of the existing stable block with a holiday accommodation unit.  
**Applicant:** Ms C. Mills  
**Ward:** Ditchling and Westmeston  
**Recommendation:** Grant Permission subject to conditions.  
**Contact Officer:** **Name:** Chris Wright  
**E-mail:** [chris.wright@lewes-eastnourne.gov.uk](mailto:chris.wright@lewes-eastnourne.gov.uk)

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

## Site Location Plan



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| <b>1.</b> | <b>Executive Summary</b>  |
| 1.1       | The comments from both the Parish Council and local residents are acknowledged and have been taken into consideration. However, no material considerations are believed to override the key policy considerations and the development proposals are acceptable in principle and would not have a significant harmful impact on landscape character, neighbour amenity or the highway network. |

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| <b>2.</b> | <b>Relevant Planning Policies</b>   |
| 2.1       | <u>National Planning Policy Framework</u><br>2. Achieving sustainable development<br>4. Decision making<br>12. Achieving well-designed places<br>14. Meeting the challenge of climate change, flooding, and coastal change<br>15. Conserving and enhancing the natural environment  |
| 2.2       | <u>South Downs Local Plan 2019</u><br>Policy SD1 Sustainable Development<br>Core Policy SD2: Ecosystem Services<br>Strategic Policy SD4: Landscape Character<br>Strategic Policy SD5: Design<br>Strategic Policy SD7: Relative Tranquillity<br>Strategic Policy SD8: Dark Night Skies<br>Strategic Policy SD9: Biodiversity and Geodiversity<br>Strategic Policy SD19: Transport and Accessibility<br>Development Management Policy SD21 Highway Design<br>Development Management Policy SD22: Parking Provision<br>Strategic Policy SD23: Sustainable Tourism<br>Strategic Policy SD25: Development Strategy<br>Strategic Policy SD48: Climate Change and Sustainable Use of Resources |
| 2.3       | <u>Ditchling, Streat and Westmeston Neighbourhood Plan:</u><br>DS1: Development strategy  |

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|  | <p>BIZ 2: Support appropriate rural enterprise diversification</p> <p>CONS 2 Set standards for design of new development</p> <p>CONS 6: Conserve landscape and important views</p> <p>CONS 7: Protect important gaps between settlements</p> <p>CONS 8: Preserve dark night skies</p> |
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| <b>3.</b> | <b>Site Description</b>   |
| 3.1       | The application relates to a building and land to the west of Lewes Road in Westmeston, and a short distance to the east of Ditchling village. The land is outside of the defined Planning Boundary and is therefore in a countryside location for planning purposes. |
| 3.2       | The site is within the South Downs National Park. It is not in a Conservation Area and the existing building is not listed.   |
| 3.3       | The site has an existing vehicular access off the main road, which is gated, and marked by three reflective black and white bollards located on the highway verge.  |

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| <b>4.</b> | <b>Proposed Development</b>   |
| 4.1       | The application seeks planning permission for demolition of the existing stables building and for construction of a holiday-let comprising three double bedrooms with en-suite and open plan living and kitchen area. The building would be approx. 14.8m x 7.9m. |
| 4.2       | Materials are proposed to be dark stained timber cladding, zinc roof in a non-reflective anthracite colour.   |
| 4.3       | The ridge height is proposed to be 5.9m with eaves at 2.2m.   |

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| <b>5.</b> | <b>Relevant Planning History:</b>   |
| 5.1       | Note the planning history for this site also includes the stables to the rear of the building, which are with the grounds of the neighbouring property, Hooks Acre. |

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|  | <p>LW/10/0160/CD - Discharge of condition 3 relating to planning approval LW/08/0393. Not Proceeded With.</p> <p>LW/08/0393 - Provision of track between existing access gateway at Lewes Road to serve barn and shed. Approved 29 May 2008.</p> <p>E/73/0539 - Planning and Building Regulations Applications for addition to existing house. Building Regulations Approved. No Effect Notice. Approved 4 June 1973.</p> <p>E/72/1843 - Planning and Building Regulations Applications for additions to existing dwelling to form self-contained unit. Building Regulations Refused. Refused 13 December 1972.</p> <p>E/72/1583 - Extension to existing dwelling and erection of double garage. Refused 25 September 1972.</p> <p>E/64/1250 - Planning and Building Regulations Applications for conversion of garage to bedroom and erection of new double garage. Building Regulations Approved. Completed. Approved 21 December 1964.</p> <p>E/55/0371 - Outline Application for residential development. Refused 23 May 1955</p> |
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| <b>6.</b> | <b>Consultations:</b>   |
| 6.1       | <p><u>Westmeston Parish Council - Objection</u></p> <p><u>Principle</u></p> <p>The development proposes the demolition of an isolated stable block and construction of a holiday accommodation unit in the countryside outside the settlement boundary, providing accommodation for a total of 6 people.</p> <p>The new development, by virtue of the construction of a larger building on the site comprising an additional 30% increase in the footprint of the building over the existing stables building, its roof height, the new hard surfaced driveway and vehicle hard standing, would result in the urbanisation of farmland and the over-development of the site.</p> <p>For these reasons, the proposals are contrary to the development strategy in Policy SD25 of the SDLP and DS1 of the NDP and do not comply with the exceptions in both policies for development outside the settlement boundary. The proposals are neither small-scale, nor low key, are an inappropriate re-use of a previously developed site, and would not conserve, nor enhance, the special qualities of the National Park.</p> <p><u>Visitor accommodation</u></p> <p>The proposed visitor accommodation would be contrary to Policy SD23 of the SDLP. It would adversely affect the character, appearance and amenity of the area and, as a development outside the settlement boundary, would not positively contribute to the natural beauty of the National Park.</p> |

Access

The proposed use as holiday accommodation will increase the number of vehicles entering and exiting the site from Lewes Road, particularly ones driven by drivers who are unfamiliar with local traffic dangers. The site access is located on a dangerous section of the road (that has been for some time badly maintained), with many vehicles travelling at high speed. The transport survey undertaken by the applicant was undertaken at a time, when because of the COVID pandemic, traffic was less. This part of Lewes Road is subject to the national 60mph speed limit. Improvements to the site lines at the access from Lewes Road are proposed. However, these include works on land that are outside the applicant's control and may not be able to be implemented. The proposals will increase traffic levels and increase highway safety concerns in Lewes Road.

Dark skies

The planning authority is requested to ensure there will be no adverse impacts on the quality of dark night skies from the proposals, as required by Policy CONS8 of the NDP.

Concerns for future use

The parish council has serious concerns that if the development is constructed, additional accommodation could be provided within the building envelope at first floor level, thereby increasing the number of occupants of the building by a further four persons in two additional bedrooms. This would overly intensify the use of the property and increase vehicle movements and highway safety concerns. In addition, the parish council also has serious concerns that the present proposal for holiday accommodation could become long-term rents or sold as residential property in the future.

The parish council considers, and requests, that if permission were to be granted that robust planning conditions be attached restricting the future use to holiday lets, and preventing further extension of the unit, both in size and additional internal floorspace.

6.2 Ditchling Parish Council - Objection

The development is contrary to Policy SD23: Sustainable Tourism 1. (g), (i), (ii) and (iii) noted below:

g) Where proposals are located outside settlement policy boundaries as defined

on the Policies Map, they:

i) Positively contribute to the natural beauty, wildlife, and cultural heritage of the National Park; and

ii) Are closely associated with other attractions/established tourism uses, including the public rights of way network; or

iii) Are part of farm diversification schemes or endorsed Whole Estate Plans.

New developments in the countryside outside the settlement boundary as this application is contrary to Policy DS1 Development strategy of the

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|     | <p>Ditchling Streat and Westmeston Neighbourhood Plan, and it does not meet any of the exceptions.</p> <p>The location is unsustainable with lack of public transport links and is not close to any shops or facilities.</p> <p>Increase in traffic along an already busy lane which has issues with speed, and the site is located on the corner along the Jubilee path with a high level of horse and foot traffic. Change of use to holiday accommodation from grazing will greatly increase traffic movement.</p> <p>The development is contrary to Policy SD4 Landscape Character as the development will cause landscape and visual impacts.</p> <p>It is felt that there is not a requirement for further holiday accommodation in this area.</p> <p>The Council would request that this application is determined by the SNDP due to the nature of the application.</p>  |
| 6.3 | <p><u>ESCC - Highways - No objection subject to conditions.</u></p> <p><u>Trip Generation</u></p> <p>The applicant has submitted a Transport Statement (TS). The TS includes TRICS data that shows that the proposed development would generate approximately one vehicular trip in the AM peak and one vehicular trip in the PM peak. This level of traffic which will be generated by the development will be relatively low and will not have a material impact on the highway. Considering the above, the proposal is therefore considered to be acceptable.</p> <p><u>Access</u></p> <p>The site has an existing vehicular access from Lewes Road, which leads to an access track, and this is to be improved as part of the proposed development. It is noted that the access track narrows in width away from the highway. Whilst this is not ideal and may not allow vehicles to pass each other simultaneously, this is significantly far from the highway to not result in a severe impact on the highway. It is also noted that the proposed development is not expected to result in a significant increase in trips, and as such, I would not wish to object to this application on this basis.</p> <p>The applicant should note that the access improvement works would require a S184 agreement and should be undertaken by an approved contractor under and appropriate licence.</p> <p><u>Car Parking</u></p> <p>The proposed development will consist of 1 three-bed guesthouse. In accordance with the County Council's parking guidance, 3 car parking spaces are required. There are to be 3 car parking spaces, therefore the number of car parking spaces is considered acceptable.</p> <p><u>Cycle Parking</u></p> <p>In terms of cycle parking provision, there would need to be storage for 1 bicycle for the guesthouse, to be in accordance with the County Council's guidance. The County Council requires cycle parking to be in a safe,</p> |



secure, and covered location. The submitted plans indicate there is a cycle store to be provided, therefore this is considered acceptable.

#### Refuse collection

The submitted plans indicate refuse is to be stored on collections days near the access. This is considered acceptable.

#### Conclusion

With the above in mind, I would not wish to object to this application, subject to the imposition of conditions.

1. No development shall commence until the vehicular access serving the development has been constructed in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority.

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

2. The development shall not be occupied until a parking area has been provided in accordance with the details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

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

4. 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

5. The development shall not be occupied until a cycle parking area has been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the area 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

#### Informatives

##### Section 184 Agreement of Highways Act, 1980 - New Access

The applicant will be required to enter into a Section 184 Licence with East Sussex Highways, for the provision of a new vehicular access. The applicant is requested to contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the licence being in place.

##### Roadworks Permit

The applicant will be required to obtain a permit for any highway works in accordance with the requirements of the Traffic Management Act, 2004. The applicant should contact East Sussex Highways (0345 60 80 193) to

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|  | commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the permit being in place. |
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| <b>7.</b> | <b>Other Representations:</b>   |
| 7.1       | <p><u>The Ditchling Society - Objection</u></p> <p>The subject land is within the South Downs National Park and outside the settlement boundary of Ditchling.</p> <p>The Policies of the National Park seek to restrict new development to existing settlements. (Policy SD25 of SDNPALP and Policy DS1 of the Ditchling, Streat and Westmeston Neighbourhood Plan).</p> <p>Development outside existing settlements is to only be permitted exceptionally. Despite it being contrary to Policy the applicant seeks to support the application on the basis that it is using previously developed land.</p> <p>It has been rightly decided by the SDNP authority in numerous other applications that the redevelopment of stabling for residential purposes would not form an appropriate re-use of land. In this case, no exceptional circumstances have been substantiated. The relevant policies of the SDNP and Neighbourhood Plan have been supported on appeal. (See SDNP 18/06553/FUL and related appeal W/4000237).</p> <p>Demand for visitor accommodation within the SDNP can be satisfactorily met by accommodation within existing settlements.</p> |
| 7.2       | <p><u>Neighbour Representations:</u></p> <p>Representations have been received from 37 Shirleys, in support of the application, for the reasons summarised below: -</p> <ul style="list-style-type: none"><li>• No reason not to approve holiday accommodation</li><li>• Traffic arriving and departing will be negligible</li><li>• Holiday property use will be seasonal</li><li>• Spatham Lane will cease to be a 'rat run' once traffic calming is put in place, and traffic on the B2116 will decrease substantially</li><li>• No problems with access to the land</li></ul> <p>Representations have been received from Westmeston Place and Garden House - Westmeston Place; Greenhayes - Underhill Lane; no address given; Foxwell, Charters, Downsview House and Hook Acre - Lewes Road; and 10 The Dymocks, objecting to the application for the reasons summarised as follows:-</p> <ul style="list-style-type: none"><li>• Contrary to policy SD23 of the Local Plan as only accessible by private car</li></ul>   |

- The issue of stables as previously developed land is not sufficient reason to permit further development (see Beacon Nurseries appeal decision of 25 March 2020)
- It does not make use of existing buildings
- Outside of settlement boundary
- No benefit to the community
- Does not contribute to natural beauty, wildlife, or cultural heritage
- Not closely associated with other attractions
- Will not enhance landscape and amenity
- Adverse visual impact from scarp slope of the Downs
- Bigger access with wider sight lines
- Speed survey taken during pandemic when roads were quieter
- Upgrading of track
- Creation of an apron for parking and bike store
- Busy, fast road
- Highway safety
- Inadequate visibility at access crossover
- Dangerous access
- Access alongside verge/Jubilee path, which is used by horse and pedestrian traffic
- Contrary to Neighbourhood Plan policy
- There is no existing rural business here
- A building with three double bedrooms each with en-suite is not small scale or low-key
- No shortage of visitor accommodation in the area
- Growth of Air BnB properties
- Ribbon development
- Agricultural land
- Undeveloped as far as the north scarp
- A dwelling would not be permitted on this pasture
- Haven for wildlife
- Peaceful location
- Noise, nuisance, and disturbance
- Could compromise watercourse which is part of the network of ditches and streams which crisscross the area meeting up with the Bevan Stream and which help

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|  | <ul style="list-style-type: none"> <li>• to prevent flooding in these fields which are still impassable for at least 5 or 6 months of the year</li> <li>• Adverse impact on drainage</li> <li>• Nearest bus stop is approx. 1 mile away</li> <li>• No, regular public transport</li> <li>• A septic tank will be required for foul water removal as there is no mains sewer</li> <li>• Westmeston is a rural parish with no visitor facilities</li> <li>• There are no shops or restaurants</li> <li>• Visitors will need to travel to Hassocks or Burgess Hill for supplies</li> <li>• The nearest tourist attraction is Lewes to the east which</li> <li>• can only be reached by car</li> <li>• Brighton is to the south, again accessible only by car</li> <li>• The hedge along the Jubilee Pathway is protected by legislation as it is more than 20m in length with gaps of less than 20m along it</li> <li>• Holiday homes do not promote a sense of community and can harm social wellbeing, for examples noise and parties</li> <li>• Light pollution</li> <li>• Detrimental to dark night skies</li> </ul> |
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| <b>8.</b> | <b>Appraisal:</b>  |
| 8.1       | <p><u>Key Considerations:</u></p> <p>Sec 38 (6) of the Planning Compulsory Purchase Act 2004 requires that regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>The NPPF also advises that there is a presumption in favour of sustainable development.</p> <p>The site is located within the South Downs National Park and therefore determine by the SDNPA who further to the presumption in favour of sustainable development and sec 38 (4) of the statutory purposes and duty of the National Park are:</p> <ul style="list-style-type: none"> <li>• Purpose 1: To conserve and enhance the natural beauty, wildlife, and cultural heritage of the area.</li> <li>• Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.</li> </ul> |

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|     | <ul style="list-style-type: none"> <li>• Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.</li> </ul>   |
| 8.2 | <p><u>Principle of Development</u></p> <p>Proposals for visitor accommodation should provide opportunities for visitors to increase their awareness, enjoyment, and understanding of the National Park. They should also foster guardianship of the special qualities, for example, by promoting and incorporating the National Park's natural beauty, wildlife, cultural heritage, and the ecosystem services the National Park provides.</p> <p>In this instance, policy SD23 "Sustainable Tourism" is relevant, and each criterion is considered below (policies in italics and officer commentary in normal text).</p> <p>1. <i>Development proposals for visitor accommodation, visitor attractions and recreation facilities will be permitted where it is demonstrated that:</i></p> <p>a) <i>The proposals will provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities.</i></p> <p>Whilst not within a settlement boundary, the site is well located in terms of offering visitors a greater awareness and enjoyment of the National Park. It is in a rural location and the village of Ditchling is nearby, as is Ditchling Beacon - the highest point in East Sussex at 248m above sea level, offering panoramic views, archaeological interest (the remains of an Iron-Age hillfort), access to chalk downland, wildflowers, and access to the South Downs Way.</p> <p>b) <i>The design and location of the development minimises the need for travel by private car and encourages access and/or subsequent travel by sustainable means, including public transport, walking, cycling or horse riding.</i></p> <p>Compass Bus Routes 167 and 168 serve Westmeston and Ditchling, providing connections between Lewes and Burgess Hill, both of which have mainline railway stations. The timetables need to be carefully studied to be understood, but connections are there. Although a less than frequent service, holidaymakers, and visitors to the park, arriving or</p> |

leaving visitor accommodation, can plan accordingly and their needs differ for example, from employees carrying on a daily commute.

However, even if visitors to the proposed accommodation do arrive by private car, there are various options for subsequent sustainable travel once they have arrived.

Ditchling village is approx. 1200m by foot, or a 3-minute bike ride; and there are various paths and bridleways nearby (for example Ditchling Beacon approx. a 45-minute walk from the application site) including:

Public Bridleway 20a with access to the east to Streat and connecting with Bridleway 11k heading southwards towards the north scarp slopes and the South Downs Way (27e).

Other public footpaths nearby cut across the landscape in the north-easterly and north-westerly directions, linking up with the Public Bridleway network and local villages such as Ditchling and Westmeston.

Some of the best ways for visitors to enjoy and soak up the special qualities of the National Park are by spending time walking, cycling or horse riding and the application site can facilitate this in this location.

The Jubilee path runs along the western side of the main road along the verge and provides an easy link to Ditchling on foot. This path is crossed by several existing driveways to neighbouring properties and farms.

Every opportunity for sustainable travel should be utilised including access to the site and/or subsequent travel, for example bicycle hire provision, as part of visitor accommodation. This is to ensure that the proposals are in accordance with National Park purposes and do not harm the special qualities.

In this regard it is suggested that the applicant and/or manager of the proposed visitor accommodation, provides bikes for the use of tourists and visitors, which should be kept on site and in good working order. A condition to this effect is recommended.

*c) Development proposals will not detract from the experience of visitors or adversely affect the character, historical significance, appearance, or amenity of the area.*

*d) Development proposals make use of existing buildings, and, if no suitable existing buildings are available, the design of any new buildings are sensitive to the character and setting.*

The existing building comprises three stables and a storage area, having a floor area of approx. 80 square metres. The building has a pitched roof design with ridge at approx. 4.4m and eaves at 2.7m.

The proposed holiday let would have a floor area of approx. 115 square metres, which is an increase of 43%. Eaves height would be 2.3m and the overall ridge height approx. 5.9m.

The plans submitted at pre-application stage had a floor area of approx. 107 square metres and the ridge height was proposed to be approx. 5.8m with eaves at 2.2m.

The applicant has stated that the existing building is not deemed suitable for conversion and following a request for additional information on this point, the applicant has submitted further details.

The existing building is steel framed and clad in corrugated metal sheet with a corrugated roof. There is a small amount of block wall and timber cladding. Significant works would be required in order to facilitate the proposed conversion to habitable standards, including replacing the walls, roof, and floor slab. The steel frame would also need to be strengthened in order to accommodate insulation, windows, and doors. Very little of the existing structure would remain, meaning we can conclude that it is not suitable for conversion.

The proposed new building would also be positioned further away from the boundary of the site with Hooks Acre and move it away from the neighbouring stable building.

The proposed new building is also positioned to maximise the benefits of adding solar PV panels to the south-west facing roof slope.

*e) Ancillary facilities are not disproportionately large in relation to the rest of the visitor facilities.*

*f) Any proposal does not have an adverse impact on the vitality and viability of town or village centres or assets of community value; and*

*g) Where proposals are located outside settlement policy boundaries as defined on the Policies Map, they:*

*i. Positively contribute to the natural beauty, wildlife, and cultural heritage of the National Park; and*

*ii. Are closely associated with other attractions/established tourism uses, including the public rights of way network; or*

*iii. Are part of farm diversification schemes or endorsed Whole Estate Plans.*

The proposed development site is set back from the public highway and views from outside the site are well screened by vegetation, shrubs and trees, which together with a post and rail fence form the boundary to the field in the corner of which the development would be situated. The new building would be seen briefly, but against the backdrop of a neighbouring stable building, and an adjacent driveway which is part of the neighbouring land belonging to Hooks Acre.

The scale, appearance and siting of the proposed accommodation is not considered to be visually intrusive or significantly harmful to wider landscape character.

*2. Development proposals that would result in the loss of visitor accommodation, visitor attractions and recreation facilities will not be permitted unless:*

*a) Evidence is provided that the current use is financially unviable and a robust marketing campaign of at least 12 months has been carried out that*

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|     | <p><i>clearly demonstrates there is no market demand for the existing use or an equivalent tourism use; or</i></p> <p><i>b) The current use or related development harms the special qualities.</i></p> <p>This part of policy SD23 is not relevant because the proposals are to create new visitor accommodation.</p> <p><i>3. The Authority will support a year-round visitor economy, while ensuring the facility remains for visitor use only.</i></p> <p>The proposals are in accordance with this aim of policy SD23 and conditions may be imposed to ensure that the building remains for use only as visitor accommodation.</p> <p><i>4. Development proposals, on their own or cumulatively with other development uses, must not prejudice or disadvantage people's enjoyment of other existing and appropriate tourism and recreation activities. Development proposals that generate significant additional pressure upon the surrounding rights of way network will be required to mitigate these impacts.</i></p> <p>In this particular location it is not considered that the proposals would compromise the wider enjoyment of the National Park or put a significant amount of additional pressure on the rights of way network.</p> <p>In addition, the application is considered to meet the requirements of policy DS1 of the Ditchling, Streat and Westmeston Neighbourhood Plan, which permits development outside of settlement boundaries in exceptional circumstances such as facilities for low-key countryside recreation and tourism, particularly those promoting the use of the National Park, and where it is an appropriate re-use of a previously development site (excepting residential gardens).</p> |
| 8.3 | <p><u>Design and Landscape Character</u></p> <p>Policy CONS6 of the Ditchling, Streat and Westmeston Neighbourhood Plan requires development proposals to conserve landscape and important views:</p> <p><i>1. The distinctive landscape, views and scenic beauty of the Neighbourhood Development Plan area should be conserved and enhanced. The landscape of the South Downs National Park and its setting shall be protected in accordance with legislation, national planning policy, and planning practice guidance:</i></p> <p><i>a. respond appropriately to relevant published landscape character assessments, including the statement of local landscape character for the neighbourhood development plan area.</i></p> <p><i>b. do not intrude adversely into key views from publicly accessible locations and particularly those shown on Figure 3.7/1; and</i></p> <p><i>c. preserve the landscape setting of the settlements of Ditchling, Streat and Westmeston.</i></p>   |



Strategic Policy SD4: Landscape Character of the South Downs Local Plan states that:

1. *Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that:*

a) *They are informed by landscape character, reflecting the context and type of landscape in which the development is located.*

b) *The design, layout and scale of proposals conserve and enhance existing landscape and seascape character features which contribute to the distinctive character, pattern, and evolution of the landscape.*

c) *They will safeguard the experiential and amenity qualities of the landscape; and*

d) *Where planting is considered appropriate, it is consistent with local character, enhances biodiversity, contributes to the delivery of GI, and uses native species, unless there are appropriate and justified reasons to select non-native species.*

Strategic Policy SD5: Design states that:

1. *Development proposals will only be permitted where they adopt a landscape-led approach and respect the local character, through sensitive and high-quality design that makes a positive contribution to the overall character and appearance of the area. The following design principles should be adopted as appropriate:*

a) *Integrate with, respect, and sympathetically complement the landscape character by ensuring development proposals.*

Strategic Policy SD6: Safeguarding Views states that:

1. *Development proposals will only be permitted where they preserve the visual integrity, identity, and scenic quality of the National Park, in particular by conserving and enhancing key views and views of key landmarks within the National Park.*

2. *Development proposals will be permitted that conserve and enhance the following view types and patterns identified in the Viewshed Characterisation & Analysis Study:*

a) *Landmark views to and from viewpoints and tourism and recreational destinations.*

b) *Views from publically accessible areas which are within, to and from settlements which contribute to the viewers' enjoyment of the National Park.*

c) *Views from public rights of way, open access land and other publically accessible areas; and*

d) *Views which include or otherwise relate to specific features relevant to the National Park and its special qualities, such as key landmarks including those identified in Appendix 2 of the Viewshed Characterisation*

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|     | <p><i>&amp; Analysis Study, heritage assets (either in view or the view from) and biodiversity features.</i></p> <p>The application site lies within the north scarp foot slopes of the Downs as characterised in the Local Plan, and is visible from the South Downs Way, footpaths leading up to the Downs on the face of the scarp, near to Ditchling Beacon - the highest point in East Sussex at 248m above sea level, offering 360 degree views from its summit.</p> <p>The application site will be visible in distance views but would be seen in the wider context of Ditchling village, in particular a residential street known as Shirley's, which is a short distance to the west but closer to the ridgeline of the Downs. The proposed development would also replace an existing building, and so would not be adding any additional buildings to existing views.</p> <p>The development would have a simple and traditional design with external elevations clad with dark stained timber, set under a standing-seam zinc roof, in a non-reflective "anthracite" colour. A porch canopy is proposed over the front door in the north east elevation. Overall, the ridge of the roof would measure 5.9 metres, with the eaves set low at 2.2 metres.</p> <p>The more significant impact on distance views is likely to be the access route across the field to the proposed visitor accommodation.</p> <p>Access tracks across fields are permissible, and indeed similar have been approved closer to the ridgeline of the Downs in recent months for example to the Everflyht Vineyard on the western side of Beacon Road. The important factors are that the access follows existing field boundaries, is screened, and softened with planting, and is constructed of natural materials that blend into the landscape.</p> <p>In this case, the applicant proposes the access track to follow the edge of the field and indigenous hedge planting along the open side of the track. This minimises the visual impact on the wider landscape. A permeable gravel surface is proposed for the track, although chalk would also be an option.</p> <p>The access track would use the existing vehicular access onto the main road, and it is noted that, subject to conditions, the highway authority raises no objection to these proposals.</p> |
| 8.4 | <p><u>Ecosystem Services</u></p> <p>In order to meet the requirements of policies SD2 and SD9 of the Local Plan the applicant has submitted an Ecosystem Services Statement setting out the following measures:</p> <ol style="list-style-type: none"> <li>1) Bat boxes or bricks.</li> <li>2) Bird boxes.</li> <li>3) Installation of bug boxes.</li> <li>4) Replacement tree planting.</li> <li>5) Native hedgerow planting.</li> <li>6) Water butts for rainwater collection.</li> </ol>  |

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|     | <p>7) 19% improvement in carbon emissions against Part L of the Building Regulations.</p> <p>8) Water consumption to be no more than 110 litres per person per day.</p> <p>9) Solar photo-voltaic (PV) panels to the south-east roof slope.</p> <p>The local planning authority would wish to see an electric vehicle charging point and details of water/heating that does not involve gas - for example an air source heat pump.</p> <p>In addition, full details of new hedge and tree planting will be required. It is noted that two trees are to be removed and new tree planting should be of an appropriate species and height, in a similar position to those being removed.</p> <p>These details can be secured by imposing appropriate conditions.</p> |
| 8.5 | <p><u>Planning Obligations:</u><br/>There are no S106 Planning obligations associated with this proposal.</p>   |
| 8.6 | <p><u>Human Rights Implications:</u><br/>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 considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.</p>  |
| 8.7 | <p><u>Conclusions:</u></p> <p>The comments from both the Parish Council and local residents are acknowledged and have been taken into consideration. However, no material considerations are believed to override the key policy considerations and the development proposals are acceptable in principle and would not have a significant harmful impact on landscape character, neighbour amenity or the highway network.</p>   |

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| <b>9.</b> | <b>Recommendations</b>  |
| 9.1       | In view of the above the proposed development is considered to be acceptable and approval is recommended subject to conditions. |

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| <b>10.</b> | <b>Conditions:</b>  |
| 10.1       | <p><b>Time Limit</b></p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p> |

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| 10.2 | <p><b>Approved Plans</b></p> <p>The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>  |
| 10.3 | <p><b>Restriction on Use</b></p> <p>The development hereby permitted shall be used for holiday lettings only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).</p> <p>Reason: Occupation of the building for purposes other than holiday lettings for visitors and tourists of the National Park would be contrary to policies SD1 and SD25 of the South Downs Local Plan and policy DS1 of the Ditchling, Streat and Westmeston Neighbourhood Plan.</p> |
| 10.4 | <p><b>Register of Occupiers</b></p> <p>The owners or operators of the holiday let shall maintain an up-to-date register of the names of all occupiers of the accommodation, and their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.</p> <p>Reason: To ensure that the premises are not used as a residential dwelling having regard to Policy SD23 of the SDNP Local Plan.</p>  |
| 10.5 | <p><b>Time Limit on Occupation</b></p> <p>The holiday let accommodation hereby approved shall not be occupied continuously by the same person(s) for any single period of time exceeding 28 days.</p> <p>Reason: In order to ensure that the accommodation is used as a holiday let benefiting tourism and the visitor economy and because the introduction of a permanent dwelling in this location would be contrary to planning policy, in accordance with policy SD23 of the South Downs Local Plan and having regard to the National Planning Policy Framework.</p>  |
| 10.6 | <p><b>CEMP</b></p> <p>The development hereby permitted shall be implemented in accordance with a Construction Environmental Management Plan that shall be submitted to and approved in writing by the local planning authority and maintained in accordance with the approved details thereafter. The Construction Environmental Management Plan shall be submitted within 3 calendar months of the date of this decision, and shall include the following details:</p> <ul style="list-style-type: none"> <li>• The anticipated number, frequency, and types (including size) of vehicles using the access.</li> </ul>   |

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|       | <ul style="list-style-type: none"> <li>• A detailed plan of the first stretch of access (approx. 20m) from the edge of Lewes Road.</li> <li>• Full details of the track surface materials.</li> <li>• Full details of the position of any gate across the vehicular access.</li> </ul> <p>Reason: In the interests of highway safety, landscape character and the amenities of the area in accordance with policies SD4 and SD5 of the South Downs Local Plan.</p>  |
| 10.7  | <p><b>Native Hedgerow</b></p> <p>The access track shall not be brought into use for its intended purpose as access to the barn until the native species hedgerow has been planted along the open (northerly and easterly) edges of the proposed track. The hedgerow shall be maintained as such thereafter.</p> <p>Reason: In the interests of visual amenity, the wider landscape character, and the conservation and enhancement of biodiversity and ecological capital.</p>  |
| 10.8  | <p><b>Width of Access</b></p> <p>The access track shall be single lane except for where it opens out into the junction and transition zone with the public highway, and the parking and turning area for the holiday let.</p> <p>Reason: In the interests of visual amenity and to reduce the impact on wider landscape character.</p>  |
| 10.9  | <p><b>Hours of Construction</b></p> <p>Construction work and deliveries in association with the development hereby permitted shall be restricted to between the hours of 0800 and 1800 Mondays to Fridays and from 0830 until 1300 on Saturdays. No works in association with the development hereby permitted shall be carried out at any time on Sundays or on Bank/Statutory Holidays.</p> <p>Reason: In the interests of the residential amenities of the neighbours having regard to policies SD5 and SD7 of the South Downs Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.</p> |
| 10.10 | <p><b>No External Lighting</b></p> <p>No external lighting shall be installed within the site unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail in the interests of night-time amenity, tranquillity and protect and conserve the International Dark night Skies.</p>  |
| 10.11 | <p><b>EV Charging</b></p> <p>The development hereby permitted shall not be brought into use for purposes hereby approved until a minimum of one electric vehicle</p>  |

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|       | <p>charging point has been provided and made available for use, in a position that is convenient to use for occupiers of the holiday let.</p> <p>Reason: In the interests of reducing harmful emissions and local contributors towards climate change.</p>   |
| 10.12 | <p><b>In Accordance with Ecosystem Services Statement</b></p> <p>The development hereby permitted shall be implemented in accordance with the Ecosystem Services Statement submitted and maintained as such thereafter.</p> <p>Reason: In order to enhance the natural capital and biodiversity of the site, in accordance with Ecosystem Services objectives.</p>   |
| 10.13 | <p><b>Vehicle Access Details</b></p> <p>No development shall commence until the vehicular access serving the development has been constructed in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.</p>  |
| 10.14 | <p><b>Parking Area</b></p> <p>The development shall not be occupied until a parking area has been provided in accordance with the details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.</p>     |
| 10.15 | <p><b>Size of Parking Area</b></p> <p>The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).</p> <p>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.</p>   |
| 10.16 | <p><b>Cycle Parking</b></p> <p>The development shall not be occupied until a cycle parking area has been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles</p> <p>Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.</p> |
| 10.17 | <p><b>Land Management Plan</b></p> <p>Following implementation of the development hereby approved, the site shall be managed in accordance with a land management plan, the details of which shall be submitted to and approved by the Local Planning</p>  |

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|       | <p>Authority prior to the development hereby permitted being brought into use for its authorised purpose. The land management plan shall include:</p> <ul style="list-style-type: none"> <li>• The grazing and cutting regime for the paddocks.</li> <li>• The stock intensity and amount of time and seasons they will be on the land.</li> <li>• Any chemical treatments to be applied to the land.</li> </ul> <p>No subsequent changes to this management will be made without the written approval of the Local Planning Authority.</p> <p>Reason: To secure biodiversity enhancements on the site in accordance with policy SD9 of the South Downs Local Plan.</p>   |
| 10.18 | <p><b>Sustainability</b></p> <p>No development shall take place until detailed information in a design stage sustainable construction report in the form of:</p> <ol style="list-style-type: none"> <li>a) design stage SAP data</li> <li>b) design stage BRE water calculator</li> <li>c) product specifications</li> <li>d) building design details</li> <li>e) layout or landscape plans</li> </ol> <p>demonstrating that the building has:</p> <ol style="list-style-type: none"> <li>a) reduced predicted CO2 emissions by at least 19% due to energy efficiency and.</li> <li>b) reduced predicted CO2 emissions by a further 10% due to on site renewable energy compared with the maximum allowed by building regulations</li> <li>c) EV charge point</li> <li>d) predicted water consumption no more than 110 litres/person/day</li> <li>e) separate internal bin collection for recyclables</li> <li>f) private garden compost bin and providing evidence demonstrating:</li> <li>g) sustainable drainage and adaptation to climate change</li> <li>h) selection of sustainable materials</li> </ol> <p>has been submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these agreed details.</p> <p>Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change.</p> |
| 10.19 | <p><b>Restriction on Temporary Structures</b></p> <p>Notwithstanding Part 4 and Part 5 of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country</p>   |

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|  | <p>Planning (Use Classes)(Amendment)(England) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, no temporary uses or structures (for example campsites) shall be permitted on any part of the application site.</p> <p>Reason: In the interests of amenity, highway safety and preserving and enhancing landscape character.</p> |
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| <b>11.</b> | <b>Plans:</b>  |
| 11.1       | This decision relates solely to the following plans: |

|  | <u>Plan Type</u>                             | <u>Date Received</u> | <u>Reference:</u>                     |
|--|--|----------------------|---------------------------------------|
|  | EXISTING SITE PLAN AND FLOOR PLAN            | 03.03.2022           | SK01                                  |
|  | SITE PLAN                                    | 03.03.2022           | SK03A                                 |
|  | FLOOR PLANS AND LOCATION PLAN                | 03.03.2022           | SK04B                                 |
|  | PROPOSED FRONT AND PRINCIPAL SIDE ELEVATIONS | 03.03.2022           | SK05C                                 |
|  | BLOCK PLAN                                   | 03.03.2022           | SK06B                                 |
|  | Application Documents -                      | 03.03.2022           | LANDSCAPE APPRAISAL                   |
|  |  |                      |                                       |
|  | Application Documents -                      | 03.03.2022           | ECOLOGICAL APPRAISAL REPORT           |
|  |  |                      |                                       |
|  | Application Documents -                      | 03.03.2022           | ECOSYSTEMS SERVICES STATEMENT         |
|  | Application Documents -                      | 03.03.2022           | HIGHWAY ACCESS REPORT                 |
|  |  |                      |                                       |
|  | Application Documents -                      | 03.03.2022           | NOISE ASSESSMENT                      |
|  |  |                      |                                       |
|  | Application Documents -                      | 03.03.2022           | PLANNING. DESIGN AND ACCESS STATEMENT |

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| <b>12.</b> | <b>Appendices</b> |
| 12.1       | None.             |

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| <b>13.</b> | <b>Background Papers</b> |
| 13.1       | None.                    |



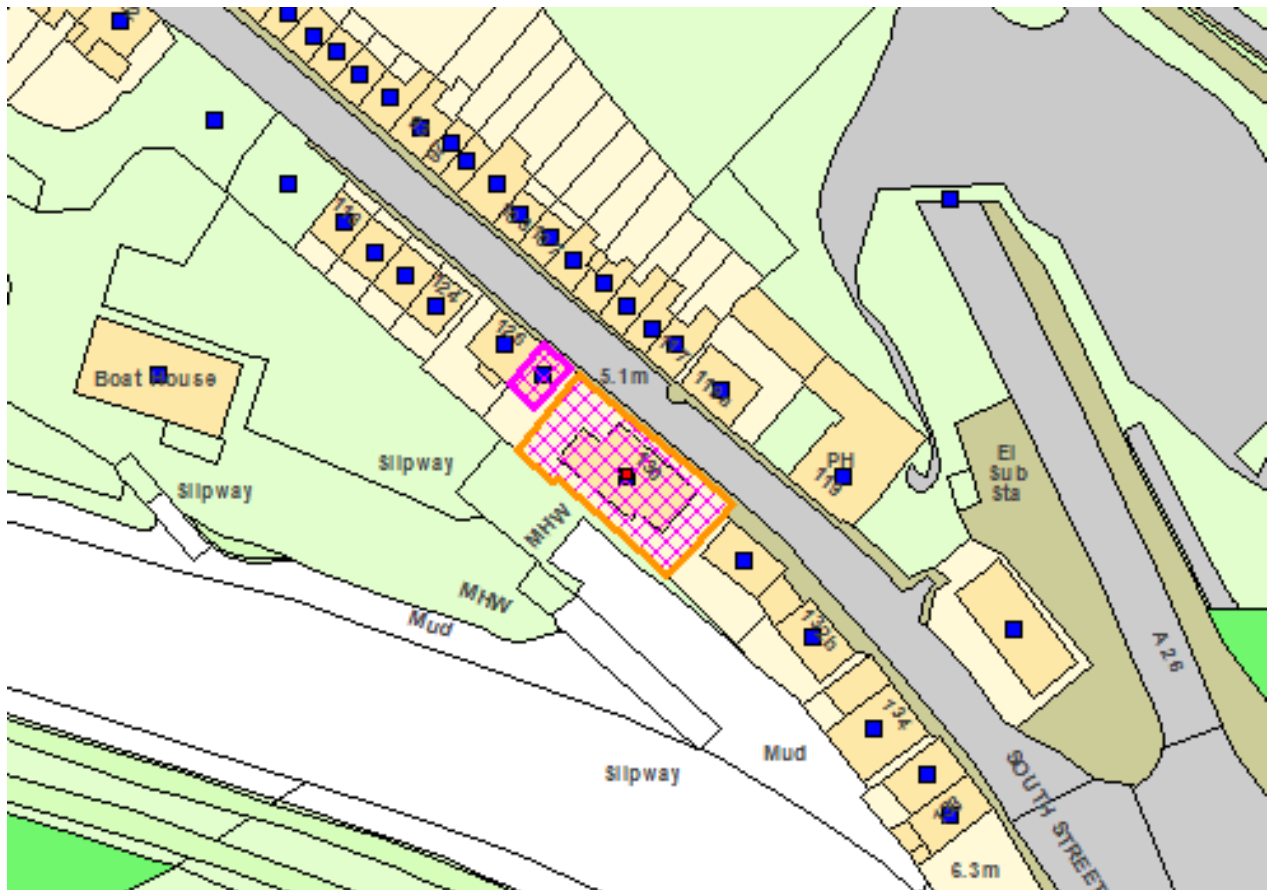
**Report to:** Planning Applications Committee  
**Date:** 5th October 2022  
**Application No:** SDNP/22/02707/FUL  
**Location:** 130 South Street, Lewes, East Sussex, BN7 2BS  
**Proposal:** Demolition of existing 4 bedroom 1.5 storey dwelling with associated outbuildings and erection of pre-fabricated 3/4 bedroom 2 storey dwelling with garage and installation of solar panels, air source heat pump and electric vehicle charging point, raising the ground level up to pavement level, replacement of existing impermeable hardstanding with permeable surfaces, alterations to front boundary wall and other associated alterations.

**Applicant:** Mr and Mrs Carver  
**Ward:** Lewes Bridge Ward  
**Recommendation:** Grant permission subject to conditions.  
**Contact Officer:** **Name:** Claire Tester  
**E-mail:** [claire.testor@lewes-eastbourne.gov.uk](mailto:claire.testor@lewes-eastbourne.gov.uk)

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

## Site Location Plan



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| <b>1.</b> | <b>Executive Summary</b>   |
| 1.1       | The proposed development is considered to provide a more sustainable and energy efficient dwelling compared to the existing bungalow and an overall enhancement to the Conservation Area and wider landscape and ecology of the National Park. |
| 1.2       | Potential adverse impacts on privacy, outlook and the character of the area have been raised by objectors to the scheme, but it is considered that these impacts have been successfully mitigated by the proposal                              |
| 1.3       | Overall, it is considered that the development complies with the relevant development plan policies and meets the purposes and duty of the National Park.  |

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| <b>2.</b> | <b>Relevant Planning Policies</b>  |
| 2.1       | <u>National Planning Policy Framework</u><br>2. Achieving sustainable development<br>4. Decision making<br>12. Achieving well-designed places<br>14. Meeting the challenge of climate change, flooding, and coastal change<br>15. Conserving and enhancing the natural environment<br>16. Conserving and enhancing the historic environment  |
| 2.2       | <u>South Downs Local Plan:</u><br>Core Policy SD1: Sustainable Development<br>Core Policy SD2: Ecosystem Services<br>Strategic Policy SD4: Landscape Character<br>Strategic Policy SD5: Design<br>Strategic Policy SD8: Dark Night Skies<br>Strategic Policy SD12: Historic Environment<br>Development Management Policy SD15: Conservation Areas<br>Development Management Policy SD30: Replacement Dwellings |
| 2.3       | <u>Lewes Neighbourhood Plan:</u><br>Policy HC3 A Heritage Protection of Landscape and Townscape<br>Policy HC3 B Planning Application Requirements and Heritage Issues<br>Policy PL2 Architecture & Design  |

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| <b>3.</b> | <b>Site Description</b>   |
| 3.1       | The existing dwelling is a detached 1960s chalet bungalow located on a predominantly residential street characterised by two storey terraced houses. The Snowdrop Inn is opposite the site, and to the rear is the River Ouse with the Lewes Rowing Club nearby   |
| 3.2       | The property lies within Lewes Conservation Area but is not Listed. The nearest Listed property is Grade II Listed Wharf House (138 South Street) approximately 46 metres to the south east   |
| 3.3       | The Lewes Conservation Area Appraisal Map of South Street identifies the positive elements of the area including neighbouring 126 and 128 South Street, and 134 and 136 South Street, which are identified as 'buildings of townscape merit'. There is an important view from South Street outside no.130 facing towards the cliffs through the gap between the Snowdrop Inn and 119A South Street. There are also important views from Lewes Railway Land towards South Street which include the application site. |
| 3.4       | The existing property is set below street level and the street view of it is dominated by the large pitched roof with a flint wall in front blocking views of the fenestration. The ridge height is significantly lower than the ridge heights of the surrounding dwellings and is generally out of keeping with the surrounding area.  |

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| <b>4.</b> | <b>Proposed Development</b>   |
| 4.1       | The proposal is to demolish the existing dwelling and associated outbuildings and erect a new prefabricated 3/4-bedroom 2 storey dwelling with garage. This involves raising the ground level of the dwelling up to pavement level and making an opening in the front boundary wall to allow level pedestrian access from the street. |
| 4.2       | The development also includes the installation of solar panels, air source heat pump and electric vehicle charging point and the replacement of existing impermeable hardstanding with permeable surfaces   |

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| <b>5.</b> | <b>Relevant Planning History:</b>   |
| 5.1       | Reference LW/80/1550<br>Address Site Of 130 South Street Lewes East Sussex BN7 2BS<br>Description New house.<br>Approved 15.10.1980   |
| 5.2       | Reference LW/07/1044<br>Address 130 South Street Lewes East Sussex BN7 2BS<br>Description Raising of flint wall and erection of small single storey extension (Resubmission of LW/06/0968)<br>Approved 15.11.2007 |

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| 5.3 | Reference LW/08/0854/CD<br>Address Fairview 130 South Street Lewes East Sussex BN7 2BS<br>Description Discharge of condition 1 relating to planning approval LW/07/1044<br>Approved 08.09.2008 |
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| <b>6.</b> | <b>Consultations:</b>   |
| 6.1       | <u>Lewes Town Council:</u><br>Councillors support this application and the innovative approach  |
| 6.2       | <u>Lewes Conservation Area Advisory Group:</u><br>The Group sees this proposal as an overall improvement to the existing but has some Issues over materials.<br>Comments:<br>The drawings are varied in quality and the proposal relies on projected photographs.<br>1. Group offers the following suggestions. The proposed white panel along base to be painted brick rather than render.<br>2. 1st floor timber to be shiplap to give more texture.<br>3. Greater overhang of roof would be more attractive, fit the vernacular and would be more sustainable<br>4. Windows – are rather small for the overall external appearance.<br>Support in principle with the above amendments                                    |
| 6.3       | <u>Friends of Lewes:</u><br>The Friends of Lewes strongly support this proposal as it will result in a considerable improvement to the street scene in South Street.  |
| 6.4       | <u>Southern Water:</u><br>Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.  |
| 6.5       | <u>Conservation and Design Officer:</u><br>Original Comments (summary)<br><u>Supporting Narrative</u><br>The demolition and replacement of the existing building with a two-storey building is acceptable in principle. The existing building does not make a positive contribution to the conservation area as it does not provide enclosure to the street nor does it possess any characteristics of the buildings that make a positive contribution to the street apart from the use of brick and a pitched roof which is shares with some of the other buildings.<br>Given that the existing building does not make a positive contribution to the streetscape, the opportunity for a building that does, is there. The |

elevation of the proposed building facing the river, save the glass balustrade (metal balustrade is preferred), is considered acceptable (in design terms).

Conclusion

The D&A statement advises that "The design provides a contemporary version of local vernacular forms". However, it is not clear at all in what way it is a contemporary version of local vernacular. As the design currently stands, the application is considered to be more harmful to the character and appearance of the conservation area than the existing bungalow.

Comments to revisions

- Support the roof tile
- Support the fenestration arrangement now as it better reflects the regimented character of the earlier facades although some concern remains with the top opening casements.
- Similarly, concern is raised over the dark grey aluminium windows, and door and canopy

**7. Other Representations:**

**7.1 Neighbour Representations in Support:**

4 letters of support were received on the following grounds:

- The present number 130 is extremely ugly, with its huge cement tile roof and the proposed house would be a great improvement.
- There may be some minor changes to views from the house opposite this is accepted as they are offset by the merits of the new building.
- The present building is so badly constructed that trying to update it would be more disruptive to us than the proposed new build and likely to be more environmentally unfriendly than the proposed eco house.
- South Street has buildings dating to almost every decade over the last hundred years so there is no cohesive street pattern and many of the present houses are of poor architectural quality.
- The proposed house will be 2 metres less wide than the current property and still lower than the surrounding houses
- The current house suffers from subsidence and the raising of the new property will ensure that it is than safeguarded against future flooding.
- Emphasis placed on sustainability in all aspects of both the demolition and rebuild. Materials from the current house will be repurposed, while the eco home itself is designed to offset carbon emissions.

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| 7.2 | <p><u>Neighbour Representations, Neutral:</u></p> <p>2 letters raising neutral comments were received as follows.</p> <ul style="list-style-type: none"> <li>• In principle support but reservations about height and balcony and concern as to how much noise and disruption it would cause vulnerable neighbours during construction.</li> <li>• In principle support, but concern about the plant, disturbance, and possible damage this work may cause to the adjacent 18th century property during demolition and subsequent build.</li> </ul>  |
| 7.3 | <p><u>Neighbour Representations in Objection:</u></p> <p>10 letters of objection were received on the following grounds:</p> <p><u>Impact on neighbour amenity</u></p> <ul style="list-style-type: none"> <li>• The proposed two-storey development close to the side boundary with No. 132A, together with the over-sized first-floor balcony which will extend well past the existing rear building line, will result in adverse impact on the amenity of the neighbours at No. 132A by way of loss of light/overshadowing to the house and garden and overbearing development resulting in a sense of enclosure.</li> <li>• Loss of view from 115 South Street opposite across the application site to river and Railway Land beyond and over shadowing of this property.</li> </ul> <p><u>Impact on the Snowdrop Inn</u></p> <ul style="list-style-type: none"> <li>• South Street is a cold street nestling below the cliffs on the North side. Early morning light and therefore heat is restricted for the Snowdrop due to the location on the North side and existing dwellings and the new dwelling will further reduce natural heat and light particularly in the winter and in the northern garden opposite the site.</li> <li>• The development would also block the view from Snowdrop Inn to the Railway Land and the South Downs beyond.</li> <li>• Disturbance to trade for the Snowdrop from construction vehicles and activity.</li> </ul> <p><u>Design and appearance</u></p> <ul style="list-style-type: none"> <li>• The proposed development will be very wide and bulky and will appear out-of-character in the streetscape, resulting in an adverse impact on the character of the conservation area and the setting of the locally listed buildings.</li> <li>• It is a banal, off-the-shelf monolith with no relevance to its context.</li> <li>• Is weatherboarding in keeping with the character of the street?</li> <li>• It lacks character, being a large rectangular block.</li> <li>• Proposed dwelling will dominate the street scene, view from the river and the slip way in comparison to the existing bungalow.</li> </ul> |

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|     | <ul style="list-style-type: none"> <li>• Character of the street changed since the Rusty House was built.</li> <li>• The size of the proposal is misleading, may be same footprint but is taller.</li> <li>• There is historical photographic evidence of the current site of 130 showing it as allotments (1830). Development of the current building on that site was subject to an agreement to keep the building height low in order to allow light and a view of the Downs.</li> </ul> <p><u>Other</u></p> <ul style="list-style-type: none"> <li>• Increased traffic.</li> <li>• Claims for an 'eco house' are misleading as new build with materials from Germany will use more carbon than changing the original building.</li> <li>• The proposed development is behind the flood wall erected by the Environment Agency after the 2000 flood and the applicant's own flood assessment acknowledges that the existing building is not at risk of fluvial flooding.</li> </ul> <p>The proposal should include an independent, comprehensive, Environmental Impact Assessment.</p> |
| 7.4 | <p>Neighbours and contributors have been re-consulted on the amended plans and any additional comments will be reported at Committee via the addendum report.</p>   |

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| <b>8.</b> | <b>Appraisal:</b>   |
| 8.1       | <p><u>Key Considerations:</u></p> <p>Sec 38 (6) of the Planning Compulsory Purchase Act 2004 requires that regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>The NPPF also advises that there is a presumption in favour of sustainable development.</p> <p>The site is located within the South Downs National Park and therefore determine by the SDNPA who further to the presumption in favour of sustainable development and sec 38 (4) of the statutory purposes and duty of the National Park are:</p> <ul style="list-style-type: none"> <li>• Purpose 1: To conserve and enhance the natural beauty, wildlife, and cultural heritage of the area.</li> <li>• Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.</li> <li>• Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.</li> </ul> |

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|     | <p>The main considerations for this application are:</p> <ul style="list-style-type: none"> <li>• The principle of development and whether it complies with South Downs Local Plan policy SD30: Replacement Dwellings.</li> <li>• The design of the proposed dwelling and whether it conserves and enhances the Lewes Conservation Area in compliance with South Downs Local Plan policies SD4, 5, 8, 12 and 15 and Lewes Neighbourhood Plan policies HC3A and B and PL2 and has regard to the recently adopted South Downs Design Guide;</li> <li>• The impact of the proposal on the environment of the River Ouse and the views from Lewes Railway Land.</li> <li>• The sustainability of the proposed dwelling and how this should be considered in the planning balance; and</li> <li>• The impact of the proposal on neighbouring amenity including the Snowdrop Inn.</li> </ul>  |
| 8.2 | <p><u>Principle:</u><br/> The principle of replacing one dwelling with another is generally supported. Policy SD30 of the South Downs Local Plan has a number of criteria relating to the scale of such dwellings, but these only apply to either replacement dwellings outside settlement boundaries or to the replacement of a single dwelling with two or more dwellings.</p> <p>This is not the case for this proposal which is a one for one replacement within the settlement boundary of Lewes.</p>  |
| 8.3 | <p><u>Design: Impact Upon the Conservation Area:</u></p> <p>The application site is within the Lewes Conservation Area and therefore the development needs to conserve and enhance that heritage asset as required under policies 12 and 15 of the South Downs Local Plan and HC3A and B of the Lewes Neighbourhood Plan. The recently adopted South Downs Design Guide provides more details on what is expected in Conservation Areas, which includes the following key design principles:</p> <p>“Development proposals should:</p> <ol style="list-style-type: none"> <li>a. preserve or enhance the character and appearance of the conservation area.</li> <li>b. avoids massing or building height which is overly dominating for the site and its context.</li> <li>c. relates or respond positively to the built heritage predominating in the Conservation Area, so that the new development can properly be seen as preserving or enhancing the character and appearance which led to the area’s designation.</li> <li>d. respond to key views into, through and out of the Conservation Area.</li> <li>e. reference the building traditions of the settlement and, where appropriate, fit sympathetically into the existing streetscape.</li> </ol> |



- f. avoids the use of uPVC windows, fascia cladding or other assertively synthetic materials, even if attempts are made to emulate traditional details.
- g. if traditional materials are proposed, observe local craft traditions, and avoid, short-cuts, such as flint-block construction.
- h. where possible, remove buildings or structures whose aesthetic appearance are harmful to the overall character and appearance for whose protection the area was designated.
- i. minimises the negative impacts on heritage assets, including conservation areas, listed buildings, historic parks or gardens or scheduled monuments and their setting”.

It should also be noted that there is a Lewes Conservation Area Character Appraisal that was adopted by Lewes District Council in 2007. Although the weight that can be attached to this document is limited by its age, it still contains some useful information to aid the design process. South Street comes under Area 1 – Cliffe. This document describes South Street as being “varied with only one building of any antiquity – no. 1, a timber-framed building of the 16th century which sits on the corner of Chapel Hill. Other listed buildings tend to be late 18th century or early 19th century in date, rendered, with Georgian details. There are also several groups of unlisted mid to late 19th century houses and cottages of merit, particularly nos. 36-40, part of a longer terrace but notable for their Gothic detailing including colourful polychromatic brickwork”. The map accompanying the Appraisal shows the two cottages immediately to the north-west of the application site as being of ‘townscape merit’ and an important view from the street outside the application site looking north towards the cliffs above Cuilfail Tunnel.

As mentioned in the site description, the application site is currently occupied by a 1980s chalet bungalow. This property is not characteristic of the historic buildings in the street, its lower roofline reduces the sense of enclosure that characterises the rest of the street and its frontage to the street is dominated by a large roofscape. It is considered that it has an adverse impact on the character of the Conservation Area.

The proposed replacement dwelling is a two-storey Baufritz house which would be constructed using off-site prefabricated closed wall and roof panels. Its sustainability credentials are discussed in the following section, but the relevant factor for the impact on the Conservation Area is that the design method restricts the materials that can be used to those that will not impede its insulation and energy efficiency.

The proposed dwelling has a simple rectilinear shape which occupies a wide but shallow plot between South Street and the River Ouse, meaning that both frontages need to be successfully addressed. As originally proposed the frontage to South Street had horizontal timber cladding at first floor and render to the ground floor with rather small irregularly spaced windows. It was considered that this looked as if the dwelling was turning its back on the street. The roof had a low pitch which meant the eaves were higher than other dwellings. This combined with the width of the

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|     | <p>dwelling gave it a very horizontal emphasis in comparison to the more vertical rhythm of the traditional cottages in South Street.</p> <p>The design of the street elevation has now been amended to vertical boarding with a red/multi heritage brick panel in the centre and has more regularly spaced and larger windows. The eaves of the roof have also been lowered at the front to be more in keeping with adjacent dwellings making the roof asymmetrical from the side.</p> <p>It is considered that these changes help to make the dwelling more sympathetic to its surroundings and responsive to the character of the existing cottages on South Street. The amendments to the window sizes and positions help to make this frontage more active and characteristic of the street, but this is a modern house, and it would not be appropriate to require these to be traditional sash windows. The materials and colour of the window frames are also appropriate to a contemporary dwelling.</p> <p>The timber cladding is continued around to the rear of the dwelling and reflects the wharf side character of this end of South Street and other development along the River Ouse. Whilst horizontal cladding is more characteristic, the proposed vertical cladding uses this traditional material in a more modern way and assists the vertical emphasis of the front elevation which, in combination with the brick central panel, responds to the vertical rhythm of the terraced cottages in the street. The entrance doorway onto the street through a new opening in the flint wall allows for level access which is important for ensuring that the house is accessible for any future residents with mobility issues. The raising of the slab-level to street level also ensures the flood resilience of the dwelling. A simple horizontal canopy over this entrance reinforces the clean lines of the new dwelling.</p> <p>The single garage to the side of the new dwelling will also be clad with vertical timber and both buildings will be roofed with slate-coloured clay roof tiles. The Baufriz design has a limited palette of materials that meet its sustainability and construction requirements, and it is considered that these grey clay tiles, whilst not ideal in a Conservation Area, would have an acceptable impact given the predominance of slate in the area.</p> <p>Overall, it is considered that the proposed design provides a contemporary interpretation of local vernacular forms and streetscape and, considering what it is replacing, will have a positive impact on the Conservation Area.</p> |
| 8.4 | <p><u>Design: Impact on the River Ouse and Lewes Railway Land</u></p> <p>The application site has a prominent position on the waterfront adjacent to the slipway to the Rowing Club and is clearly visible in views from the Lewes Railway Land, a nature reserve and popular visitor attraction. This aspect is therefore important and was a key driver for the ‘boathouse’ ethos of the design. The vertical timber cladding continues around the side and rear elevations and will present an appropriate riverside appearance to the development. The design exploits the views of the river with a terrace at ground level and a full-width balcony at first floor level. The latter has a glass balustrade to reduce its impact on the wider landscape and enable the residents to enjoy the views across the river. The timber cladding will ‘silver’ over time, and this combined with the grey</p>  |

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|     | <p>clay roof tiles will enable the dwelling to recede into the landscape and not detract from views across the river.</p> <p>The amount of glazing on this elevation has the potential to impact on the dark skies of the National Park as well as wildlife. Conditions are recommended to mitigate this impact through internal blackout shutters and also require dark and non-reflective PV panels on the roof.</p> <p>The Preliminary Ecological Survey confirms that the property does not exhibit any potential for roosting bats and can be considered as having a negligible potential for bats. However, the Railway Land and river are likely to be suitable foraging grounds for bats. External lighting should be restricted on the site and bat and swift boxes are proposed.</p> <p>Overall, it is considered that the proposed design conserves and enhances the environment of the River Ouse and views from the Railway Land.</p>   |
| 8.5 | <p><u>Sustainability:</u></p> <p>The dwelling would be constructed by the UK branch of the German housebuilder Baufriz, which is based in Cambridge. It is designed as an eco-friendly, low-energy house for healthy living. The Ecosystems Services Statement submitted with the application confirms the following:</p> <ul style="list-style-type: none"> <li>• Rainwater from the main roof will be collected in a water butt and used for watering the garden.</li> <li>• Permeable paving/gravel drive is to be installed to replace the existing impermeable driveway, therefore there will be a net reduction in impermeable surfaces and surface water runoff at the site.</li> <li>• The existing building materials are to be re-used in either the foundations of the new home or in another development.</li> <li>• Solar Panels are proposed on the rear roof slope and an Air Source Heat Pump is proposed adjacent to the garage, so that the proposed dwelling will be heated and powered almost entirely by renewable energy.</li> <li>• An electric vehicle charging point is proposed adjacent to the driveway and garage to charge cars and e-bikes</li> <li>• The dwelling will have High Insulation Standards (that more than meet the new 31% carbon reduction Building Regs requirements).</li> <li>• Baufriz construction materials (wood frame, wood shaving insulation) and components have a very low life cycle impact, with low embodied energy, use of reclaimed or recycled materials that are recyclable at the end of the building's life, low toxicity in manufacture and sustainable materials.</li> <li>• The Baufriz Wall achieves heat transfer values as low as 0.16 W/m<sup>2</sup>K (for rendered façade with an acoustic insulation capacity of 48 dB) and 0.20 W/m<sup>2</sup>K (for wood façades or façade panels with an acoustic insulation capacity of 45 dB).</li> </ul> |

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|     | <ul style="list-style-type: none"> <li>• The Baufritz roof incorporates a patented wood shaving insulation system that provides a U value of 0.16 -0.2 W/m<sup>2</sup>K and is breathable, protecting the house from both heat and cold.</li> <li>• The triple glazed windows have a heat transfer of 0.5 W/m<sup>2</sup>K and incorporate heat reflective glass.</li> <li>• The walls, roof and windows also provide high frequency electromagnetic protection for the house.</li> <li>• Roller shutters are to be installed within the external façade so that they are hidden when not in use. This provides the occupier with thermal control of the house, closing the shutters to provide shade to avoid overheating of the house.</li> <li>• Low energy warm white LEDs with dimmer switches and motion sensors to be installed throughout.</li> <li>• New native planting that attracts butterflies and bees is proposed in the garden, as indicated on the proposed site plan. Bird and bat boxes are proposed to be installed. These measures will provide a net increase in biodiversity at the site.</li> </ul> <p>Offset against the sustainability credentials of the new dwelling must be the carbon costs of demolishing the existing bungalow. Generally, the refurbishment and re-use of existing buildings is considered more sustainable than new build due to the embodied carbon in the existing materials. However, in this case refurbishment is not practical due to the poor quality of the existing dwelling, the flood risk associated with its floor level and the adverse impact it has on the Conservation Area. Materials will be re-used on site where possible.</p> <p>It is considered that the proposals comply with policies SD1 and SD2 of the South Downs Local Plan and the adopted Sustainable Construction SPD.</p> |
| 8.6 | <p><u>Impact Upon Neighbouring Amenity:</u></p> <p>The balcony to the rear of the proposed dwelling could result in overlooking of the adjacent dwellings to the south-east (132a) and north-west (128). This potential impact is proposed to be mitigated by designing the balcony with 1.8 metre obscure glazed screens at either end so that views are out across the river rather than to either side. A condition is recommended requiring these screens to be installed and maintained thereafter to protect the privacy of neighbouring residents.</p> <p>Concerns have also been raised about over-shadowing from the new dwelling. The application includes diagrams showing a minimum 45-degree sightline from the rear wall of the nearest neighbour, 132a, to the furthest protruding part of the new dwelling, and a 25-degree sightline from the ridgeline of the new house to the ground floor of the house opposite. These diagrams demonstrate that the proposed development would not cause overshadowing or loss of light to any neighbouring property.</p> <p>Concerns have also been raised about the impact of the development on the Snowdrop Inn, and particularly to the beer garden on the north-west</p>   |

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|     | <p>side of the public house. This beer garden is opposite the south-eastern side of the application site which is currently occupied by a single-storey extension to the bungalow. The application proposes to move the side elevation of the new house away from the boundary with 132a, opening up a gap through which views of the Railway Land will be available. It is considered that this will improve the environment for the beer garden over the current situation and the new house will not result in an unacceptable level of over-shadowing.</p>  |
| 8.7 | <p><u>Planning Obligations:</u><br/>There are no S106 Planning obligations associated with this proposal.</p>   |
| 8.8 | <p><u>Human Rights Implications:</u><br/>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 considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.</p>  |
| 8.9 | <p><u>Conclusions:</u></p> <p>It is considered that the following matters should be given positive weight in the planning balance:</p> <ul style="list-style-type: none"> <li>• The greatly improved energy efficiency and other sustainability credentials compared to the existing bungalow.</li> <li>• The replacement of a bungalow that has a negative impact on the Conservation Area and wider landscape with one that has been carefully designed as a contemporary interpretation of local vernacular forms and streetscape.</li> <li>• The provision of ecological benefits and mitigations to dark sky impacts that are not currently present or controlled on the application site.</li> </ul> <p>Potential adverse impacts on privacy, outlook and the character of the area have been raised by objectors to the scheme, but it is considered that these impacts have been successfully mitigated by the proposal.</p> <p>Overall, it is considered that the development complies with the relevant development plan policies and meets the purposes and duty of the National Park.</p> |

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| <b>9.</b> | <b>Recommendations</b>  |
| 9.1       | It is recommended that planning permission be granted subject to conditions |

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| <b>10.</b> | <b>Conditions:</b> |
|            | <b>Time Limit</b>  |

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| 10.1 | <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>  |
| 10.2 | <p><b>Approved Plans</b><br/> The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>  |
| 10.3 | <p><b>CEMP</b><br/> No development hereby permitted shall commence until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> <li>(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development.</li> <li>(ii) The provision to be made within the site for a material storage compound and site office during site clearance and construction of the development.</li> <li>(iii) Measures to be taken to mitigate the impact on neighbours from construction including hours of operation and deliveries.</li> </ul> <p>Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such and the other measures complied with.</p> <p>Reason: To safeguard the amenities of neighbours and the locality.</p> |
| 10.5 | <p><b>Obscure Glazing</b><br/> Before the first occupation of the dwelling hereby permitted the first-floor window on the North-West elevation shall be fitted with obscure glazing. The window shall be non-opening below 1.7 metres from the finished floor level of the room in which the window is installed. The window shall be permanently retained as such thereafter.</p> <p>Reason: To safeguard the privacy of the occupiers of the adjoining property.</p>  |
| 10.6 | <p><b>Glazed Privacy Screens</b><br/> Before the first occupation of the dwelling hereby permitted obscure glazed screens as shown on the approved plans shall be fitted at each end of the balcony and shall be permanently retained as such thereafter.</p> <p>Reason: To safeguard the privacy of the occupiers of the adjoining property.</p>   |

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| 10.7  | <p><b>Landscaping Details</b><br/> Prior to the occupation of the development hereby permitted a detailed scheme of planting proposals shall be submitted to and approved in writing by the Local Planning Authority. All such work as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting 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 otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason To maintain the ecological interest and the appearance of the site.</p> |
| 10.8  | <p><b>No External Lighting</b><br/> No external lighting shall be installed on the building or within the site unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail in the interests of night-time amenity, tranquillity and protect and conserve the International Dark night Skies.</p>   |
| 10.9  | <p><b>External Materials</b><br/> No development shall be carried out above ground floor slab level until a schedule of external materials finishes and samples to be used on the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved schedule and samples.</p> <p>Reason: To safeguard the appearance of the building and the character of the area and to enable the Local Planning Authority to properly consider the development.</p>   |
| 10.10 | <p><b>Removal of Permitted Development</b><br/> 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.</p> <p>Reason: To enable the Local Planning Authority to regulate and control the development of land.</p>  |
| 10.11 | <p><b>Window Restrictions</b><br/> Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order or revoking and re-enacting that order with or without modification), no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the development without</p>  |

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|            | <p>the prior permission of the Local Planning Authority pursuant to an application for the purpose.</p> <p>Reason: To protect the amenities of adjoining residential properties and visual amenity.</p>   |
| 10.12      | <p><b>Bat and Bird Boxes</b><br/> Prior to occupation of the dwelling hereby permitted details of bird and bat boxes and the timing of their installation shall be submitted to and approved by the Planning Authority and installed according to these details. The boxes shall thereafter be retained for that purpose.</p> <p>Reason: To safeguard and enhance the ecological interest of the site in accordance with South Downs Local Plan policy SD09 Biodiversity and Geodiversity.</p>  |
| 10.13      | <p><b>Blackout Blinds</b><br/> Prior the occupation of the dwelling automated black-out blinds shall be fitted to each of the rooflights and to the windows and glazed doors on the South-West elevation in accordance with details that shall be submitted to and approved in writing by the local planning authority. The blinds shall be closed at dusk each day in order to prevent the upward spill of artificial light into the night sky.</p> <p>Reason: In order to mitigate the impact of the development on the landscape, biodiversity, and the International Dark Night Sky designation within the South Downs National Park in accordance with policies SD8 and SD9 of the South Downs Local Plan.</p> |
| 10.14      | <p><b>PV Panels</b><br/> Prior to their installation details of the PV Panels on the South-West roof slope shall be submitted to and approved by the Local Planning Authority to ensure that they are of dark colour and non-reflective. They shall be installed according to these details and thereafter maintained in that condition.</p> <p>Reason: To protect the landscape of the National Park in accordance with policy SD4 of the South Downs Local Plan.</p>  |
| 10.15      | <p><b>In Accordance with Ecosystem Services Statement</b><br/> Prior to the first beneficial use of the development the proposed actions stated in the Ecosystems Services Statement hereby approved shall be implemented fully and thereafter retained as such.</p> <p>Reason: To secure appropriate sustainability and ecological gains and have a positive impact on the environment to comply with Policy SD2 of the South Downs Local Plan.</p>  |
| <b>11.</b> | <b>Plans:</b>   |
|            | This decision relates solely to the following plans:  |



|  | <u>Plan Type</u>                          | <u>Date Received</u> | <u>Reference:</u> |
|--|---|----------------------|-------------------|
|  | Proposed Site Plan Roof                   | 02.09.2022           | A02.01 REV A      |
|  | Proposed Site Plan Ground Floor           | 06.09.2022           | A02.02 REV A      |
|  | Proposed Ground Floor                     | 02.09.2022           | A02.10 REV A      |
|  | Proposed First Floor                      | 02.09.2022           | A02.11 REV A      |
|  | Proposed Roof Plan                        | 02.09.2022           | A02.12 REV A      |
|  | Proposed Long Section                     | 02.09.2022           | A02.20 REV A      |
|  | Proposed Short Section                    | 06.09.2022           | A02.22 REV A      |
|  | Proposed North-East Elevation             | 02.09.2022           | A02.30 REV A      |
|  | Proposed South-West Elevation             | 02.09.2022           | A02.31 REV A      |
|  | Proposed North-West South-East Elevations | 06.09.2022           | A02.32 REV A      |
|  | Proposed Garage Elevations                | 02.09.2022           | A02.33 REV A      |
|  | Proposed Elevations in Context            | 02.09.2022           | A02.40 REV A      |
|  | Proposed Landscape Design Concept         | 02.09.2022           | A02.50 REV A      |

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| <b>12.</b> | <b>Appendices</b> |
| 12.1       | None.             |

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| <b>13.</b> | <b>Background Papers</b> |
| 13.1       | None.                    |

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