

Planning Applications Committee 17 January 2024



Working in Partnership



Time and venue:

5.00 pm in the Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE.

Membership:

Councillor Lucy Agace (Chair); Councillor Paul Keene (Deputy-Chair);

Councillors Ian Alexander, Graham Amy, Roy Clay, Becky Francomb, Christoph von Kurthy, Sean MacLeod, James Meek, Isobel Sharkey and Stella Spiteri.

Quorum: 5

Published: Friday 5 January 2024

Agenda

1 Minutes (Pages 5 - 8)

To confirm and sign the minutes of the previous meeting held on 6 December 2023 (attached herewith).

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 D10 of the Constitution).

6 Written questions from councillors

To deal with written questions from councillors pursuant to Council Procedure Rule 12.3 (page D9 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 outside the South Downs National Park

8 LW/23/0575 - Oakdene, Hazeldene Lane, North Chailey (Pages 9 - 18)

9 LW/23/0532 - Site north Of Slugwash Gardens, Slugwash Lane, Wivelsfield (Pages 19 - 46)

10 LW/23/0511 - 104 Allington Road, Newick, BN8 4NH (Pages 47 - 70)

Non-planning application related items

11 Date of next meeting

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 14 February 2024, 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:

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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.

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Working in Partnership



Planning Applications Committee

Minutes of the meeting held in the Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE, on 6 December 2023 at 5:00pm

Present:

Councillor Lucy Agace (Chair);
Councillors Paul Keene (Deputy-Chair), Ian Alexander, Roy Clay, Becky Francomb, Christoph von Kurthy, James Meek, Isobel Sharkey and Stella Spiteri

Officers in attendance:

Marc Dorfman (Senior Planning Specialist), James Emery (Planning Officer), Jennifer Norman (Committee Officer, Democratic Services), Leigh Palmer (Head of Planning), Nick Peeters (Committee Officer, Democratic Services), Joanne Stone (Principal Planning Solicitor) and Elaine Roberts (Committee Officer, Democratic Services)

64 Minutes

The minutes of the meeting held on the 11 October 2023 were submitted and approved and the Chair was authorised to sign them as a correct record.

65 Apologies for absence/Declaration of substitute members

Apologies for absence were received from Councillors Graham Amy and Sean MacLeod.

66 Declarations of interest

There were none.

67 Urgent items

There were none.

68 Petitions

An e-petition with 790 signatures was received: Reject the proposed housing development between Chailey and Newick, East Sussex, (LW/21/1000).

The petition organiser, Mr Matt Hobbs, summarised the petition.

The Council's Head of Planning acknowledged receipt of the e-petition, and the Chair thanked Mr Hobbs for his participation.

69 Written questions from councillors

There were none.

70 Officer update

Two supplementary reports were circulated to the Committee prior to the meeting, updating the main reports on the agenda with any late information (copies of which were published on the Council's website).

71 LW/23/0594 - Martello Kiosk, Esplanade, Seaford, East Sussex**Resolved:**

That planning application LW/23/0594 for a detached prefabricated changing place facility for members of the public with severe disabilities and assistants be approved, subject to the conditions set out in the report, Appendix 1 and supplementary reports.

72 LW/23/0583 - Land North of The Old Brickworks, Station Road, Plumpton Green, East Sussex, BN7 3DF

Councillor Nick Beaumont (Chair) spoke on behalf of Plumpton Parish Council. Sarah Sheath (Agent) and Paul Stevens (CPRE Sussex) spoke in support of the proposal.

Resolved:

That planning application LW/23/0583 for the development of land to provide mixed use leisure and commercial park, including new commercial units, office hub, craft workshops and a wellness/fitness centre be approved, subject to a S106 Legal Agreement to cover the implementation and on-going maintenance of the Community Orchard, Meadow and Community Area, and the conditions set out in the report and supplementary reports.

73 Planning Appeal Decisions and Analysis

The Committee received the report which provided a summary of the Appeals performance 2021-2023 and 2023-2024 to date.

The Senior Planning Specialist (SPS) summarised the report, highlighting key issues surrounding the likelihood that Lewes District Council will be designated as failing to meet the national planning indicator for quality decisions on major planning applications.

The SPS further highlighted that if this were to happen, it could have a significant impact on major planning application decision making and the reputation of the Council and its services.

The SPS noted that Officers and Committee Members would meet to develop an action plan to deal with major application decisions and appeals.

Resolved: That the report be noted.

74 Date of next meeting

It was noted that the next meeting of the Planning Applications Committee was scheduled to be held on Wednesday, 17 January 2024, in the Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE, commencing at 5:00pm.

The meeting ended at 6:47pm.

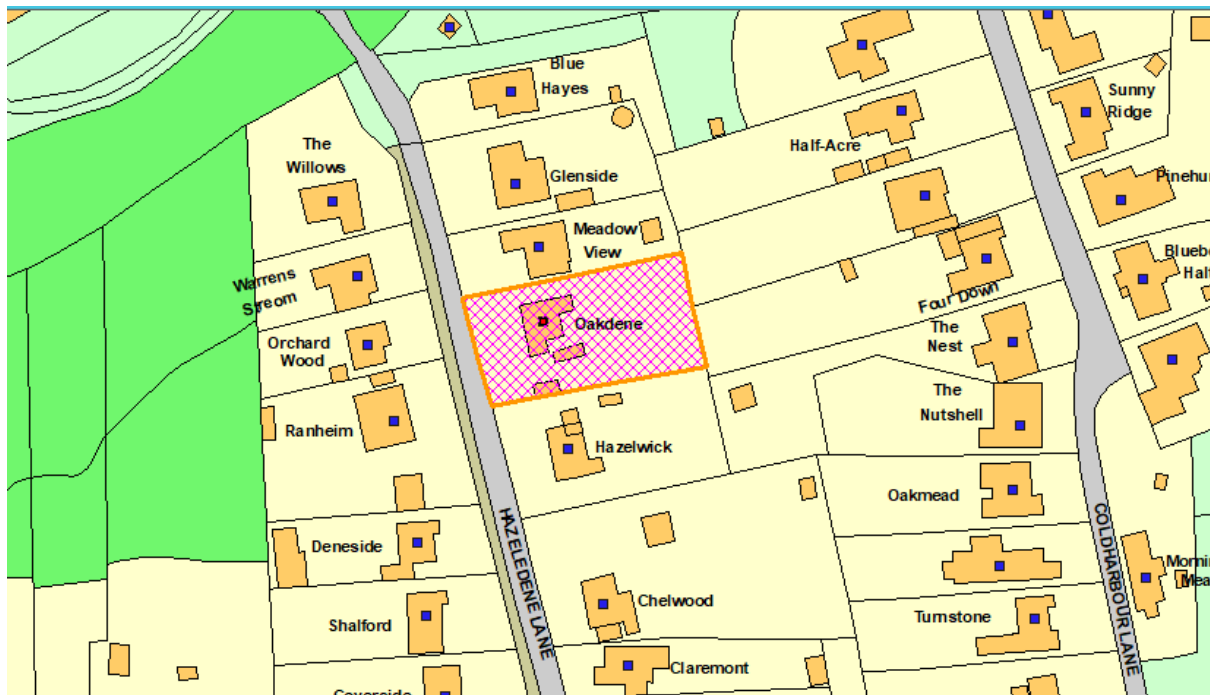
Councillor Lucy Agace (Chair)

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Agenda Item 8

Report to: Planning Applications Committee
Date: 17th January 2024
Application No: LW/23/0575
Location: Oakdene, Hazeldene Lane, North Chailey
Proposal: Hip to gable roof extension to both side elevations with raising of pitch height and 3 No. dormers to rear, 2 No. dormers to front, replacement side extension and replacement garage (AMENDED GARAGE LOCATION).
Applicant: Mrs L Agace
Ward: Chailey, Barcombe and Hamsey
Recommendation: Approve subject to conditions.
Contact Officer: **Name:** James Smith
E-mail: james.smith@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL Liable.
Site Location Plan: (Below)



1.	Executive Summary and Relevant Planning Policies
1.1	<p><u>Reason for the Application to Come to Committee</u></p> <p>An application of this kind would ordinarily be determined under delegated powers but, as the applicant as a member of the planning committee, a committee resolution is required, as set out in the Council's Scheme of Delegation. The applicant will not be able to vote on the decision or be present during discussions relating to the application.</p>
1.2	<p><u>Summary and Recommendation</u></p> <p>The site comprises an extended detached bungalow and garage. There is a room in the roof.</p> <p>The application proposes ground floor extensions which would enlarge the footprint. A new larger gable ended roof is proposed with a higher ridge height, along with two dormers in the front and 3 in the rear. There would also be new first floor side windows.</p> <p>The overall character of the existing building, as a single-storey dwelling (but with a larger roof and additional rooms in the roof space), would be retained. The scheme proposes a more effective use of the site, whilst the proposed modest footprint extension would leave the site mainly as garden. The design proposed is in character with the local semi - rural area and does not unacceptably impact on neighbouring amenity.</p> <p>The scheme is recommended for conditional approval.</p>
1.3	<p><u>National Planning Policy Framework</u></p> <p>2. Achieving sustainable development</p> <p>4. Decision making</p> <p>8. Promoting healthy and safe communities</p> <p>11. Making effective use of land</p> <p>12. Achieving well-designed places</p> <p>14. Meeting the challenge of climate change, flooding, and coastal change</p> <p>15. Conserving and enhancing the natural environment.</p>
1.4	<p><u>Lewes Local Plan Part 1 (LLP1)</u></p> <p>CP10 – Natural Environment and Landscape.</p> <p>CP11 – Built and Historic Environment & Design</p> <p>CP12 – Flood Risk, Coastal Erosion and Drainage</p> <p>CP14 – Renewable and Low Carbon Energy.</p>
1.5	<p><u>Lewes Local Plan Part 2 (LLP2)</u></p> <p>DM20 – Pollution Management</p>

	<p>DM23 – Noise</p> <p>DM24 – Protection of Biodiversity and Geodiversity</p> <p>DM25 – Design</p> <p>DM28 – Residential Extensions.</p>
1.6	<p><u>Chailey Neighbourhood Plan (CNP)</u></p> <p>HO1 - Design</p> <p>HO3 - Building materials</p> <p>HO4 - Building height</p> <p>ENV1 - Landscape</p> <p>ENV2 - Wildlife protection</p> <p>ENV3 - Countryside Protection and the village setting.</p> <p>ENV5 - Conservation of the environment, ecosystems, and biodiversity</p> <p>ENV6 - Protection of open views</p> <p>ENV7 - Dark night skies</p> <p>ECO4 – Sustainability.</p>

2.	Site Description
2.1	<p>The site is occupied by a detached bungalow dwelling which has been extended to the side and rear and has a bedroom formed in the roof space, served by a small, rear facing dormer. There is a detached prefabricated garage to the southern side of the dwelling, and this is served by a hard surfaced vehicular access taken from Hazledene Lane.</p> <p>There is a separate pedestrian access via a gate further to the north of the site frontage.</p> <p>The dwelling and garage are set back from the road, with a tall, mature hedge running along the site frontage, behind which is a lawn area.</p>
2.2	<p>The site is located outside of the settlement boundary on a narrow lane which branches off from the A272 and has been subject to residential development on either side.</p> <p>Surrounding development takes the form of bungalow and chalet style dwellings that are set well back from the road, with mature landscaping to the front helping to preserve a semi-rural character.</p> <p>There are no specific planning designations or constraints attached to the site or the immediate surrounding area.</p>

3.	Proposed Development
3.1	The proposed development comprises a number of elements, as follows: -

	<ul style="list-style-type: none"> • Removal of existing lean-to extension to the southern side and part of an existing rear extension and replacement with new extensions, including a conservatory with a flat roof and lantern roof light, to the side and rear, increasing the footprint from approx. 105 m² to approx. 132 m². • Formation of a new roof over the original dwelling and proposed extensions (other than the conservatory to the southern side). The proposed roof would be gable ended with a ridge height of approx. 8 metres and an eaves height of approx. 3.8 metres, an increase of approx. 1.1 metres over the respective heights of the existing roof. • Formation of 2 x pitched roof dormers and a roof light in the front roof slope and 3 x pitched roof dormers in the rear roof slope. • Formation of first floor windows in the side (south facing) gable end. • Demolition of the existing prefab style garage and erection of a new garage set further back from the site frontage. The proposed garage measures 5 metres in width by 6.5 metres in depth and has a gable roof with eaves height at approx. 2.8 metres and the ridge at approx. 4.7 metres.
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4.	Relevant Planning History:
4.1	<p>E/61/0883 – Glazed lean-to – Approved 27th November 1961.</p> <p>LW/87/1143 – Dining room and kitchen extensions – Approved Conditionally 6th August 1987.</p>

5.	Consultations
5.1	<p>Chailey Parish Council</p> <p>Awaited.</p>

6.	Other Representations
6.1	<p>At the time of writing the Committee report, no neighbour representations received.</p>

7.	Appraisal
7.1	<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 main considerations relate to:-</p> <ul style="list-style-type: none"> • the principle of the development. • the impact upon the character and appearance of the area • neighbour amenities, • impacts upon highway/pedestrian safety. • flood risk.
7.2	<p><u>Principle of Development</u></p> <p>LLP2 policy DM28 supports the principle of extensions to existing dwellings where they are of sympathetic design and there are no adverse impacts upon the amenities of neighbouring residents or the occupants of the extended dwelling. For sites outside of the settlement boundary, such as the application site, the policy goes on to state that extensions to dwellings will only be permitted where there would be no harmful impact on the surrounding landscape.</p>
7.3	<p><u>Design and Landscape Character</u></p> <p><u>House Design</u></p> <p>The proposed development would alter the appearance of the dwelling, most notably through the provision of the new roof which would have a higher eaves and ridge line than the current roof.</p> <p>It would incorporate front and rear dormers and would have a different form, being gable ended rather than hipped.</p> <p>Notwithstanding the above, it is considered that the overall character of the existing building, a single-storey dwelling with additional rooms in the roof space, would be retained. The footprint would not be significantly increased and, whilst the roof form would have more mass than the existing, it is considered that the use of small, pitched roof dormers and a steep roof pitch prevents an unacceptable top-heavy appearance from arising.</p> <p>As such, it is considered that the new roof form would not overwhelm the original dwelling, nor would it appear unduly prominent or incongruous within the street scene.</p> <p>The footprint of the dwelling would not advance any further forward.</p> <p>Nearby dwellings are similarly designed, (e.g., 'Ranheim' which is directly opposite the application site).</p> <p><u>Wider landscape impact</u></p>

	<p>The proposed roofline and form would maintain the appearance of the surrounding group of dwellings as a “form of chalet bungalow within a rural settling.”</p> <p>The majority of the site would remain as undeveloped garden land contributing to the semi-rural nature of the road, which represents a transitional area extending from the development along the A272 to the south and the open countryside away to the north.</p> <p>The proposed works would not incorporate excessive amounts of glazing. There would therefore be no glint/glare in the daytime or light spill during the night.</p>
7.4	<p><u>Impact upon Neighbour Amenities</u></p> <p>The proposed development would increase the height of the dwelling by approx. 1.1 metres and introduce a bulkier roof form. However, it is considered that the overall scale of the dwelling would remain modest and good separation distances would be maintained between the extended building and neighbouring dwellings.</p> <p>The proposed garage would be positioned close to the boundary shared with Meadow View but is considered to be of modest size, with boundary treatment providing a good degree of screening and it is also noted that would be positioned broadly in alignment with a detached garage on the neighbouring plot, which would provide further screening.</p> <p>It is therefore considered that the proposed development would not appear unduly overbearing when viewed from neighbouring property nor would it generate unacceptable levels of overshadowing.</p> <p>Front and rear elevations of the building would continue to broadly align with those of neighbouring dwellings and views from the proposed front and rear facing dormers would be towards the road and rear garden respectively. Properties on the opposite side of the road would be some 30 metres from the extended dwelling. With this distance being such that any views towards those properties would not be invasive.</p> <p>Planning records also show neither of the properties either side of the application site have side windows facing directly towards the proposed extended dwelling, with the exception of a garage window at the neighbouring dwelling to the north, ‘Meadow View.’</p> <p>There would be two side facing bedroom windows at first floor level on the southern elevation, facing towards a windowless flank wall of the dwelling called ‘Hazelwick’ (13.5m distance).</p> <p>There would be some angled views towards some parts of the rear garden of the neighbouring property, it is not considered that this would be invasive given the separation distance, angle of the views and intervening landscaping.</p> <p>Views from all new ground floor windows towards neighbouring properties would be interrupted by site boundary treatment whilst the lantern rooflight serving the conservatory would be positioned at ceiling level.</p>

7.5	<p><u>Living Condition for Future Occupants</u></p> <p>All of the rooms formed by the proposed extension would be of suitable size and be served by windows providing unobstructed access to natural light and effective natural ventilation.</p> <p>The proposed works would involve an increase in the footprint of the dwelling, with a substantial proportion of the plot remaining undeveloped and available for outdoor amenity use.</p>
7.6	<p><u>Effective Use of the Site and Sustainability</u></p> <p>It is considered that the proposed development represents a more efficient use of the site, with additional living space providing, including an office area to support working from home. This would be achieved through the retention and adaptation of an existing building, as encourage by the Sustainability in Development SPD.</p>
7.7	<p><u>Human Rights Implications</u></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>
7.8	<p><u>Conclusion</u></p> <p>The proposed development represents a sympathetic enlargement of an existing dwelling which would integrate well with the surrounding built environment and preserve the setting of the wider rural environment. This would be achieved without adverse impact upon the amenities of neighbouring residents and without compromising the quality of the accommodation and amenity space provided for future occupants of the application dwelling.</p>

8.	Recommendations
8.1	Approve subject to the conditions listed below.

9.	Conditions
9.1	<p>Time Limit</p> <p>The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date on which this permission is granted.</p> <p>Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>

9.2	<p>External Materials</p> <p>No development shall be carried out above ground floor slab level until a schedule of external materials finishes 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.</p> <p>Reason: In the interest of visual integration and the character of the surrounding area in accordance with LLP2 policies DM25 and DM28 and CNP policy HO1.</p>
9.3	<p>No Use as Roof Terrace</p> <p>No part of the flat roofing over the conservatory extension shall be used as a balcony or terrace at any time, with any access to the roof prohibited other than for maintenance or emergency purposes.</p> <p>Reason: In order to protect the amenities of neighbouring residents in accordance with LLP1 policy CP11 and LLP2 policies DM25 and DM28.</p>
9.4	<p>Construction Hours</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 LLP1 policy CP11, LLP2 policies DM20 and DM23 and para. 174 of the NPPF.</p>
10.	Informative
10.1	<p>Waste Removal</p> <p>All waste material arising from any site clearance, demolition, preparation, and construction activities at the site should be stored, removed from the site, and disposed of in an appropriate manner.</p>

11.	Plans
11.1	This decision relates solely to the following plans:

	<u>Plan Type</u>	<u>Date Received</u>	<u>Reference:</u>
	Site Location Plan	22.09.2023	
	Proposed Site Plan	07.11.2023	1232/01 Rev B
	Proposed Ground Floor Plan	22.09.2023	1232/5
	Proposed First Floor Plan	22.09.2023	1232/6
	Proposed Roof Plan	22.09.2023	1232/7

	Proposed Front, Side and Rear Elevations	22.09.2023	1232/8
	Proposed Garage	26.10.2023	1232/10

12.	Appendices		
12.1	None.		

13.	Background Papers		
13.1	None.		

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Agenda Item 9

Report to: Planning Applications Committee
Date: 17th January 2024
Application No: LW/23/0532
Location: Site north Of Slugwash Gardens, Slugwash Lane, Wivelsfield
Proposal: Erection of 6no. residential dwellings with associated landscaping and parking and the retention of existing access.
Applicant: Remmus Designer Homes Ltd
Ward: Wivelsfield
Recommendation: Approve subject to conditions and a legal agreement to secure footway/highway works.
Contact Officer: **Name:** James Smith
E-mail: james.smith@lewes-eastbourne.gov.uk

Site Location Plan:



1.	Executive Summary
1.1	The proposed development falls outside of the settlement boundary. However, given the connectivity with the settlement boundary provided by the existing ribbon of development on the western side of Slugwash Lane, it is considered that the scheme would not represent isolated development. Furthermore, the site is visibly distinct from the wider open countryside and is naturally screened, thereby preventing an intrusive presence in the wider rural setting.
1.2	The site is considered moderately sustainable noting its proximity to the service village of Wivelsfield Green, sustainability improvements offered by the proposed new footway and the ability for mitigating factors such as carbon reduction/energy efficiency measures and support for use of electric vehicles to be incorporated into the scheme.
1.3	It is considered that the development would provide a good quality living environment for future occupants whilst protecting the amenities of neighbouring residents.
1.4	It is considered that ecological and environmental impact can be adequately mitigated, with enhancements achieved in some areas.
1.5	Housing Delivery The provision of 6 new residential dwellings would contribute to the housing land supply for the District. This would carry <u>moderate</u> positive weight in the planning balance.
1.6	Economic Benefits The proposal offers some economic benefit in the form of job creation during construction and an increase in population that would likely result in an increased spend in the local economy. This would carry <u>limited</u> positive weight in the planning balance
1.7	Placemaking and impact upon urban environment The design and layout of the development creates is considered to maintain the transitional function of the site, reflect surrounding development in terms of design and scale and to be of a high quality design overall, with a good level of sustainability measures incorporated into the scheme. This would carry <u>limited</u> positive weight in the planning balance.
1.8	Landscape impact The development of the site would result in a change to its existing character through the loss of greenery whilst the provision of a footway on the western side of Slugwash Lane leading up to the site would erode the semi-rural character of the part of the lane affected. However, it is considered these harms would be partially offset by the retained site landscaping, and additional planting. Overall this would carry <u>limited</u> negative weight in the planning balance.

1.9	<p>Highways</p> <p>The access arrangements for the development are considered to be suitable and safe, adequate parking facilities would be provided and the level of traffic generated would not be of a degree that would present hazardous conditions or disrupt the free flow of traffic. The development would facilitate a new footway which would provide some benefit to occupants of existing dwellings on the western side of Slugwash Lane by providing safer pedestrian access to their homes.</p> <p>This would carry <u>limited</u> positive weight in the planning balance.</p>
1.10	<p>Water Issues</p> <p>The development would utilise a sustainable drainage system allowing for discharge of surface water into the existing watercourse at a suitably controlled rate, with full details to be secured by planning condition. There are appropriate arrangements in place for foul water disposal.</p> <p>This should be given <u>neutral</u> weight in the planning balance.</p>
1.11	<p>Ecology</p> <p>The proposed development is considered to be landscape led, with a significant proportion of existing trees and hedgerow being retained and enhanced by further native planting along with the provision of ecological enhancements such as bat and bird boxes and an overall delivery of biodiversity net gain. As such, whilst there would be a degree of loss of habitat it is considered that suitable mitigation measures are built into the development.</p> <p>This should be given <u>limited</u> positive weight in the planning balance.</p>
2.	<p>Relevant Planning Policies</p>
2.1	<p><u>National Planning Policy Framework</u></p> <ul style="list-style-type: none"> 2. Achieving sustainable development 4. Decision making 5. Delivering a sufficient supply of homes 8. Promoting healthy and safe communities 11. Making effective use of land 12. Achieving well-designed and beautiful places 14. Meeting the challenge of climate change, flooding and coastal change 15. Conserving and enhancing the natural environment
2.2	<p><u>Lewes Local Plan Part 1 (LLP1)</u></p> <ul style="list-style-type: none"> CP2 – Housing Type, Mix and Density; CP10 – Natural Environment and Landscape; CP11 – Built and Historic Environment & Design

	<p>CP12 – Flood Risk, Coastal Erosion and Drainage</p> <p>CP13 – Sustainable Travel</p> <p>CP14 – Renewable and Low Carbon Energy</p>
2.3	<p><u>Lewes Local Plan Part 2 (LLP2)</u></p> <p>DM1 – Planning Boundary</p> <p>DM22 – Water Resources and Water Quality</p> <p>DM23 – Noise</p> <p>DM24 – Protection of Biodiversity and Geodiversity</p> <p>DM25 – Design</p> <p>DM27 – Landscape Design</p>
2.4	<p><u>Wivelsfield Neighbourhood Plan (WNP)</u></p> <p>1 – A Spatial Plan for the Parish</p> <p>5 – Design</p> <p>6 – Green Infrastructure and Biodiversity</p>

3.	Site Description
3.1	<p>The application site comprises two interconnected portions of land both of which are broadly square in shape. The edges of each portion are marked by mature trees, including large specimen trees, and additional hedgerow in places. The site interior is dominated by scrub with occasional smaller self-seeded trees. There are no buildings or structures positioned on the site. Some of the trees present on site are subject to a preservation order (ref: No. 8 2017), these being 5 oak trees distributed along the northern boundary and a group of 2 oak trees and 2 ash trees on the western boundary. There are ditches flanking the eastern and western site boundaries. A ditch also flows through the centre of the site, carrying overflow from a pond at Fanners, a property to the south-east of the site, below Slugwash Lane, across neighbouring properties to the south and then northwards from the site.</p>
3.2	<p>The site falls outside of the Wivelsfield Green settlement boundary which follows the course of the rear garden boundaries of dwellings lining Green Road, approx. 60 metres to the south of the site. There is, however, a line of well space dwellings flanking the western side of Slugwash Lane extending from the edge of the settlement boundary to the immediate south of the site. This includes the Grade II Listed building ‘Baldings’ approx. 50 metres to the south of the site.</p>
3.3	<p>Slugwash Lane itself is a relatively narrow rural lane which extends northward from Wivelsfield Green towards the edge of Haywards Heath. The area immediately south of the site, as stated above, includes residential</p>

	development on both sides of the road although its low density nature, recessive positioning and presence of mature landscaping and soft verges helps maintain a strongly semi-rural character. The characteristics of the lane becomes progressively more rural as it heads to the north where it passes between fields and patches of woodland. The southern part of Slugwash Lane, including the section passing the site, forms part of the route of the Sussex Border path, heading north towards Moor Cottage where it branches off eastward into the wider countryside. There is no footway in place on the land and so walkers need to traverse the carriageway or use the soft verge which is generally in place either side of the road.
3.4	The site is identified in the 2023 Land Availability Assessment (ref: 23WV), as being potentially suitable for a development of up to 10 new dwellings, The assessment states that main concerns in relation to the development of the site are access and provision of footpaths to connect site to village services along with a related concerns in regards to the impact the provision of a footway would have upon the rural nature of the lane. There are no major landscape concerns, although preference for lower density development with medium gardens to match surrounding character.
3.5	Other than its rural setting and the proximity to public footpaths, there are no specific planning designations or constraints attached to the site or the immediate surrounding area.

4.	Proposed Development
4.1	<p>The proposed development involves the erection of 6 x dwellings on the site comprising a terrace (2 x 2 bed, 1 x 3 bed) of three positioned towards the south-eastern corner and a courtyard style arrangement of three 4 bed detached dwellings set further back on the western parcel of land. A new vehicular access would be provided from Slugwash Lane, roughly three quarters of the way up the eastern boundary. The access road would pass east to west through the site with the terrace being served by a spur passing to the front of the dwellings and the road then continuing west into the courtyard.</p> <p>Each dwelling would have living space distributed over two floors although the majority of first floor areas would be provided within roof space, with the exception of the gable ended three bed terraced dwelling and a gable ended element on one of the detached dwellings.</p> <p>Each dwelling would have 2 x allocated parking spaces provided within a car port. The detached dwellings would have access to an additional hard surfaced parking space. 2 x visitor parking bays would be provided in a layby area on the access road. Each dwelling would be provided with cycle storage facilities.</p> <p>All TPO trees would be retained, as would the majority of the other trees. There would be some loss of trees/hedging to facilitate access from Slugwash Lane and between the two parcels of land as well as the</p>

	<p>removal of a relatively small amount of trees hedging towards the south eastern corner of the site.</p> <p>Although not shown on the submitted plans as it relates to off-site works, East Sussex County Highways have stated that a pedestrian footway should be provided between the proposed development and the existing footway at the junction between Slugwash Lane and Green Road in the interest of pedestrian safety.</p>
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5.	Relevant Planning History:
5.1	<p>LW/87/1160 - Outline Application for erection of four detached houses – Refused 13th August 1987 – Appeal Dismissed -Unnecessary ribbon development outside of settlement boundary. This application related to the eastern parcel of the site only.</p> <p>LW/17/0488 - Outline application for residential development consisting of 17 new dwellings (to include 7 affordable houses), associated garaging, car parking and new estate road. Provision of new vehicle and pedestrian access to Slugwash Lane. Provision of new pedestrian footway on highway land on west side of Slugwash Lane between the application site and Green Road – Refused 8th January 2018 – Outside of settlement boundary, unsympathetic to surrounding environment, insufficient information to assess ecological impact, insufficient drainage information and failure to sign section 106 agreement.</p>

6.	Summary of Consultations:
6.1	<p><u>Wivelsfield Parish Council:</u></p> <p>The proposal offers few houses which would come at considerable cost to the community and countryside and conflict individually and collectively with the Localism Act, NPPF, Neighbourhood Plan, Joint Core Strategy, Land Capability Act, and the opinions and advice of professional planning and development specialists. The benefits of development in this site are therefore significantly outweighed by the adverse effects measured against policies and the application should be rejected.</p> <p>Detailed comments are provided in the response under the headings listed below. The response is not reproduced verbatim due to its length and use of pictures and diagrams but is available to view on the public record.</p> <p>Overdevelopment Pressure: With supporting comments drawing attention to recent appeal cases for new housing outside the settlement boundary dismissed due to landscape and character impact. And noting the constraints to development in the district including the SDNP.</p>

Challenges to further development specifically in Wivelsfield: Noting the amount of additional housing already approved in Wivelsfield going beyond its suggested capacity of 100 new dwellings as a service village.

The village has outgrown its capacity to function sustainably: With comments setting out pressure on local infrastructure from existing development.

Undemocratic: The site was considered for allocation in the neighbourhood plan and was excluded as the community did not wish to see it developed.

Detrimental to the countryside: Particular reference is made to the rural characteristics of Slugwash Lane.

Detrimental to the Landscape: Involving the development of the first component of countryside experience by people heading northward out of Wivelsfield.

Unwanted Urbanisation: Involving development of a greenfield site outside of the settlement boundary.

Increased Flood Risk: Noting swampy nature of the site and recent flooding in and around the site.

Unsuitable infrastructure to serve the development: No connectivity to mains drainage, sewerage, gas, mobile phone networks and no street lighting.

Reduced biodiversity: It is maintained that the site was cleared prior to the application being submitted.

Unsustainable Site: Occupants would rely on the use of private transportation, with poor connectivity to services and public transport in the village being infrequent. The road is narrow with no room for a footway. Increased traffic would present a hazard for walkers and the local road network is not suitable for cycling.

Design: Would be unsympathetic to existing development including the Grade II Listed Building at Baldings.

OFFICER COMMENT: The methodology for assessing housing need in the district currently demonstrates a severe shortfall in housing land supply. As set out in section 8.2 of this report, this has implications on settlement boundaries and the ability for the Council to restrict development outside of them. The emerging local plan will establish a revised housing delivery target for the district taking into account the constraints present but, until it is adopted, the Council must work on the basis of the standard methodology.

The suggested figure of 30-100 new dwellings to be provided in service villages during the local plan period set out in LLP1 is not a cap, as has already been demonstrated by previous decisions made by the Planning Inspectorate in regards to development in Wivelsfield Green.

The scheme would include facilities to pump sewage to the public sewer on Green Road, a method that was accepted by the Environment Agency as part of the previously refused (and significantly larger) scheme submitted under LW/17/0488. A gas connection would not be required as air source heat pumps are to be installed.

Other matters raised are acknowledged and will be afforded appropriate weight in the decision making process.

NatureSpace:

No objection subject to conditions being applied to protect Great Crested Newts in accordance with the NatureSpace report submitted by the applicant and the District Licencing Scheme.

LDC Ecologist:

At present further surveys are required for bats, great crested newts, and reptiles. These surveys should inform mitigation and compensation plans. It is considered that at present insufficient information on BNG has been provided. An updated metric is required, to address the issues above. BNG is additional to existing habitat and species protections and does not negate the requirement to comply to UK wildlife legislation.

OFFICER COMMENT: The requested reptile survey was submitted as part of the application and concern relating to BNG and bats arises from a misunderstanding about removal of veteran trees (all of which will be retained). The submitted surveys include mitigation and compensation plans and these can be honed as part of a planning condition. A final figure for BNG can also be established through a site landscaping/ecological enhancement condition, noting the requirement for a minor scheme is for 'some' net gain rather than the 10% minimum required for major development.

ESCC Highways

No objections raised to the majority of elements of the scheme but an additional speed survey was requested to enable the required dimensions of the visibility splays at the proposed junctions to be established. The speed survey has been submitted to ESCC and their comments will be reported to committee in the supplementary report.

7.	Other Representations:
7.1	<p>83 letters of objection have been received, with matters relating to the following relevant planning considerations being raised:-</p> <ul style="list-style-type: none"> • Impact upon countryside setting/landscape; • Harm to ecology and biodiversity including protected species; • Unsustainable location/car dependent development; • Highway safety risk; • Increase in flood risk in an area that is known to flood; • Lack of infrastructure in area/No further capacity in the village; • Previous applications to develop the site were refused; • The proposed footway crosses land not under the control of ESCC Highways • Harmful impact upon neighbour amenities; • Would not provide affordable housing; • Would set a precedent for further development; • The site has been subject to earlier unauthorised clearance works prior to the ecological survey being carried out; • There is no existing site access; • Would disrupt operation of local businesses; • Benefit of development significantly outweighed by the harm; • The site has not previously been used as a nursery as claimed; • The site suffers from contamination; • Would not be well screened as claimed by applicant; • Buildings are too high and out of keeping with the village; • Loss of Travis Perkins site means less employment available in the village for future occupants; • Lack of demand for this type of housing in the area; • Nearby new builds remain unsold, indicating lack of demand; • There are brownfield sites nearby which should be used for development instead; • Pumping of sewage to the mains is not sustainable;

8.	Appraisal:
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 main considerations relate to</p> <ul style="list-style-type: none"> • The principle of the development and the sustainability of the site; • The visual impact of the proposed works within the wider rural setting; • The quality of the environment provided for future occupants; • Impacts upon residential and environmental amenity; • Ecological and environmental impact • Highway impact; • The overall merits of the scheme in terms of the balance of economic, environmental, and social objectives that comprise sustainable development.
8.2	<p><u>Principle of Development</u></p> <p>The site is located outside of the planning boundary as defined by policy DM1 of the Lewes District Local Plan part 2 (LLP2). Development in such locations is resisted by DM1 as well as policy 1 of the Wivelsfield Neighbourhood Plan (WNP). However, as confirmed by the recently issued Interim Policy Statement for Housing (March 2021), the housing need figure for Lewes District has significantly increased (from 345 per annum to 782 per annum) since 11th May 2021 due to being recalculated using the standard method as a result of the Lewes District Local Plan Part 1 being over 5 years old.</p> <p>Planning boundaries in the development plan were defined on the basis of accommodating a housing requirement of 345 dwellings per annum, as set out in Spatial Policy 1 of the Local Plan. If the Council is unable to demonstrate a five-year supply of deliverable housing sites, it is acknowledged that the planning boundaries may need to be breached in order to help meet local housing needs.</p> <p>Para. 11 (d) of the Revised National Planning Policy Framework (NPPF) states that, where there are no relevant development plan policies in relation to a submitted scheme, permission should be granted other than where NPPF policies that protect areas or assets of particular importance provide a clear reason for refusing or where any adverse impacts generated by a development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. The NPPF does not recognise planning boundaries (other than the green belt) but does state in para. 79 that planning decisions should avoid the development of isolated homes in the countryside.</p> <p>The Council produced an Interim Policy for Housing Delivery in response to the local plan becoming out of date and this will be referred to in its capacity of attempting to guide greenfield development, but acknowledging the limited weight it holds as it is not a formally adopted policy (as has</p>

	<p>been recognised by the Planning Inspectorate during public inquiries into other greenfield schemes).</p> <p>The current application will therefore be assessed on this basis, with reference also to all development plan policies that align with the aims and objectives of the NPPF.</p>
8.3	<p><u>Visual Impact and Design</u></p> <p>Whilst the site is not contiguous with the settlement boundary of Wivelsfield Green it is contiguous with an established ribbon of residential development which extends into the village. It is therefore considered to be consistent with the spirit of criterion 1 of the Interim Policy for Housing Delivery. The nearest settlement to the north of the site is Haywards Heath, some 2.85km to the north as the crow flies, meaning there is no concern of unacceptable coalescence as a result of its development, compliant with criterion 4.</p> <p>When viewed from Slugwash Lane, the site is currently largely screened by trees and hedging on the northern, eastern and southern boundaries, with filtered views of the scrub like interior. This screening extends along the rear (western) boundary and results in the site appearing self contained and clearly distinct from the wider countryside which countryside which, around this part of Slugwash Lane, is defined open fields. The importance of the boundary screening is, however, recognised due to the role it plays in setting the semi-rural character of the southern end of Slugwash Lane. Noting that there is a line of dwellings extending south from the site towards Green Road and that these are clearly legible within the street scene, particularly those further to the south, it is considered that the site acts as a transition between the built environment and the strong rural environment provided on Slugwash Lane as it heads to the north.</p> <p>The proposed development would open up the site through the formation of the access road, although the majority of boundary landscaping would be retained, and would introduce buildings in an undeveloped area. As these buildings would be set back from the road, screened by layers of retained trees and hedging. They would not directly engage with the access road, ensuring it presents as a feature more akin to a rural track than a formal street, with the courtyard style arrangement of the detached dwellings drawing parallels with the clustered arrangement of agricultural, and occasionally residential building typical of a countryside setting.</p> <p>The design of the buildings is considered to be sympathetic, with muted brickwork and significant amounts of dark stained timber used, as well as green roofing over single-storey flat roof/car port areas. The height of the buildings is not substantial, with the roof space being used to accommodate the majority of the first floor living space, broadly consistent with the nature of nearby dwellings which are generally in bungalow or chalet style form, noting the two-storey dwelling at Baldings which has strong gable ends facing out towards the lane. Excessive use of glazing is avoided, particularly at first floor level, thereby helping to prevent the buildings from appearing overly domestic and to reduce potential for light spill into the surrounding rural environment which is characterised by dark</p>

	<p>night skies. The use of car ports would help to prevent parked cars from appearing as a dominant, and unsympathetic, visual feature within the development. Suitable buffers maintained between garden areas, which are likely to be formally landscape, and boundary landscaping, thereby reducing the risk of the removal or excessive cutting back of the important retained boundary trees and hedging.</p> <p>The density of the proposed development amounts to approx. 9 dwellings per hectare. This is substantially lower than the suggested density for village development of 20 to 30 dwellings per hectare set out in LLP1 policy CP2. Criterion 7 of the Interim Policy for Housing Delivery and the objective of the NPPF to encourage efficient use of sites is also of relevance. However, CP2 does accept lower densities can be allowed where justified and, in this instance, the need to preserve the transitional qualities of the site.</p> <p>It is considered that, due to the sympathetic nature of the design, layout and landscaping of the proposed scheme, the site would continue to perform its valuable transition function, not appearing overly urbanised and therefore representing an appropriate degree of development on what is, in spite of being outside of the settlement boundary, a relatively sustainable site.</p> <p>Arguably the most significant impact upon the character of the lane would come not from the development of the site itself but the formation of a hard surfaced footway running south from the site access approx. 160 metres to the junction with Green Road. The provision of the footway would result in the loss of soft verge and, as a consequence, degrade the semi-rural character of the lane. However, there is a degree of mitigation in that the majority of the route would pass existing residential development which includes hard surfaced parking areas to the front, that the path would run a relatively short distance and would not intrude significantly into the more distinctly rural part of the lane as it extends to the north and that, aside from serving the proposed development, the footway would also benefit existing residents by providing safer pedestrian access to their property.</p> <p>Overall, it is considered that the impact of the proposed development is suitably mitigated by its carefully considered design, complying with local and national planning policies and satisfying criteria 1, 2, 4 and 7 of the Interim Policy for Housing Delivery.</p>
8.4	<p><u>Impact upon residential amenity:</u></p> <p>The nearest neighbouring residential dwelling is Slugwash Gardens, immediately to the south of the site. There are additional dwellings on Slugwash Lane to the south, all of which have a 'side on' relationship with the site. Further to the south, dwellings on Slugwash Lane include rear elevations set approx. 140 metres to the south of the site, with rear garden areas extending to within approx. 50 metres. There are also dwellings on the opposite side of Slugwash Lane and on Green Road to the south-east of the site, although these are set well back from the highway. There are no dwellings to the immediate north, east or west of the site.</p>

The southern side elevation of the proposed terrace of dwellings would be positioned within 9.745 metres of the southern boundary shared with Slugwash Gardens, and within 23.667 metres of the dwelling itself. As is the case with the southernmost detached dwelling, the configuration of windows and openings of the terrace are dominated by an east/west arrangement. There are two south facing windows at ground floor level serving the open plan living room, dining room and kitchen area which would also be served by east and west facing windows. At first floor level there is a single bedroom window serving a room which would also have a large west facing window. It is considered that views from ground floor windows towards the neighbouring property would be obstructed by site boundary treatment and landscaping. Views from the first floor window would also be partially obstructed. It is noted that the northern elevation of Slugwash Gardens does not contain any significant openings but it is considered views over the garden area would be somewhat intrusive and, for this reason, it is recommended that this window be obscurely glazed, noting that the bedroom it serves is also provided with a west facing window. Plot 6 also includes a south facing first floor window, however, this building is set well back towards the west of the site and the window would not overlook the primary garden area or the dwelling at Slugwash Gardens and, as such, it is considered that obscure glazing is not necessary in this instance.

Front and rear facing windows within the terrace may offer angled views over the parking area to the front of Slugwash Gardens and the western end of the rear garden but it is considered that these views would not be invasive, noting similar if not more direct views are already available from dormer windows at the The Pump House.

The dwellings occupying plots 4 and 5 and orientated north/south but it is considered that these are set far enough away from the neighbouring property to prevent intrusive views from arising.

It is considered that the overall height of the proposed buildings is not excessive, they would be positioned away from the southern boundary and well screened. The closest part of the development to the Slugwash Gardens is the relatively narrow southern flank of the terrace of dwellings and the bulkier parts are either orientated away from the neighbouring property or, where not, positioned further to the north where they would have a less significant visual impact. The positioning of the development to the north of Slugwash Gardens also means that it would have minimal impact upon access to natural light.

As stated in section 8.3, the proposed development is of low density, the access road and parking areas are positioned away from boundaries with neighbouring properties and a landscaped buffer would be maintained between newly formed plots and neighbour boundaries.

It is therefore considered that the proposed development would not result in unacceptable impact upon the amenities of neighbouring residents as a

	<p>result of overlooking, overshadowing or overbearing presence or through the generation of intrusive or intensive levels of activity.</p>
<p>8.5</p>	<p><u>Living Conditions for Future Occupants</u></p> <p>Para. 119 of the NPPF states that planning decisions 'should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.' Para. 127 advocates the use of design policy, guidance and codes as a means to create better spaces to live and work in. Lewes District Council does not currently have an adopted design code and, in these circumstances, national documents should be used to guide decisions on applications as per para. 129 of the NPPF. These national documents are the National Design Guide (2019) and the National Model Design Code (2021).</p> <p>Para. 126 of the National Design Guide states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.' Para. 181 of the National Model Design Code Part 2 states that internal space standards help to ensure that new homes contribute to the health, family function and wellbeing of residents. Both documents suggest the enshrinement of the DCLG nationally described space standards (2015 - as amended 2016) in local design guides and, whilst they are not currently included within local policy, they are considered to be an important tool in guiding assessment of living conditions.</p> <p>The proposed dwellings would all provide Gross Internal Area (GIA) that exceeds the minimum GIA for their respective requirements (based on number of bedrooms provided) as set out in the national space standards. As such, it is considered that ample living space would be provided. The additional space provided has, in the case of the three bed terraced dwelling and all of the detached dwellings, allowed for a study/office room to be included at ground floor level. The provision of facilities for working at home is encouraged in the Council's Sustainability in Development Technical Advice Note (TAN).</p> <p>All habitable rooms would be provided with clear glazed windows and all dwellings have multiple aspects with a number of individual rooms being dual aspect. It is therefore considered that there would be good levels of access to natural light and ventilation throughout the day. The proposed garden area is considered to be of a good size. It is considered that there is a suitable level of natural surveillance of the site and access routes to prevent the development from appearing unacceptably secluded and from creating an environment that is susceptible to crime and anti-social behaviour. It is therefore considered that suitable living conditions would be provided for future occupants.</p>
<p>8.6</p>	<p><u>Highways and Access</u></p>

The proposed development would require a new vehicular access to be formed from Slugwash Lane. It is noted that this access would cross an existing ditch and, therefore, in order for the ditch to be culverted, an application for ordinary watercourse consent would need to be made to ESCC drainage. This is subject to legislation separate to planning, the purpose being to ensure the design of any culver/crossing does not disrupt the flow of water, which is of particular importance given the ditch serves as a highway surface water drain.

The application follows a previous scheme that was refused planning permission but was not subject to any objections from ESCC Highways. The current scheme has positioned the site access slightly further north, closer to where the speed limit increases to the national level. As a result, ESCC Highways raised an objection on the grounds that new speed surveys were required in order for the correct dimensions of the necessary visibility splays to be established. New speed surveys have been carried out and the length of the splays marginally increased as a result. This has not significantly impacted upon the size of the opening into the site or the amount of vegetation that would need to be cut back to maintain the splays.

The access has been designed to allow for safe two way vehicular movements and, as such, there is no unacceptable risk that cars entering and leaving the site would come into conflict, potentially forcing vehicles needing to reverse out on to Slugwash Lane, which would be hazardous to pedestrians and other motorists. Tracking diagrams have been provided which demonstrate that the development could be safely served by a refuse vehicle of up to 12 metres in length. ESCC Highways have also confirmed that the anticipated number of trips associated with the development would not result in any unacceptable impact upon the free flow of traffic on the surrounding highway network.

The site, whilst outside of the settlement boundary, is within relatively close proximity of the shop and services available in Wivelsfield Green as well as to public transport links in the form of nearby bus stops on Green Road. Whilst it is noted that facilities are limited in nature and that bus operations are not frequent, it is considered that there is a moderate degree of sustainability provided albeit motorised transport would be required to access wider ranging facilities at larger settlements. In order to access the village safely on foot however, ESCC require a new pedestrian footway to be formed. Plans have been submitted to show that this can be achieved by utilising highway land on the western side of Slugwash Lane. Whilst it is noted that the owner of Baldings disputes this, ESCC Highways have maintained the land is in their ownership and, as statutory consultees, their advice is relied upon. Ultimately, ownership dispute is a civil matter between the highway authority and the neighbour.

The development would be served by an appropriate amount of parking for residents as well as visitors. This would ensure that the risk of overspill parking on Slugwash Lane, which would be unsafe as well as potentially ecologically damaging, is mitigated. Secure and covered cycle storage

	<p>would be provided for all dwellings, as would electric vehicle charging points, thereby encouraging the use of more sustainable modes of transport.</p> <p>Overall, it is considered suitable sustainable transport arrangements would be provided, in compliance with local and national policy and criterion 3 and 8 of the Interim Policy for Housing Delivery.</p>
8.7	<p><u>Sustainability & Drainage</u></p> <p>The site is located in Flood Zone 1 and is therefore not identified as being susceptible to flooding from tidal or fluvial sources.</p> <p>A previous application for a significantly more intensive development of the site (17 dwellings) was refused, in part, due to lack of a sufficient surface water drainage plan being submitted. Concerns raised by the Lead Local Flood Authority (LLFA) included potential for flooding as a result of the ditch crossing the centre of the site being culverted and high groundwater levels having a potential impact on the design of attenuation tanking installed to regulate surface water discharge.</p> <p>As a minor application, the LLFA are not consulted on the current application. Whilst a short section of culverting would be installed in the ditch to allow for the access road to cross into the western parcel of the site, this would be significantly different to the refused scheme, where the ditch would have been culverted, and built over, across the whole site, presenting maintenance concerns. The density of the proposed development is also far reduced in comparison to the refused scheme, meaning a lower coverage in permeable surfacing.</p> <p>The proposed drainage scheme would utilise attenuation tanking and green roofing and permeable hard surfacing to store and manage surface water which would then be discharged into existing ditches at rates consistent with existing greenfield run off. The storage capacity would accommodate the anticipated 45% increase in heavy rainfall events forecast as a consequence of climate change.</p> <p>It is satisfied that a suitable design for surface water attenuation tanking, full details of the wider drainage system and an accompanying maintenance and management plan (to include management of culverting) can be submitted under condition. It is also noted that ordinary watercourse consent for the culvert works will be required and any application would be subject to assessment by the LLFA.</p> <p>Foul water would be pumped to the public sewer on Green Road by a pumping station situated within the site. The pumping station would incorporate a 24hour storage volume and be fitted with dual pumps working and standby in order to minimise the potential for failure.</p> <p>The proposed dwellings would be constructed using modern methods and materials, promoting energy efficiency and carbon reduction. Each dwelling would be provided with electric vehicle car charging facilities, an</p>

	<p>air source heat pump, rainwater harvesting and, as set out earlier in the report, have good levels of access to natural light and ventilation. The retention of a good amount of trees and hedging along with additional planting would assist with surface water management and, deciduous species present would provide shading in warm months whilst allowing for natural light to permeate more effectively when out of leaf in colder months. A condition will be used to secure full specifications and calculations for energy efficiency and carbon saving measures, including the exploration of the use of further measures such as solar panels.</p> <p>Whilst the site is located outside the settlement boundary the shops, services and public transport connections in Wivelsfield Green are all within approx. 750 metres to 1 kilometre walking distance although it is accepted that these facilities are limited and trips to destinations further afield are likely to require the use of a car.</p> <p>It is therefore considered the development complies with relevant local and national planning policies as well as criterion 8 of the Interim Polic for Housing Delivery.</p>
8.8	<p><u>Ecology</u></p> <p>The site is currently entirely undeveloped. Whilst no rare or protected species have been recorded on or adjacent to site, works would result in potential loss and disturbance to habitat. The removal of landscaping including a modest amount of trees and hedgerow and introduce sustained activities on the site that would have the potential to be disruptive to wildlife and habitat both on the site and in the surrounding countryside.</p> <p>A Preliminary Ecological Appraisal (PEA) has been provided with the application along with the result of additional dormouse and reptile surveys which it recommended.</p> <p>The reptile survey identified low populations of slow works and grass snake being present on site and recommended a reptile mitigation and compensation plan to ensure appropriate habitat is retained or created on site or, as a last resort, a suitable translocation site is identified. The dormouse survey found no direct or indirect evidence of dormice being present on site.</p> <p>As a minor scheme, there is an obligation for ‘some’ biodiversity net gain (BNG) to be achieved on site rather than the minimum 10% required for major schemes as per the LDC Biodiversity Net Gain Technical Advice Note (TAN). The proposed development would retain a good deal of significant boundary treatment, including veteran trees which are potential bat roosting habitats. Along with this, the PEA recommends enhancements such as native tree and hedge planting, creation of hibernacula, installation of bat and bird boxes, controls on external/artificial lighting and creation of wildflower grassland areas. The site layout plan shows significant landscape buffers being maintained to support these enhancements. Notwithstanding the position set out in the TAN, the</p>

	<p>applicant has submitted a Biodiversity Net Gain note which states that a net gain of 10.04% in habitat units can be achieved.</p> <p>The PEA states that the only invasive species present on site is Buddleia but immediate neighbours have claimed there is spreading Japanese Knotweed present on site.</p> <p>It is considered that the submitted application has demonstrated that suitable regard has been given to the protection of wildlife and habitat and that enhancements can be made. This would be subject to a condition requiring a detailed Ecological Method Statement to be submitted to include, but not be limited to, the mitigation measures made in the reptile survey report, identification of all invasive species on site and protection of wildlife during and after construction. In addition, a detailed landscaping and ecological enhancement scheme would be required which demonstrates a suitable degree of biodiversity net gain would be provided, and maintained, within the site area.</p> <p>The site is close to potential great crested newt populations. Upon submission of sufficient detail, NatureSpace have confirmed that development could be undertaken on site subject to suitable mitigation measures being in place as per the District Licencing Scheme. These measures will be secured by condition as is standard practice.</p> <p>It is therefore considered that the development complies with relevant local and national planning policies and criteria 6 and 8 of the Interim Policy for Housing Delivery.</p>
8.9	<p><u>Human Rights Implications:</u></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>
8.10	<p><u>Conclusion.</u></p> <p>It is considered that the proposed development is appropriate for the transition site that it would occupy, maintaining a semi-rural character, integrating with the neighbouring built environment to the south rather than intruding into the wider open countryside to the north and west. Whilst there would be some harm caused to the setting of Slugwash Lane as a result of the provision of a new footway into Wivelsfied Green it is considered that this would be offset by the safety and sustainability benefits of the footpath as well as the wider benefits of the proposed development.</p>

	<p>It is considered that the development would provide a suitable living environment for future occupants whilst respecting the amenities of neighbouring residents.</p> <p>It is considered that the development would not present any unacceptable ecological, environmental or highway impacts.</p>
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9.	Recommendations
9.1	Approve subject to the conditions listed below and a section 106/278 agreement to secure highway improvements and footway works.

10.	Conditions
10.1	<p>EXTERNAL MATERIALS:</p> <p>EXTERNAL MATERIALS: No external materials or finishes shall be applied until a schedule of materials has been submitted to an approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with those details and maintained as such unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interest of visual amenity and sustainability in accordance with LLP1 policy CP11, LLP2 policy DM25 and para. 130 of the NPPF.</p>
10.2	<p>GREAT CRESTED NEWT LICENCED WORKS</p> <p>No development hereby permitted shall take place except in accordance with the terms and conditions of the Council’s Organisational Licence (WML-OR112, or a ‘Further Licence’) and with the proposals detailed on plan “Land at Slugwash Lane: Impact plan for great crested newt District Licensing (Version 1)”, dated 1st December 2023.</p> <p>Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR112, or a ‘Further Licence’), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.</p>
10.3	<p>GREAT CRESTED NEWT WORKS - MITIGATION</p> <p>No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112, or a ‘Further Licence’), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the</p>

	<p>planning authority and the authority has provided authorisation for the development to proceed under the district newt licence.</p> <p>The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.</p> <p>Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.</p>
10.4	<p>GREAT CRESTED NEWT WORKS – METHODOLOGY</p> <p>No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence WML-OR112 (or a ‘Further Licence’) and in addition in compliance with the following:</p> <ul style="list-style-type: none"> • Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians. • Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development). • Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development. <p>Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML[1]OR112, or a ‘Further Licence’), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.</p>

10.5	<p>LANDSCAPING</p> <p>Prior to the occupation of the development hereby approved, a scheme for landscaping shall be submitted to and approved by the Local Planning Authority. The scheme shall include: -</p> <ul style="list-style-type: none"> a) details of all hard surfacing; b) details of all boundary treatments including provision of mammal gates; c) Details of green roof planting, management and maintenance; d) details of all proposed planting, including quantity, species, and size e) details of biodiversity enhancements f) site levels and groundworks; <p>All soft landscaping shall be carried out, at the latest, during the first planting season following the first occupation of the building. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of comparable size and species.</p> <p>Reason: In the interest of visual amenity and biodiversity in accordance with LLP1 policies CP10 and CP11, LLP2 policy DM24 and DM27 and para. 130 of the NPPF.</p>
10.6	<p>ECOLOGICAL METHOD STATEMENT</p> <p>No development other than demolition shall take place until a method statement for the protection of species and habitats, including boundary hedgerows and all relevant protected species has been submitted to and approved in writing by the local planning authority.</p> <p>The works shall be carried out strictly in accordance with the approved details.</p> <p>Reason: In the interest of wider ecological enhancement having regard to Policy DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the NPPF.</p>
10.7	<p>ECOLOGICAL DESIGN STRATEGY (EDS)</p> <p>No development shall take place until an ecological design strategy (EDS) addressing enhancement of the site for biodiversity, to include the provision of bat and bird boxes and wildlife friendly planting, has been</p>

	<p>submitted to and approved in writing by the local planning authority. The EDS shall include the following:</p> <ul style="list-style-type: none"> • purpose and conservation objectives for the proposed works; • review of site potential and constraints; • detailed design(s) and/or working method(s) to achieve stated objectives; • extent and location /area of proposed works on appropriate scale maps and plans; • type and source of materials to be used where appropriate, e.g. native species of local provenance; • timetable for implementation demonstrating that works are aligned with the proposed phasing of development; • persons responsible for implementing the works; • details of initial aftercare and long-term maintenance; • details for monitoring and remedial measures; • details for disposal of any wastes arising from works. • External lighting plan <p>The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.</p> <p>Reason: To provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 170 and 175 of the National Planning Policy Framework, and LLP1 policy CP10</p>
10.8	<p>TREE PROTECTION</p> <p>No development shall take place (including any demolition, ground works, site clearance) until a method statement for the protection of trees and hedgerows and reasonable avoidance measures for reptiles has been</p>

	<p>submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:</p> <ul style="list-style-type: none"> • purpose and objectives for the proposed works; • detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used); • extent and location of proposed works shown on appropriate scale maps and plans; • timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction; • persons responsible for implementing the works; • initial aftercare and long-term maintenance (where relevant); • disposal of any wastes arising from the works. <p>The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.</p> <p>Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction and to avoid an offence under the Wildlife and Countryside Act 1981, as amended.</p>
10.9	<p>SUSTAINABILITY MEASURES</p> <p>No development above ground floor slab level of any part of the development hereby permitted shall commence until a report has been submitted to, and approved in writing by, the Local Planning Authority, to include full details of all renewable/carbon saving/energy (including vehicle charging points) and water efficiency measures to limit consumption to 110 litres per person per day to be incorporated into the scheme. All measures approved shall thereafter be provided prior to the occupation of any individual dwelling and maintained in place thereafter throughout the lifetime of the development.</p> <p>Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with LLP1 policies CP11, CP13 and CP14 LLP2 policy DM25 and the LDC Sustainability in Development Technical Advice Note</p>
10.11	<p>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</p> <p>No development shall take place, including any ground works or works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,</p>

	<ul style="list-style-type: none"> • The anticipated number, frequency and types of vehicles used during construction, • Measures to prevent surface water discharging onto the highway. • The method of access and egress and routeing of vehicles during construction, • The parking of vehicles by site operatives and visitors, • The loading and unloading of plant, materials, and waste, • The storage of plant and materials used in construction of the development, • The erection and maintenance of security hoarding if required, • Site managers contact details; • Site waste management plan • Hours of working • Demonstration that best practicable means have been adopted to mitigate the impact of noise, dust and vibration from construction activities. • Details of any external lighting. • Measures to protect habitat and wildlife during construction works; <p>Reason: In the interests of highway safety and the amenities of the area in accordance with LLP2 policies DM20, DM22 and DM23 and para. 110 and 112 of the NPPF.</p>
10.12	<p>SURFACE WATER DRAINAGE</p> <p>No development approved by this permission shall be commenced until full details of surface water drainage, which shall follow the principles of sustainable drainage as far as practicable and be devised by a chartered civil engineer, have been submitted to and approved by the Local Planning Authority. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall be take place until the approved works have been completed. The surface water drainage system shall be retained as approved thereafter.</p> <p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22, and para. 163 and 165 of the NPPF.</p>
10.13	<p>DRAINAGE MANAGEMENT PLAN</p> <p>A maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site to ensure the designed system considers design standards of those responsible for maintenance. The management plan should cover the following:</p> <ol style="list-style-type: none"> a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped

	<p>drains, and the appropriate authority should be satisfied with the submitted details.</p> <p>b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.</p> <p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and paras. 163 and 165 of the NPPF.</p>
10.14	<p>COMPLETION OF DRAINAGE WORKS</p> <p>The approved drainage scheme shall be carried out or supervised by an accredited person. An accredited person shall be someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM). The implementation of the surface water drainage scheme shall thereafter be carried out in accordance with the approved details prior to the occupation of the dwelling hereby approved.</p> <p>Prior to occupation of the development, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.</p> <p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and paras. 163 and 165 of the NPPF.</p>
10.15	<p>UNEXPECTED CONTAMINATION</p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The remediation strategy shall be implemented as approved and a verification report shall be submitted to the Local Planning Authority.</p> <p>Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with para 170, 174, 178 and 179 of the NPPF.</p>
10.16	<p>ACCESS AND TURNING</p> <p>Prior to the first occupation of any individual dwelling the site access, internal access road and turning spaces required to serve that dwelling</p>

	<p>shall be constructed, surfaced and drained in accordance with approved plans and shall thereafter be retained for those purposes only for the lifetime of the development</p> <p>Reason: Road safety.</p>
10.17	<p>VISIBILITY SPLAYS</p> <p>Prior to the first occupation of any part of the development hereby approved, visibility splays of 2.4 metres by 64 metres in both directions shall be provided/maintained at the junction of the access with Slugwash Lane in accordance with the approved plans. These visibility splays shall thereafter be kept free of all obstructions over a height of 600mm.</p> <p>Reason: Road safety</p>
10.18	<p>CAR PARKING</p> <p>No dwelling hereby approved shall not be occupied until the car parking spaces shown on the approved plans to serve that dwelling have been surfaced and laid out in accordance with the details provided on approved plan and shall be maintained in place thereafter for the lifetime of the development.</p> <p>Reason: In order to ensure the dwelling is served by suitable parking and access in accordance with policies CP11 and DM25 of the Lewes District Local Plan Part 2 and WNP policy 5.</p>
10.19	<p>ELECTRIC VEHICLE CHARGING POINTS</p> <p>Prior to the first occupation of the each dwelling hereby approved, a minimum of 1 x functioning electric vehicle charging points shall be installed for the sole use of the occupants of that dwelling in accordance with full details to be submitted to and approved by the Local Planning Authority. The charging points shall be maintained in operational condition thereafter throughout the lifetime of the development.</p> <p>Reason: In order to encourage the uptake in ownership of electric vehicles in the interest of controlling emissions in accordance with LLP1 policy CP14, the Electric Vehicle Charging Points Technical Guidance Note and NPPF para. 112.</p>
10.20	<p>BIN AND CYCLE STORES:</p> <p>Prior to the first occupation of the dwelling hereby approved, bin and cycle storage facilities shall be provided in accordance with details shown on the approved plans.</p> <p>Reason: In the interest of environmental amenity and in order to encourage the use of sustainable modes of transport in accordance with LLP1 policies CP11 and CP13 and LLP2 policies DM25, para. 106 of the NPPF and WNP policy 5.</p>

10.21	<p>EXTERNAL LIGHTING</p> <p>No external lighting shall be installed on the building hereby approved or within the external areas of the site other than those approved as part of the Ecological Design Strategy unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In order to protect the night time tranquillity of the surrounding environment in accordance with LLP1 policy CP10, LLP2 policy DM20, para. 185 of the NPPF and WNP policy 5.</p>
10.22	<p>OBSCURE GLAZING:</p> <p>Prior to the first occupation of the dwelling at plot 1, all parts of the first floor bedroom window on the southern elevation that are less than 1.7 metres above the finished floor level of the room shall be obscure glazed and fixed shut and shall be maintained as such throughout the lifetime of the development.</p> <p>Reason: In order to protect the amenities of neighbouring residents in accordance with LLP1 policy CP11, LLP2 policy DM25 and para. 130 of the NPPF.</p>

11.	Plans:		
11.1	This decision relates solely to the following plans: -		
	<u>Plan Type</u>	<u>Date Received</u>	<u>Reference:</u>

12.	Appendices		
12.1	None.		

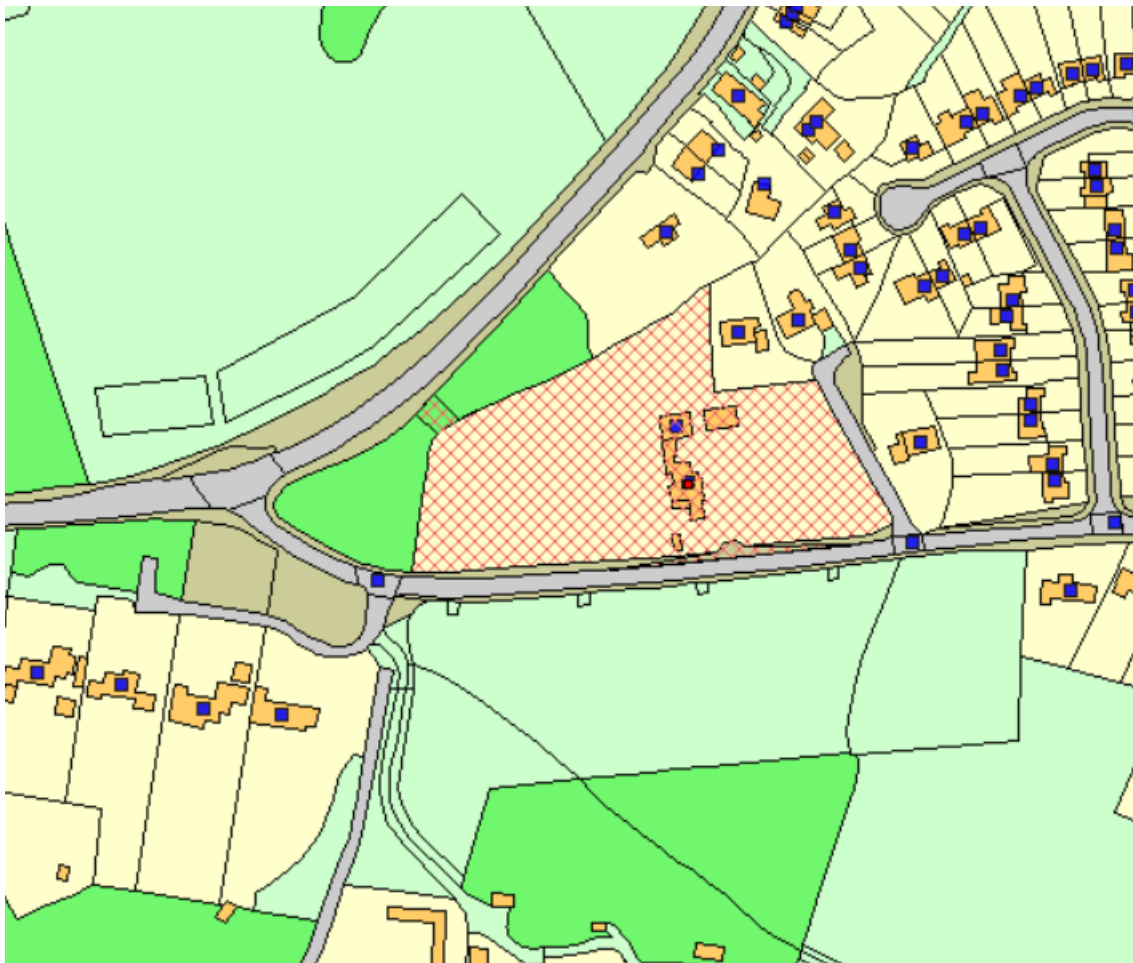
13.	Background Papers		
13.1	None.		

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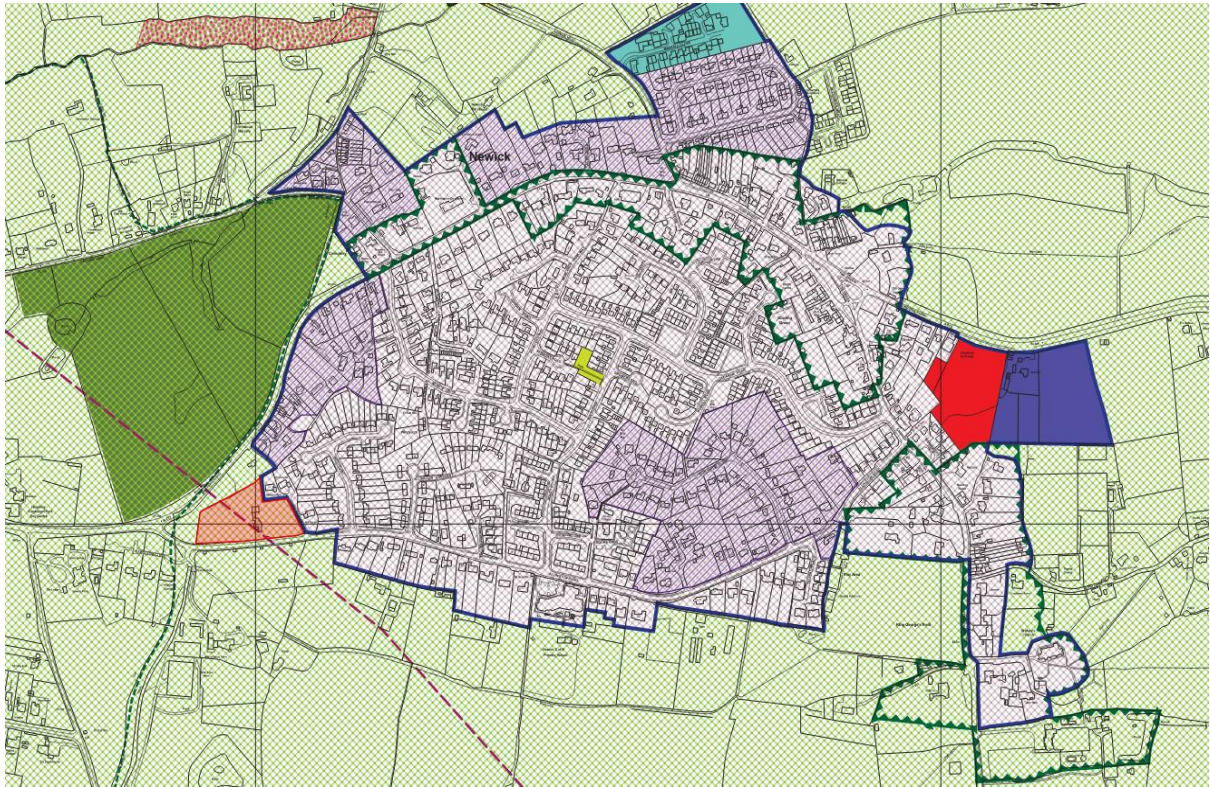
Report to: Planning Applications Committee
Date: 17th January 2024
Application No: LW/23/0511
Location: 104 Allington Road, Newick, BN8 4NH
Proposal: Demolition of existing dwelling and the erection of 6 x 4 bed homes, access, landscaping and associated infrastructure.
Applicant: Brookworth Homes
Ward: Newick
Recommendation: Grant planning permission subject to conditions and to receive and support an Undertaking for the Financial contribution towards the SANGS/SAMM.
Contact Officer: **Name:** Marc Dorfman
E-mail: marc.dorfman@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL Liable.

Site Location Plan



Site in relation to Newick Settlement Boundary



1.	Executive Summary
1.1	<p>This proposal is for the demolition of an existing home, (not listed or in a conservation area) and the development of 6 new homes on a single home and garden site. The site is located immediately outside, (to the west), but contiguous with, the settlement boundary of Newick. The site has one vehicle access point onto Allington Road.</p> <p>In 2019 (LW/19/0129) a scheme to retain the existing home and build an additional 5 homes was refused, and a subsequent appeal was “dismissed”. It was dismissed on the grounds that Lewes had a 5 year housing land supply, and the proposal would threaten the transition landscape from the village to the countryside. The Inspector noted the site was a garden and not open land, and so the proposed creation of two additional entrances onto Allington Road would mean the site would become visually more urban and its “enclosed landscape boundary” characteristic would be diminished, thus threatening its “landscape and countryside transition” function – i.e. ...moving Newick from a village to the countryside.</p> <p>The new scheme still proposes an increase from 1 to 6 homes, but retains only the single access/egress, (slightly widened), thus preserving the verdant landscaping that encloses the 0.87hectare site. Lewes now, no longer has a 5 year housing land supply and is in need of more new homes. (The housing allocation numbers in the LLP 1 for Newick are “minimums” only). The new scheme....</p> <p style="padding-left: 40px;">MORE EFFICIENT USE OF LAND</p> <p style="padding-left: 40px;">provides an opportunity to support a more efficient use of land, (for housing development), on a site that is already developed, very close to Newick village services, (therefore in a sustainable location),</p> <p style="padding-left: 40px;">DEVELOPMENT IN THE CENTRE OF THE SITE</p> <p style="padding-left: 40px;">with a design that keeps development in the middle of the site and away from substantial boundary landscaping and existing neighbours, yet following the pattern of homes with gardens.</p> <p style="padding-left: 40px;">PRESERVES BOUNDARY LANDSCAPE & TRANSITION TO COUNTRYSIDE</p> <p style="padding-left: 40px;">And, by retaining the significant boundary and woodland landscaping, the new scheme would better preserve the settlement’s “transition to the countryside” character to the west of Newick and the corridor to North Chailey.</p>
1.2	<p>This report recommends that the application is approved subject to relevant conditions and a Legal Undertaking that delivers the financial contribution to SANGS/SAMMS local mitigation site at Reedens Meadow.</p> <p>The planning balance assessment is set out in the Appraisal Section 8 and in the Conclusion Section 8.12.</p>

2.	Relevant Planning Policies
2.1	<p><u>National Planning Policy Framework</u></p> <p>2. Achieving sustainable development</p> <p>4. Decision making</p> <p>5. Delivering a sufficient supply of homes</p> <p>11. Making effective use of land</p> <p>12. Well-designed and beautiful places</p> <p>14. Climate Change management</p> <p>15. Conserving and enhancing the natural environment</p>
2.2	<p><u>Lewes District Local Plan:</u></p> <p>LDLP1: – CP2 – Housing Type, Mix and Density;</p> <p>LDLP1: – CP11 – Built and Historic Environment & Design</p> <p>LDLP1: - CP12 - Flood Risk, Coastal Erosion, Sustainable Drainage and Slope Stability</p> <p>LDLP1: – CP13 – Sustainable Travel</p> <p>LDLP1: – CP14 – Renewable and Low Carbon Energy</p> <p>LDLP2: – DM1 – Planning Boundary</p> <p>LDLP2: – DM24 – Protection of Biodiversity and Geodiversity</p> <p>LDLP2: – DM25 – Design</p> <p>LDLP2: - DM26 – Refuse and Recycling</p> <p>LDLP2: - DM27 – Landscape Design</p> <p>LDLP2: - DM30 – Backland Development</p>
2.3	<p><u>Newick Neighbourhood Plan:</u></p> <p>EN1 – Respect local landscape character and built environment.</p> <p>HO1.1 – Design</p> <p>HO1.2 – Materials</p> <p>HO1.3 – Height of new housing – no more than two stories</p> <p>HO1.4 – Size of housing to allow for all age groups.</p> <p>HO1.5 – Parking</p> <p>HO1.7 – Provision for SANGS/SAMS</p>
3.	Site Description and Key Characteristics
3.1	<p>The application site is 0.87hectares. It is a triangular site immediately to the west of Newick settlement. To the north is Western Road/A272 and to the south is Allington Road. To the east, (base of the triangle) are settlement properties that are located off Allington Road, (The Ridings) and off Western Road, (Western Road addresses).</p>

	<p>The site is significantly enclosed by dense boundary landscaping on all 3 sides and particularly on the Western Road/Allington Road frontages. To the north and west are mature deciduous woodlands. Most mature boundary trees are on the south side. The site is substantially covered by a group Tree Preservation Order TPO 13-1997.</p> <p>On site is an existing attractive large 2 storey home with separate garage and a concrete tennis court, all set in gardens that sit to the east and west of the house. The house is not listed or in a conservation area.</p> <p>The site is close to Newick village services and is 3 minutes walk from the nearest bus stop, (Lewes – Cuckfield – Haywards Heath), but 8.5 km from the nearest station, (like the rest of Newick village).</p> <p>The site has a single vehicle access opening onto Allington Road, which gives onto a gravel drive.</p> <p>The site is in Flood Zone 1, so a low risk of flooding.</p> <p>The site is within the 7km “zone of influence” Ashdown Forest. Policy LLP1 CP 10, requires protection from recreational and residential pressure on the Ashdown Forest through the funding of “Suitable Alternative Natural Greenspaces (SANGs) and an Ashdown Management Strategy (SAMMs). (So if permission is supported for this housing proposal, funding contributions towards the SANGs will be required).</p> <p>The whole of the site is outside but contiguous with, the western boundary of Newick village.</p>
4.	Proposed Development
4.1	<p>The application seeks full planning permission to demolish the existing house, garages and tennis court, and build 6 detached two storey 4 bed homes with both garage and forecourt parking and front and back gardens. The existing single access point will be retained and widened. This will give onto a new east/west street behind boundary landscaping on the south side of the site, providing access to the 6 new homes.</p>
4.2	<p>The design of the proposed new dwellings would be in a traditional style, with pitched and gable roofs, bay windows, formal porches, and brick and tile hung elevations.</p>
4.3	<p>The site contains a significant number of trees. Compared to the dismissed appeal scheme, which proposed 3 access vehicle points onto Allington Road and new housing plots north, east and west within the garden, the current scheme proposes felling fewer trees. Trees have been categorised into high (A), medium (B) and low (C) categories. No category “A” trees will be removed and only 2 “B” category trees will be removed. All the other trees to be removed, (some 30-40 out of 200) will be category “C”. These would make way for the proposed new street and homes in the centre of the site and the widening of the single access onto Allington Road. Mature trees on the southern boundary would be retained as would the woodland TPO.</p>

5.	Relevant Planning History
5.1	<p>LW/19/0129 – Appeal 3234681. “Retention of existing dwelling and erection of 5 dwellings and the creation of two additional vehicle accesses and landscaping”. Refused and Appeal dismissed 3-12-19.</p> <p>The Inspector explained (para 7) that the scheme would “represent a substantial increase of built form and associated development at the site and cause the site to appear as part of the settlement of Newick rather than a transitional part of the urban fringe”.</p>
6.	Consultations
6.1	<p><u>Newick Parish Council – Object</u></p> <ul style="list-style-type: none"> - This scheme should be refused like the previous scheme. - Unacceptable impact on the character and appearance of the countryside corridor between Newick and North Chailey. Six new houses would still be able to be seen from Allington Rd in particular. - Unsuitable location outside the settlement boundary. - Demolition of a fine old house should not be allowed and poor use of resources. - Concern about drainage and sewer capacity
6.2	<p><u>ESCC Landscape Officer:</u></p> <p>No response. Landscaping control conditions are proposed.</p>
6.3	<p><u>Green Consultancy – Contaminated Land</u></p> <p>No objection subject to conditions.</p>
6.4	<p><u>ESCC Drainage</u></p> <p>No response. Drainage and sewer design and capacity conditions are proposed.</p>
6.5	<p><u>Trees and Landscape Officer</u></p> <p>No response. Tree protection conditions are proposed.</p>
6.6	<p><u>Ecology</u></p> <p>No response. Biodiversity Net Gain and ecology protection conditions are proposed.</p>
6.7	<p><u>CIL Team</u></p> <p>As per the LDC Charging schedule this application would be liable for CIL should it be granted. And SANG and SAMMS contributions would be required if approved.</p>
6.8	<p><u>East Sussex Highways:</u></p> <p>No objection subject to conditions.</p>
6.9	<p><u>Southern Water</u></p>

	Requires a formal application for a connection to the public foul sewer to be made by the applicant/developer. Standard advice concerning SuDS schemes.
6.10	<u>Archaeology</u> No response. Not a designated area. Conditions are proposed.

7.	Other Representations
7.1	<p><u>Neighbour Representations</u></p> <p>Four letters of objection and one letter of support.</p> <p>Objections</p> <ul style="list-style-type: none"> - Outside of settlement boundary. So should not be supported. - Lewes Interim Policy Statement on Housing Delivery 2021 (IPSHD) is only guidance and not policy. (The IPSHD broadly supports schemes that are close to settlements and do not impact on landscape quality). - Village does need a further 6 homes - The village needs more homes, but there are better sites. 104 Allington, The Point, should be kept. - Newick has inadequate infrastructure for more homes - The access arrangements would be dangerous for pedestrians/school trips <p>Support</p> <ul style="list-style-type: none"> - New homes on the site would contribute positively to the village - Excellent design of an enclosed and sustainable plot.
7.2	<p><u>Newick Village Society – Object</u></p> <ul style="list-style-type: none"> - Outside of the village boundary and would have adverse impact on character of countryside. - Proposed scheme would urbanise a site which provided a transition from settlement to countryside. - Dismissed appeal scheme reasons for refusal, (19/0129) apply equally to the current scheme.

8.	Appraisal
8.1	<p><u>Principle of Development and Development Location:</u></p> <p>As LLP1 is now over 5 years old, the housing delivery target set out in policy SP1 (approx. 275 net dwellings per annum) is obsolete and the target now worked towards is therefore based on local housing need calculated using the standard method set out in national planning guidance as per para. 74 of the National Planning Policy Framework</p>

	<p>(NPPF). This has resulted in the delivery target rising to 782 dwellings per annum. This figure is disaggregated from the delivery from the South Downs National Park, resulting in an annual figure of 602.</p> <p>Due to this increase in housing delivery targets, Lewes District Council is no longer able to identify a 5-year supply of specific deliverable sites for housing (5yhls).</p> <p>Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This approach effectively adopts a ‘tilted balance’ in favour of housing development.</p> <p>The NPPF does not recognise settlement boundaries, instead stating that decisions should avoid the development of isolated homes in the countryside (para. 80). The application site is not isolated, so it has development potential</p> <p>LLP1 Spatial Policy 2 allocates a “minimum” of 100 new homes to Newick and LLP2 DM1 aims to focus housing development inside settlement boundaries. However both these policies have very little weight in the planning balance since Lewes does not have 5yhls.</p> <p>Therefore, the principle of development on the application site, (subject to good planning and design standards) is accepted.</p>
8.2	<p><u>IPSHD Assessment</u></p> <p>The Council adopted an Interim Policy Statement on Housing Delivery (IPSHD 2021) that accepts development may need to be allowed on sites outside of settlement boundaries based on 8 criteria.</p> <p><u>Criterion 1.</u> <i>That the site boundary is contiguous with an adopted settlement planning boundary, as defined on the Local Plan Policies Map.</i></p> <p>COMPLIES.</p> <p><u>Criterion 2.</u> <i>The scale of development is appropriate to the size, character, and role of the adjacent settlement, having regard to the settlement hierarchy set out in LPP1 Table 2. In deciding whether the scale is appropriate, the Council will take account of the cumulative impact of extant unimplemented permissions in the relevant settlement.</i></p> <p>At 6 dwellings, the proposed development is modest in scale and is appropriate to the status of Newick as a Rural Service Centre.</p> <p>COMPLIES.</p> <p><u>Criterion 3.</u> <i>The proposed development will provide safe and convenient pedestrian and cycle access to key community facilities and services within the adjacent settlement.</i></p>

Allington Road has a pavement on either side, providing safe and convenient access for pedestrians. Within the village, there is a range of services and facilities, including a primary school, children's play space, recreational and sports facilities, pubs, restaurants, and shops within comfortable walking distance of the site, a bus stop within 3min walk of the site for the 121-bus service linking Newick with Lewes and Chailey.

COMPLIES.

Criterion 4. *The proposed development, individually or cumulatively, will not result in the actual or perceived coalescence of settlements. Where appropriate, this should be demonstrated through the submission of a visual and landscape character impact assessment.*

The proposal will not result in the coalescence of other nearby settlements. **COMPLIES**

Criterion 5 *Within the setting of the South Downs National Park, an assessment is undertaken to demonstrate that the proposed development will conserve the special qualities of the National Park.*

No impact on the SDNP. **COMPLIES**

Criterion 6 *An ecological impact assessment is undertaken, and appropriate measures identified and implemented accordingly to mitigate any potential adverse impacts of the development on biodiversity and secure biodiversity net gain in accordance with the Council's Biodiversity Net Gain(BNG) Technical Advice Note (February 2021).*

An ecological impact assessment has been submitted. Conditions are proposed to deliver BNG and ecological protection. **COMPLIES**

Criterion 7 *The proposed development will make the best and most efficient use of the land, whilst responding sympathetically to the existing character and distinctiveness of the adjoining settlement and surrounding rural area. Arbitrarily low density or piecemeal development, including the artificial subdivision of larger land parcels, will not be acceptable.*

Policy CP2 of the Local Plan Part 1 sets out a range of 20-30 dph for rural/village areas. The density of this site would be low – but this is considered to be justified due to the landscape constraints and prevailing character and density of the built environment south of Allington Road.

Given this context, the constraints of the site and the local character, the proposed density is considered to be acceptable and to comply with Criterion 7 of the IPSHD.

The proposed scheme makes efficient use of the existing house and garden site and aims to preserve the substantial boundary landscaping that defines its countryside transition zone characteristic. The proposed 6 new homes will to some extent compromise this transition role. **PART COMPLIES**

Criterion 8 *It can be demonstrated that the proposed development is deliverable and viable, having regard to the provision of necessary on-site infrastructure, including affordable housing, green infrastructure and other requirements. Where the proposed development would create the need to provide additional or improved off-site infrastructure, a programme of*

	<p><i>delivery should be agreed with the relevant infrastructure providers to ensure that these improvements are provided at the time they are needed.</i></p> <p>The scheme is small scale and can be linked into the existing service infrastructure in the village. At 6 dwellings, affordable housing is not sought. CP2 LLP1 seeks a housing mix and in particular 2 and 3 bed homes. This is not provided. PART COMPLIES.</p> <p>Overall, the proposed scheme meets the IPSHD 8 criteria.</p>
8.3	<p><u>Housing Mix and Density</u></p> <p>With regard to LLP1 CP 2 Housing and Density, the proposed scheme does not deliver a policy compliant housing mix. All homes are proposed to be 4bed. And whilst the scheme makes better use of the site than existing, the proposal is still below a normal village density. In addition the Newick NP (policy HO1.6) does not support “garden development”.</p> <p>Overall, the scheme does not meet policy in this area.</p> <p>However, officers on balance, would argue that because of the need for homes and careful design of the scheme, the adverse design impacts do not outweigh the scheme’s benefits.</p>
8.4	<p><u>Good Design</u></p> <p>In terms of layout and appearance, (the scheme’s traditional house design and simple street design), the proposal complies with policies relating to good design CP11, DM25, HO1.1, HO1.2, HO1.3. and EN1. The proposed new dwellings meet the Nationally Described Space Standard in terms of overall unit size, bedroom size and storage space. The layout makes use of the south facing elevation. The rear gardens are well sized. The site layout avoids any mutual overlooking. There will be no impact on the amenity of adjoining properties.</p> <p>Overall, the scheme meets policy.</p>
8.5	<p><u>Impact on Landscape and Countryside</u></p> <p>The building of 6 homes will have an adverse impact on the landscape setting, (compared to only one existing home) as well as the site’s transitional function of moving the western edge of the village into the wider countryside. However, the site itself is very enclosed and the proposal, by locating development in the centre of the site broadly protects its enclosed landscape nature and therefore to some extent its transitional function – whilst at the same time making more efficient use of this already developed site. Indeed, officers would argue that the site has more of a relationship to the village and residential development to the east, than it does with the open countryside, and that the site’s western boundary is more naturally the settlement boundary, taking into account the meeting of Western and Allington Roads.</p> <p>Overall, the scheme does not meet policy.</p>

	However, officers on balance, would argue that because of the need for homes and careful design of the scheme, the adverse design impacts do not outweigh the schemes benefits.
8.6	<p><u>Transport, Access, and Parking</u></p> <p>Sufficient turning space, access and egress. Good parking and cycle parking.</p> <p>Overall, the scheme meets policy.</p>
8.7	<p><u>Flooding and Drainage</u></p> <p>The application was accompanied by a preliminary Drainage Strategy. Conditions are proposed to cover drainage and sewer capacity and design.</p> <p>Overall, the scheme can meet policy with the imposition of conditions.</p>
8.8	<p><u>Ecology, Trees and Biodiversity</u></p> <p>Garden development will inevitably reduce biodiversity and there will be a loss of trees. Loss of trees is not supported by Lewes policy or the NPPF. The TPO woodland will be largely preserved. However, the scheme substantially protects the mature boundary landscaping and focuses development in the centre of the site and makes more efficient use of an already developed site. Ecology protection and BNG conditions are proposed.</p> <p>Overall, the scheme can marginally meet policy with the imposition of conditions and a requirement for BNG on or off site.</p>

8.9	<p><u>Sustainability</u></p> <p>Planning policy does not require a specific reduction in carbon dioxide emissions, either through energy efficiency, low carbon or renewable technology. Lewes has a Technical Advice Note that encourages reuse of buildings rather than their demolition, (and the reuse of construction materials), but there is no policy at a local or national level that prevents demolition, so schemes need to be assessed in the round, based on a number of policy aims. The applicant has submitted a “sustainability and energy” assessment and energy performance certificate calculations. This shows a comparison between the carbon emissions of the existing single home and the proposed 6 new homes.</p> <ul style="list-style-type: none"> a) Existing Single Home: 14,000 CO2 kg per year b) Existing Home with carbon saving measures: 9,400 CO2kg per year (e.g. insulation; replace gas boiler; install renewable energy sources) c) 6 New Homes plus air source heat pumps: 4,461 CO2kg per year, (i.e. for all 6 together). <p>Overall, the scheme can meet policy CP 14 through the imposition of conditions.</p>
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8.10	<p><u>Planning Obligations:</u></p> <p>Legal Undertaking for funding contributions to the Ashdown Forest SANGS/SAMMS.</p>
8.11	<p><u>Human Rights Implications:</u></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 taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.</p>
8.12	<p><u>Conclusions:</u></p> <ol style="list-style-type: none"> 1. Presumption in favour of sustainable development - Lewes' lack of a 5yhls means there is a very strong presumption in favour of housing development, when considering all LP policies together and the National Planning Policy Framework as a whole. <u>Significant positive weight. There would also be further positive economic development positive planning weight generated by housing development, both in terms of jobs and support for shops and businesses locally in Newick.</u> 2. IPSHD - The proposal, overall, meets the IPSHD 8 criteria designed to assess suitable housing development outside settlement boundaries. (This is guidance and not policy, but the Authority's Local Plan housing policies are now considered out of date and the IPSHD was designed to guide decisions whilst the LP is brought up to date). <u>Moderate positive weight.</u> 3. Housing Mix and Density – the proposal is not policy compliant. It does not offer smaller homes and its development density is low for a village scheme. However, on balance, officers argue the need for well design homes in sustainable locations outweigh the adverse policy impacts of the scheme. <u>Moderate negative weight.</u> 4. Design – the scheme is well designed and meets policy. <u>Moderate positive weight.</u> 5. Impact on Landscape and Countryside – the proposal is not policy compliant, but, on balance, officers argue the adverse impacts, (mitigated by the design) are outweighed by the benefits. <u>Moderate negative weight.</u> 6. Transport, Access and Parking – the proposed scheme complies with good design standards. <u>Moderate positive weight.</u> 7. Flood and Drainage Management – proper development will be achieved through compliance with conditions. <u>Moderate positive weight.</u> 8. Ecology, Trees and Biodiversity Net Gain – There will be some loss of trees but the most important trees and boundary landscaping will be maintained and BNG will be achieved through a condition. <u>Moderate negative weight.</u>

	<p>9. Sustainability – Whilst the scheme would result in the demolition of a perfectly good home, the carbon emissions from 6 new home would considerably reduce overall ongoing emissions. <u>Moderate positive weight.</u></p> <p>It is considered that the benefits of the proposal significantly outweigh the disbenefits and that planning permission should be approved.</p>
9.	Recommendations
	Grant planning permission, subject to the conditions, and receiving and a Legal Undertaking to provide for the financial contributions for SANGS and SAMMS.
10.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. Construction Management Plan 2. Construction Environmental Management Plan 3. Archaeology 4. External Lighting 5. External Materials 6. Sustainability 7. Wastewater 8. Surface Water Drainage 9. Drainage Strategy, Maintenance and Management Plan 10. Drainage Installation 11. Ecological Design and Biodiversity Net Gain 12. Landscape and Ecological Management Plan 13. Landscape 14. Tree Protection 1 15. Tree Protection 2 16. Tree Protection 3 17. Transport – cycles 18. Transport – Refuse 19. Transport – Vehicle Turning 20. Transport – EV 21. Transport – Visibility Splays 22. Transport – Parking 23. Removal of Permitted development 24. Contamination - Unexpected Contamination 25. Contamination - Asbestos Survey
10.1	CONSTRUCTION MANAGEMENT PLAN

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

- Site illumination, noise, vibration, dust, air pollution and odour
- Construction hours
- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and egress and routeing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials, and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding/fencing,
- the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of construction waste management, opportunities for recycling and appropriate neighbour friendly removal
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with LLP2 policies DM20, DM23 and DM25 and neighbour amenity paras. of the National Planning Policy Framework (NPPF).

10.2

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) risk assessment of potentially damaging construction activities.
- b) identification of “biodiversity protection zones”.
- c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) the location and timing of sensitive works to avoid harm to biodiversity features.

	<ul style="list-style-type: none"> e) the times during construction when specialist ecologists need to be present on site to oversee works. f) responsible persons and lines of communication. g) the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) use of protective fences, exclusion barriers and warning signs. <p>The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.</p> <p>Reason: To ensure that any adverse environmental impacts of development activities are mitigated, to avoid an offence under the Wildlife and Countryside Act 1981, as amended, The Conservation of Habitats and Species Regulations 2017, as amended, and the Protection of Badgers Act, 1992, and to address Core Policy CP10 of the Lewes District Local Plan 2016</p>
10.3	<p>ARCHAEOLOGICAL ASSESSMENT</p> <ul style="list-style-type: none"> a) No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. b) No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the approved written scheme of investigation. <p>Reason: To enable the recording of any items of historical or archaeological interest in accordance with Core Policy 11 in the Lewes District Local Plan Part 1; Joint Core Strategy 2010 - 2030; coupled with the requirements of paragraphs 189 - 199 of the National Planning Policy Framework 2018.</p>
10.4	<p>EXTERNAL LIGHTING</p> <p>No external lighting or floodlighting shall be installed on the buildings or the road and parking areas hereby permitted without the prior written approval of the local planning authority.</p> <p>Reason: To protect the amenity and character of the surrounding countryside and to prevent disturbance of nocturnal species having regard to Policy CP10 of the Lewes District Local Plan part one, policies DM20 and DM24 of the Lewes District Local Plan part two and countryside and neighbour amenity paras. Of the NPPF.</p>

10.5	<p>EXTERNAL MATERIALS</p> <p>No external materials or finishes shall be applied until a schedule of materials has been submitted to an approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with those details and maintained as such unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interest of visual amenity and sustainability in accordance with LLP1 policy CP11, LLP2 policy DM25 and design para. of the NPPF</p>
10.6	<p>SUSTAINABILITY & ENERGY MANAGEMENT MEASURES</p> <p>Further to the applicant's submitted "sustainability and energy report", the proposed development shall not be occupied until:</p> <ul style="list-style-type: none"> a) full details of all renewable/carbon saving/energy and water efficiency measures to be incorporated into the scheme have been submitted to and approved by the Local Planning Authority. All measures approved shall thereafter be provided prior to the occupation of any dwelling and maintained in place thereafter throughout the lifetime of the development. b) Energy management. No development above ground floor slab level of any part of the development hereby permitted shall commence until a report has been submitted to, and approved in writing by, the Local Planning Authority, to include details and drawings to demonstrate how a minimum of 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The report shall identify how renewable energy, passive energy and energy efficiency measures will be generated and utilised for each of the proposed buildings to collectively meet the requirement for the development. The approved details shall be implemented with the construction of each dwelling and thereafter retained. <p>Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with LLP1 policy CP14, LLP2 policy DM20 and climate management paras of the NPPF.</p>
10.7	<p>WASTEWATER REINFORCEMENT</p> <p>Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development. This is to be secured through written evidence and approval from Southern Water and presented to the Local Planning Authority in advance of any occupation.</p> <p>Reason: In order to ensure suitable arrangements for foul water disposal are in place in accordance with LLP1 policies CP7 and CP10, LLP2 policies BA02, DM20 and DM22 and housing infrastructure paras of the NPPF</p>

10.8	<p>SURFACE WATER DRAINAGE</p> <p>No development approved by this permission shall be commenced until full details of surface water drainage, have been submitted to and approved by the Local Planning Authority. This will need to include confirmation that there is capacity for the highway drain to serve the development and that a connection agreement is in place. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall be take place until the approved works have been completed. The surface water drainage system shall be retained as approved thereafter.</p> <p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and flood and infrastructure paras. of the NPPF.</p>
10.9	<p>DRAINAGE STRATEGY AND MAINTENANCE & MANAGEMENT</p> <p>A drainage strategy and a maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site. No development shall commence, including any ground works until a drainage scheme for the site has been submitted to and approved by the Local Planning Authority and the works carried out as approved. The scheme shall include proposals for both storm and foul drainage, supported by calculations to demonstrate that the system and capacity will support the number of dwellings proposed, as well as a plan for its future management. The management and maintenance plan should ensure the designed system considers design standards of those responsible for maintenance. The management plan should cover the following:</p> <ul style="list-style-type: none"> a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details. b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority. <p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and flood and infrastructure paras.of the NPPF.</p>
10.10	<p>DRAINAGE INSTALLATION</p> <p>Prior to occupation of the development, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.</p> <p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and flood and infrastructure paras. of the NPPF.</p>
10.11	<p>ECOLOGY 1 DESIGN STRATEGY & BIODIVERSITY NET GAIN</p>

	<p>No development shall take place until an Ecological Design Strategy (EDS) addressing mitigation, compensation, and enhancement of the site for biodiversity has been submitted to and approved in writing by the local planning authority. This will include a baseline Biodiversity Study and the formal assessment of how to deliver a 10% gain post development of the baseline over 30 years.</p> <p>The EDS shall include the following:</p> <ul style="list-style-type: none"> a) Purpose and conservation objectives for the proposed works; b) Review of site potential and constraints; c) Detailed design(s) and/or working method(s) to achieve stated objectives; d) Extent and location/area of proposed works on appropriate scale maps and plans; e) Type and source of materials to be used where appropriate, e.g., native species of local provenance; f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development; g) Persons responsible for implementing the works; h) Details of initial aftercare and long-term maintenance; i) Details for monitoring and remedial measures; j) Details for disposal of any wastes arising from works. <p>The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.</p> <p>Reason: In order to preserve the biodiversity of the site having regard to policy DM24 of the Lewes District Plan and guidance within the National Planning Policy Framework.</p>
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10.12	<p>ECOLOGY 2 LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN</p> <p>No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> a) description and evaluation of features to be managed; b) ecological trends and constraints on site that might influence management; c) aims and objectives of management; d) appropriate management options for achieving aims and objectives; e) prescriptions for management actions;
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	<p>f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);</p> <p>g) details of the body or organisation responsible for implementation of the plan;</p> <p>h) ongoing monitoring and remedial measures.</p> <p>The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.</p> <p>Reason In order to preserve the biodiversity of the site having regard to policy DM24 of the Lewes District Plan and guidance within the National Planning Policy Framework.</p>
10.13	<p>HARD AND SOFT LANDSCAPING & BOUNDARY TREATMENT</p> <p>No development above ground floor slab level of any part of the development hereby permitted shall commence until details, including materials, of all hard and soft landscaping and boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>The landscape scheme should include additional habitat creation/enhancement measures and compensatory habitat for protected species, as advised by the council's Ecology Team</p> <p>Reason: To ensure a satisfactory development in keeping with the locality having regard to policies CP11, DM24, DM25 and DM27 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework</p>
10.14	<p>TREE PROTECTION MEASURES 1</p> <p>Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed Arboricultural consultant, site manager and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details, or any variation as may subsequently be agreed in writing by the LPA.</p> <p>Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 and in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.</p>

10.15	<p>TREE PROTECTION MEASURES 2</p> <p>Prior to the commencement of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring and site supervision by a suitably qualified tree specialist (where Arboricultural expertise is required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990.</p>
10.16	<p>TREE PROTECTION MEASURES 3</p> <p>The completed schedule of site supervision and monitoring of the Arboricultural protection measures as approved in condition (insert condition number) shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted.</p> <p>This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.</p> <p>Reason: In order to ensure compliance with the tree protection and Arboricultural supervision details submitted under condition pursuant to section 197 of the Town and Country Planning Act 1990.</p>
10.17	<p>TRANSPORT - CYCLE PARKING</p> <p>The development shall not be occupied until the covered and secure cycle parking stores shown on the submitted plans have been provided.</p> <p>Reason: To provide alternative travel options and encourage use of alternatives to the use of the private car, in the interests of sustainability in accordance Policy CP13 of Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework</p>
10.18	<p>TRANSPORT - REFUSE AND RECYCLING</p> <p>The development shall not be occupied until refuse and recycling bin facilities have been provided.</p> <p>Reason: In the interests of the amenities of the area, having regard to policy DM26 and guidance within the National Planning Policy Framework.</p>
10.19	<p>TRANSPORT - VEHICLE TURNING</p> <p>The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved</p>

	<p>plans and the turning space shall thereafter be retained for that use and shall not be obstructed.</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.</p>
10.20	<p>TRANSPORT - EV CHARGE POINTS</p> <p>The development shall not be occupied until electric car charging points have been fitted for all parking space and ready for use.</p> <p>Reason: To promote sustainable ways of transport in accordance with policies CP13 and CP14 of the Lewes District Joint Core Strategy National Policy Guidance contained in the National Planning Policy Framework.</p>
10.21	<p>TRANSPORT – VISIBILITY SPLAY</p> <p>The access shall not be used until visibility splays of 2.4m by 43m in both directions are provided for the access onto Allington Road and maintained thereafter.</p> <p>Reason: To ensure pedestrian and highway safety</p>
10.22	<p>TRANSPORT – PARKING</p> <p>The development shall not be occupied until the parking areas have been provided in accordance with approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highways Authority and the areas, thereafter retained for parking purposes.</p> <p>Parking spaces shall be at least 2.5m by 5m (plus an extra 50mm where spaces abut walls).</p> <p>Reason: to ensure pedestrian and vehicle safety.</p>
10.23	<p>REMOVAL OF PD RIGHTS</p> <p>Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 1 and Part 2 of Schedule 2, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.</p> <p>Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area having regard to policies CP11 and DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.</p>
10.24	<p>CONTAMINATION - UNEXPECTED CONTAMINATION</p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.</p>

	Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DM21 of the Lewes District Local Plan and the National Planning Policy Framework.		
10.25	CONTAMINATION - ASBESTOS SURVEY		
	<p>Prior to demolition, a full asbestos survey must be carried out on the building to be demolished. Any asbestos containing materials (ACMs) must be removed by a suitable qualified contractor and disposed off-site to a licenced facility. A copy of the report should be provided to the local planning authority together with a mitigation plan that removes the risk to future occupiers of exposure to asbestos.</p> <p>Reason: To ensure that risks from asbestos to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework].</p>		
10.26	INFORMATIVE - TRANSPORT		
	Transport and access requirements associated with this development proposal will need to be secured through a s184 Legal Agreement between the applicant and ESCC. Contact Transport Development Control (01273 482254). Roadworks permit contact ESCC Highways Tel. 0345 60 80 193.		
10.27	INFORMATIVE - CONTAMINATION		
	<p>(a)The applicant is hereby reminded of the Control of Asbestos Regulations 2012 when carrying out demolition and other works associated with the development hereby permitted. For more information please visit http://www.hse.gov.uk/Asbestos/regulations.htm</p> <p>(b) All waste material arising from any site clearance, demolition, preparation and construction activities should be stored, remove from the site and disposed of in an appropriate manner.</p>		
11.	Plans:		
11.1	This decision relates solely to the following plans:		
	<u>Plan Type</u>	<u>Date Received</u>	<u>Reference:</u>
	Additional Documents	June 2023	Ground Contamination Risk Assessment – Ashdown R15776

		August 2023	Foul & SUDs GTA Civils
		July 2023	Landscaping Specification - Brookworth
		July 2023	Arboricultural Assessment – David Archer
		August 2023	Ecological Report – AA Environmental
		August 2023	Sustainability and Energy Statement - Bluesky
	Landscape	August 2023	Landscape Proposal – BR0244253
	Transport	July 2023	12563/220 Rev P 4 Access, Visibility and Refuse Tracking
	Buildings	July 2023	Garages Plots 1-4 and 6. PL15 Rev P1
			Plot 5 House type Caston. PL-14 Rev P1
			Plot 4 House type Dudley. PL-13 Rev P1
			Plot 3 House type Darby PL-12 Rev P1
			Plot 2 House type Dorchester PL-11 Rev P1
			Plots 1-6 House type Dalton PL-10 Rev P1
	Plans	July 2023	Detailed Site Layout PL-05 Rev P1
			Proposed Site Layout PL-04 Rev P1
			Sketch Site Layout PL-04 Rev P1
			Proposed Block Plan PL-02 Rev P1
			Site Location Plan PL-01 Rev P1
			Site levels and Contours 12563/1801 Rev P2
			Drainage Strategy Layout 12563/1601 Rev P3
	Studies	July 2023	Design and Access Statement
			Transport Report
			Planning Statement

			Visualisation 1 PL-17 Rev P1
			Visualisation 2 PL-18 Rev P1
			Proposed Street Scene PL16 Rev P1
			Community Infrastructure Levy Form 1
12.	Appendices		
12.1	None.		
13.	Background Papers		
13.1	None.		