

Report to **Planning Applications Committee**
Date **12 August 2020**
By **Director of Planning**
Local Authority **Lewes District Council**
Application Number **SDNP/20/01311/FUL**
Applicant **Mr & Mrs Legg**
Application **Revised application for erection of a detached dwelling and garage, with new access & associated landscaping.**

Address **Garden to the south of
Longcroft House
46 Beacon Road
Ditchling
Hassocks
East Sussex
BN6 8UZ**

Recommendation: That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.

IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.

Executive Summary

Having considered the positive aspects of the scheme it is suggested that the scheme is sustainable development with no significant adverse influence on the objectives of the policies linked to the established settlement boundary and to refuse the application solely based on its being outside of the planning boundary when the proposals are acceptable in all other respects, may be difficult to justify in this particular instance. Therefore, on balance, approval is recommended.

1 Site Description

1.1 The application site forms part of the grounds to 46 Beacon Road, a detached dwelling on the eastern side of Beacon Road. The plot measures some 1844 square metres and is outside of the curtilage to the property owing to its less cultivated nature, being unmown and separated from the immediate curtilage to the property by a fence. There is also a tennis court within the plot, which was approved following an application for change of use in 2000 (ref. LW/00/1446). The site lies outside of the Planning Boundary to Ditchling village.

1.2 The existing house is not listed and the site is not located in a conservation area. Beyond the plot lies access land to the south, which adjoins Ancient Woodland. To the east of the site lie open fields of varying sizes.

2 Proposal

2.1 The planning application is a revised scheme following the withdrawal of a previous planning application, also for a new dwelling (ref. SDNP/19/04109/FUL).

2.2 Unlike the previous application, the dwelling would have an L-shaped footprint and would be sited nearer to the proposed garage. The parking and turning area in front of the dwelling would be smaller and the development would not occupy the full area of the tennis court, unlike the previous application. The dwelling would be 25m from the site boundary with the adjoining Ancient Woodland and an ecological buffer zone is proposed between this boundary and the garden area of the new house.

2.3 The proposed dwelling would have a sitting room; dining room; kitchen; and utility/boot room on the ground floor, and three bedrooms with bathroom, en-suite and dressing room, on the first floor.

2.4 The internal floor area would be approximately 180 square metres. In terms of style and design the proposed dwelling would have a traditional appearance with pitched, clay tile roof and tile hanging to the first floor. The proposed double garage would feature a pair of timber doors and a pitched roof with integrated solar panels. Inside, the garage would have an electric vehicle charging point, a Tesla house battery, and an air source heat pump. Boundaries are proposed to be hedges and timber post and rail fences.

2.5 The application has been called in to Planning Applications Committee by Cllr Jones, for the following reasons:

The site appears to be an anomalous plot within Ditchling, which is well related to the village despite being just outside the planning boundary. The site includes a tennis court and is PDL according to the NPPF. It is therefore not a site which obviously fits with or relates to policy and there are a number of material considerations in support of the application which merit public discussion;

Section 38(6) of the Planning & Compulsory Purchase Act 2004, confirms that planning applications must be determined in accordance with the Local Plan, unless material considerations indicate otherwise. Here, there are a number of material considerations which indicate the proposal requires the detailed scrutiny of Committee. This includes its relationship with the village - being opposite neighbouring houses and not obviously countryside, the delivery of a downsizer home which is supported by the Neighbourhood Plan, no obvious negative impacts on any of the aims of the National Park and a design approach which responds to the local vernacular;

As planning policy need not be slavishly followed where there are good material considerations which indicate a scheme is acceptable, given the location adjacent to the planning boundary and potential conflict with the Local Plan, this requires public discussion;

It is noted the previous application was supported by three local residents and there were none that objected. Given that there is public interest in the proposal, this would be another reason for Committee oversight.

2.6 Due to the nature of the proposal and the location of the site, the application has been advertised as a Departure Application.

3 Relevant Planning History

SDNP/19/04109/FUL - Erection of a detached dwelling and garage, with new access and associated landscaping. Withdrawn.

LW/09/0189 - Installation of two dormer windows and side window above triple garage. Approved 29 April 2009.

LW/00/1446 - Change of use of land to create a tennis court with 2.74m fence. Approved 7 November 2000.

E/71/0843 - Outline Application for four houses. Refused 25 October 1971.
E/65/0041 - Outline Application for three houses. Refused 22 February 1965.

4 Consultations

ESCC - Flood Risk Management Team

Comments are awaited and will be reported to Planning Applications Committee.

ESCC - Highways

Comments on the current application are awaited, but the comments on the previous planning application are copied below.

No Objection

Subject to conditions.

The access is located on Beacon Road, which is subject to 30mph speed limit; however the access is adjacent to the change in speed limit (to 60mph) located south of the site, therefore visibility splay of 2.4m by 215m should be achieved in this direction and 2.4m by 43m to the north.

The proposal shows the proposed access to be 4.7m wide. This is greater than is required for a single dwelling. I would usually expect a single access to be 2.75m with a 2m radius. Therefore it is possible to reduce the width of the access and also reduce the width of the crossover.

The proposed crossover is located over an ESCC ditch. Before commencement of development the applicant should contact ESCC Flood Risk Team to agree works to the ditch and access. In addition, the access is located within a close proximity of a gully, which will have to be relocated.

Adequate drainage will be required to ensure that surface water from the site doesn't enter the highway and that surface water from the highway doesn't enter the site.

The proposal shows sufficient space for turning and parking within the site, for an individual three bedrooms dwelling it is recommended that two parking spaces. There is also a proposal for a double garage with cycle storage within the site; the minimal internal dimensions should be 6.0m x 7.0m.

No objections to this proposal, subject to the imposition of conditions:

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

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

2. No part of the development shall be first occupied until visibility splays of 2.4 metres by 215 metres to the south, and visibility splays of 2.4 metres by 43 metres to the north have been provided at the proposed site vehicular access onto Beacon Road. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

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

3. The development shall not be occupied until parking area has been constructed and provided in accordance with the approved plans. The area shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

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

4. The proposed garage shall measure at least 6m by 7m (internally)

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

5. The development shall not be occupied until cycle parking area has been provided in accordance with the approved plans.

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

6. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans and the turning space shall thereafter be retained for that use and shall not be used for any other purpose.

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

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

Reason: To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding.

8. Prior to the commencement of development, the gully located in front of the access must be relocated in accordance to East Sussex Highway standards.

Reason: To ensure the appropriate management of surface water on and adjacent to the highway and prevent and increased risk of flooding.

Parish Council Consultee

The Parish Council wish to object to this application as it does not overcome the fundamental objections made on the previous application SDNP/19/04109/FUL.

The application is contrary to policies DSI and HSG2 in the Ditchling, Streat and Westmeston Neighbourhood Plan (NDP). It is also contrary to Policy DSI as the development is outside the settlement boundary. It does not qualify as one of the exceptions in DSI.2 or SD25.2. The line of the settlement boundary was the subject of much debate during the NDP process and was extended specifically to allow for affordable housing. As the Inspector in the recent appeal for a house in Beacon Road (W/4000237) said: 'Both the SDLP and the Neighbourhood Plan identify that development outside of the settlement, on previously developed land, is only acceptable in exceptional circumstances and in cases where the development is demonstrably necessary to meet the wider objectives of the Local Plan.' This house is not demonstrably necessary.

It is a three bedroom house and so complies with the Ditchling, Streat and Westmeston NP HGS1.1a, but the site is approximately 0.2ha, so the density is low and not compliant with HSG2.1 As stated in our previous objection, in relation to the Ditchling, Streat and Westmeston NP HSG2.1, should the SDNP be minded for some reason to override the settlement boundary policy, the application does not make maximum use of the site and is still therefore not

acceptable under NDP policies. It could be maximised to provide 2/3 smaller affordable units. In addition, the application does not comply with Policy SD25 of the South Downs National Park Local Plan.

Please note the relevant policies below:

Ditchling Streat and Westmeston Neighbourhood Plan (DSW NP)

DSI: Development strategy

1. The principle of development is supported within the settlement boundary, particularly where this: (a) meets identified housing requirements; (b) supports its role as a service centre for the Plan area; and (c) provides facilities supporting its role as a gateway to the National Park.

2. Exceptionally, development will be permitted outside of the settlement boundary where it complies with relevant policies in the development plan, and: (a) it is allocated for development or safeguarded for the use proposed as part of the development plan; or (b) it is for the provision of affordable housing meeting local needs on rural exception sites; or (c) it is for the replacement or extension of existing dwellings providing the resulting floorspace is not increased by more than 30% of the existing dwellings; or (d) it is small-scale development which supports an existing rural business; or (e) it is for facilities for low-key countryside recreation and tourism, particularly those promoting use of the National Park; or (f) in the case of community infrastructure, there is a proven need for the development that demonstrably cannot be met elsewhere; or (g) it is an appropriate re-use of a previously developed site, excepting residential gardens.

HSG 1: Set out and apply acceptance criteria to housing applications

1. Housing proposals will be supported that provide: a. one-, two- or three-bedroom houses or flats; b. housing units for an ageing population in close proximity to village services and suitable for adapted living. 2. Affordable housing will be delivered in accordance with the development plan. 2

HSG 2: Site density and layout

1. Housing proposals should be developed at the maximum density appropriate to the location, while retaining the character of the Beacon villages. 2. The sub-division of existing buildings and plots, and the conversion of agricultural units, will also take into account this objective. 3. Where appropriate, gardens should be provided for every unit. 4. Car parking should be provided in accordance with highway authority standards.

South Downs Local Plan

Strategic Policy SD25:

Development Strategy 1. The principle of development within the following settlements, as defined on the Policies Map*, will be supported, provided that development: a) Is of a scale and nature appropriate to the character and function of the settlement in its landscape context; b) Makes best use of suitable and available previously developed land in the settlement; and c) Makes efficient and appropriate use of land.

The Parish Council would like to note the following in relation to the Design and Access Statement provided with this application.

1.4. 'The planning boundary in this part of the village is to be extended further south with a housing allocation recently outlined in the adopted Beacon Villages Neighbourhood Plan' - The Council would note only for social housing as an EXCEPTION.

1.7 'The [previous] scheme was objected to by the Parish Council, as they felt the unit was not affordable. However, their detailed comments indicated that they were not averse to development on site, but felt that more houses should be delivered. They stated, "the site does not make maximum use of the site and could be maximised two provide 2/3 smaller affordable units." This quote is selectively out of context and the Parish Council wish to clarify this point. The Council are averse to development on the site as it is OUTSIDE THE BOUNDARY but felt it should also be pointed out that, notwithstanding this, the proposal was contrary to Policy HS2.

13.5 The Parish Council do not feel there are 'reasonable and persuasive material considerations that would indicate, exceptionally, a residential development at this site is acceptable' as claimed by the applicant.

The planning boundary was confirmed in the NP process and it is irrelevant to say 'it is just outside it'. It is incorrect to state '... downsizing ... is something the BVNP is keen to achieve but doesn't provide a policy mechanism to deliver.' The NP support is for one, two and three bedroom properties INSIDE the planning boundary, thus providing smaller more affordable homes.

13.13 The uniqueness, or otherwise, of the site, is irrelevant to the application.

13.19. These houses referred to are inside the planning boundary.

13.21. It is important to note that this boundary extension was specifically for affordable housing. Therefore, there is no comparison.

13.31 Planning policies have changed and moved on since planning permission was granted for the tennis court.

13.40 A tennis court is not a permanent structure. It is hard surfacing, in garden space and not a structure.

5 Representations

The Ditchling Society - Objection

The Ditchling Society objects as this revised application, which replaces SDNP/19/04109/FUL, does nothing to address the fundamental issue of requiring the Settlement Boundary to be extended to encompass this new detached single dwelling, garage and grounds.

The site for this proposed house is outside the Ditchling Settlement Boundary and therefore must comply with exemptions specified in the Beacon Parishes Neighbourhood Plan and the South Downs Local Plan. It clearly does not.

DS1 of the Neighbourhood Plan specifies that outside the Settlement Boundary housing proposals should be developed at the maximum density appropriate to the location, while retaining the character of the Beacon villages. The sub-division of existing buildings and plots, and the conversion of agricultural units, will also take into account this objective.

This is a substantial detached three bedroom house and garage sitting in a generous garden plot. HSG2 states that in exceptional circumstances, development outside the Settlement Boundary will be permitted where it meets identified housing need and (a) it is allocated for development or safeguarded for the use proposed as part of the development plan; or (b) it is for the provision of affordable housing meeting local needs on rural exception sites. This proposal cannot be described as affordable housing nor the type of development that the Neighbourhood Plan supports or community needs.

The Application assumes that the location should be allowed in that the Settlement Boundary extends further south to the West, but account must be taken of the type of development on the opposite side of Beacon Road: the existing is social and former social housing, and the extension to the Settlement Boundary proposed to the South is for a majority community housing scheme within the Neighbourhood Plan requirement. The Settlement Boundary has already been breached to the immediate north-east of this property, with the development of a stable block which was refused by the SDNPA but granted on appeal.

The Ditchling Society asks the Planning Authority to uphold the policies contained in the Beacon Parishes Neighbourhood Plan and South Downs Local Plan, and refuse this application so that the principles and aims of both the local community and National Park are respected.

Neighbour representations

Support –

Representations have been received from 7 Long Park Corner; Little Nyes 44 Beacon Road, in support of the application for the following reasons:

It does no harm

The village boundary is already much further south on the other side of the road

It can hardly be seen from the road or from Long Park Corner

Style and scale fits in well with surrounding homes

It is an attractive, traditional-looking, 3-bedroom house

Much needed modest family home in this location

Well thoughtout

Sensible access onto the 30mph stretch of road

Will replace existing tennis court

Footprint no greater than existing

Sensible location

Outside planning boundary but still within the confines of the wider village

Located on old tennis court, which is previously developed land

Pressing need for downsizer properties

Will free up a larger house

Design is high quality and appropriate for the village

Materials reflect the village character

No objection in respect of neighbour amenity

Ecologically and environmentally conscious

Will not result in a precedent being set elsewhere

Preferable to deliver new houses in sustainable locations such as this

Objection -

Representations have been received from 10 and 19 The Dymocks; and 92 East End Lane, objecting to the application for the following reasons:

Any extension of the settlement boundary must be at least offset by a community gain deriving from it, primarily in the form of affordable social housing

Will compromise the protected woodland (Jointer Copse) due to close proximity

Access opposite access to Long Park Corner

Dangerous road despite being relatively straight and 30mph speed limit

Attempt to circumvent the Neighbourhood Plan by building outside the settlement boundary

New housing outside of settlement boundaries is limited and the proposals do not meet the exceptions set out in policies SD25 or DS1

It cannot be presumed that the tennis court, which is within the curtilage of an existing house, is a brownfield site, or previously developed land

The extension of the settlement boundary on the western side of Beacon Road was for affordable housing to meet needs up to 2032 and was subject to a rigorous landscape impact assessment and the proposals cannot be argued to be tidying up the settlement boundary

The size, though smaller than before, is for open market housing and not social or affordable housing and it therefore fails to meet the requirements of policy HSG1 of the Neighbourhood Plan

The references to indications that the local planning authority would have considered the site suitable for housing do not apply now that the site lies within the National Park, which requires a special and higher level of protection

6 **Planning Policy Context**

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans.

The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- 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.

7 **Planning Policy**

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF), updated February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **South Downs Local Plan** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD19 - Transport and Accessibility
- Strategic Policy SD25 - Development Strategy
- Strategic Policy SD48 - Climate Change and Sustainable Use of Resources

- Strategic Policy SD49 - Flood Risk Management
- Development Management Policy SD50 - Sustainable Drainage Systems
- Development Management Policy SD51 - Renewable Energy

Partnership Management Plan

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- General Policy 50

8 Planning Assessment

8.1 The main considerations in the determination of the application include the principle of development; the design and appearance; impact on neighbour amenity; sustainable building design including ecosystem services; drainage; and accessibility and sustainable transport.

Principle of Development

8.2 The representations from the Ditchling Society, Ditchling Parish Council and local residents have been taken into account and in respect of the principle of development. This is primarily because the site lies outside of the Planning Boundary of Ditchling and constitutes building a new dwelling in the countryside.

8.3 The location of the proposed dwelling is outside of the planning boundary of Ditchling according to policy DMI of the Lewes District Local Plan, the Ditchling, Streat and Westmeston Neighbourhood Plan, and in view of policy SD25 (Development Strategy) of the South Downs Local Plan. These policies seek to restrict development outside the planning boundaries except in very specific circumstances, such as affordable housing. It is not considered that the proposal meets any of these criteria. However, it is necessary to assess the scheme on its merits and determine whether, notwithstanding the settlement boundary, the proposals are sustainable development, and to carefully assess whether the scheme would result in any significant harm that would compromise the objectives of the above policies.

South Downs Local Plan:

8.4 SD25 (Development Strategy) of the South Downs Local Plan, adopted in July 2019, outlines the principle of development inside and outside settlement boundaries. The proposed site is considered to be outside of the Ditchling settlement boundary. Where development is outside of the settlement boundary it lists certain examples where residential development may be acceptable.

These examples are:

- a) It is allocated for development or safeguarded for the use proposed as part of the development plan.
- b) There is an essential need for a countryside location

- c) In the case of community infrastructure, there is a proven need for the development that demonstrably cannot be met elsewhere; or
- d) It is an appropriate reuse of a previously developed site, excepting residential gardens, and conserves and enhances the special qualities of the National Park

It is considered that a residential dwelling in this location outside of the settlement boundary, does not meet any of the above criteria and is contrary to policy.

Ditchling Neighbourhood Plan:

8.5 The proposal site is outside of the 'Settlement Boundary' as identified in the adopted 'Ditchling, Streat and Westmeston Neighbourhood Plan and policy DSI "Development Strategy". It has not been identified in the Plan as suitable for development and has not been proposed as part of the enlarged settlement boundary identified in the Neighbourhood Plan.

8.6 However, there are aspects of the proposed development in its favour. There is existing residential development on the opposite side of Beacon Road, which extends further south from the centre of Ditchling village, and the development would form a continuation of the linear form of housing development along the eastern side of Beacon Road. The dwelling would be built within the garden area of an existing house and owing to the natural woodland buffer to the south, which is Ancient Woodland, the new dwelling would in some ways round off the existing settlement, with little to no scope for additional dwellings south of this point, and with no significant encroachment into the open countryside.

8.7 The dwelling would be set back from the road behind hedge planting and there is a need for 3-bedroom homes in the National Park area, which is also reflected by policy HSG1 of the Neighbourhood Plan, which states that housing proposals will be supported that provide one, two or three bedroom houses or flats.

8.8 Having considered the positive aspects of the scheme it is suggested that the scheme is sustainable development with no significant adverse influence on the objectives of the policies linked to the established settlement boundary. However the proposal is contrary to established and adopted Local and Neighbourhood Plan Policy.

Appearance

8.9 Policy SD4 of the South Downs Local Plan states at paragraph 1 that:

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

- a) They are informed by landscape character, reflecting the context and type of landscape in which the development is located;
- b) The design, layout and scale of proposals conserve and enhance existing landscape and seascape character features which contribute to the distinctive character, pattern and evolution of the landscape;
- c) They will safeguard the experiential and amenity qualities of the landscape; and
- d) Where planting is considered appropriate, it is consistent with local character, enhances biodiversity, contributes to the delivery of GI and uses native species, unless there are appropriate and justified reasons to select non-native species.

8.10 The parts of Policy SD5 relevant to this planning application state that:

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

a. Integrate with, respect and sympathetically complement the landscape character by ensuring development proposals are demonstrably informed by an assessment of the landscape context....

c. Contribute to local distinctiveness and sense of place through its relationship to adjoining buildings, spaces and landscape features, including historic settlement patterns....

f. Utilise architectural design which is appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night and day visibility, elevational and, where relevant, vernacular detailing....

i. Ensure development proposals are durable, sustainable and adaptable over time, and provide sufficient internal space to meet the needs of a range of users....

k. Have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities.

The building is shown being constructed from brick and ground floor and tile hanging at first floor and a tiled roof, and the dwelling would be two storeys in height. It is considered that the design of the proposed dwelling would reflect the local character and vernacular and as well as reflecting the appearance of other properties to the north, including the host dwelling. In these respects the proposed development is considered to meet the requirements of policy CONS2 "Set standards for design of new development" of the Neighbourhood Plan.

8.11 The dwelling would be set back from the road and would not be readily and openly visible due to planting along this boundary, full views being achieved only through the gap formed to make the new vehicular access.

8.12 The development would sit amongst soft landscaping and the developed area of the site would be smaller than as proposed in the previously withdrawn application. The proposed site density and layout is considered to accord with policy HSG2 of the Neighbourhood Plan and would retain the character in the pattern of development in this locality.

8.13 The proposals are considered to meet the requirements of policies SD4 and SD5 of the South Downs Local Plan and policy CONS2 of the Ditchling, Streat and Westmeston Neighbourhood Plan.

Amenity

8.14 There is sufficient space between the proposed buildings and neighbouring properties to preclude both overshadowing and overlooking. The construction of a single 3-bedroom house is not considered to over-intensify the use of the land and the comings and goings of a single household are not likely to have a material impact on existing levels of noise and disturbance in this location.

8.15 It is noted that there are no rooflights or dormers proposed, and a condition restricting such alterations is recommended. This is in order to comply with policy CONS8 "Preserve dark night skies" of the Neighbourhood Plan and policy SD8 of the South Downs Local Plan, to minimise any additional light spillage into the dark night sky in relation to existing light pollution of other neighbouring properties and the village as a whole.

Ecosystems Services Statement

8.16 Policy SD2 of the South Downs Local Plan states that:

1. Development proposals will be permitted where they have an overall positive impact on the ability of the natural environment to contribute goods and services. This will be achieved through the use of high quality design, and by delivering all opportunities to:

- a) Sustainably manage land and water environments;
- b) Protect and provide more, better and joined up natural habitats;
- c) Conserve water resources and improve water quality;
- d) Manage and mitigate the risk of flooding;
- e) Improve the National Park's resilience to, and mitigation of, climate change;
- f) Increase the ability to store carbon through new planting or other means;
- g) Conserve and enhance soils, use soils sustainably and protect the best and most versatile agricultural land;
- h) Support the sustainable production and use of food, forestry and raw materials;
- i) Reduce levels of pollution;
- j) Improve opportunities for peoples' health and wellbeing; and
- k) Provide opportunities for access to the natural and cultural resources which contribute to the special qualities.

2. Development proposals must be supported by a statement that sets out how the development proposal impacts, both positively and negatively, on ecosystem services.

8.17 Policy SD9 "Biodiversity and Geodiversity" of the South Downs Local Plan states that:

1. Development proposals will be permitted where they conserve and enhance biodiversity and geodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation. Prior to determination, up-to-date ecological information should be provided which demonstrates that development proposals:

- a) Retain, protect and enhance features of biodiversity and geological interest (including supporting habitat and commuting routes through the site and taking due account of any use by migratory species) and ensure appropriate and long-term management of those features;
- b) Identify and incorporate opportunities for net gains in biodiversity;
- c) Contribute to the restoration and enhancement of existing habitats, the creation of wildlife habitats and the creation of linkages between sites to create and enhance local and regional ecological networks;
- d) Protect and support recovery of rare, notable and priority species;
- e) Seek to eradicate or control any invasive non-native species present on site;
- f) Contribute to the protection, management and enhancement of biodiversity and geodiversity, for example by supporting the delivery of GI and Biodiversity Action Plan targets and enhance Biodiversity Opportunity Areas (BOA); and
- g) Comply with the mitigation hierarchy as set out in national policy.

8.18 The applicant has submitted an Ecosystems Services Report with the application in order to meet the requirements of policy SD2 of the South Downs Local Plan. The document also helps to meet the requirements of policy SD9 of the Local Plan and policy CONS9 "Protect and enhance habitats and biodiversity" of the Neighbourhood Plan.

8.19 The proposed development is to incorporate porous hard surfaces to aid natural drainage along with rainwater harvesting and water retention systems within the site. A new native hedgerow is proposed along the southern boundary, and this would create a wildlife corridor and also a buffer with the adjoining Ancient Woodland. The proposed garage building would have a south-facing roof slope fitted with solar photo-voltaic panels and would also house battery storage and an air source heat pump. An electric vehicle charging point is also proposed within the garage.

8.20 In order to mitigate and enhance the impact of the development on biodiversity, bat boxes/tubes/tiles are to be installed together with bird boxes, and the applicant confirms that no external lighting is proposed, that might otherwise disturb the activities of local wildlife.

8.21 In terms of construction, the proposed development is to use locally sourced materials in order to reduce construction mileage and high levels of insulation, going beyond those required by Building Regulations, are to be used.

8.22 Further details of the number and locations for the bird and bat boxes should be secured by way of condition. A condition requiring details and a commitment to the development achieving energy efficiency equal to or greater than 19% carbon reduction improvement against Part L of the Building Regulations (2013) is also recommended, in order to meet the requirements of policy SD48 of the Local Plan.

8.23 These measures will allow renewable energy which would reduce reliance on the fossil fuels and improve the resilience of the National Park to climate change in accordance with Policies SD45 and SD48.

8.24 The area of land where the current mobile unit is located is to be cleared and returned to pasture and be part of the overall equestrian business. The site is located within Flood Risk Zone I, which has the lowest flood risk.

Drainage

8.25 The applicant states that there will be water butts to collect and re-use rainwater and the hard surfaces, for example to the parking and turning area, will be of permeable, loose gravel. A surface water drainage scheme incorporating an underground tank is also proposed and East Sussex County Council has been consulted in respect of the proposed surface water drainage strategy. Comments are awaited and will be presented at Planning Applications Committee.

Accessibility and Sustainable Transport

8.26 The site lies south of Ditchling village centre and there is a public footpath along the western side of Beacon Road. Cycling into the village would also be possible and there are bus services from the village to towns such as Lewes and Haywards Heath. Future occupiers of the dwelling would not need to be solely reliant on private car use for all their journeys. It is noted also that the applicant proposes covered and secure cycle storage within the proposed garage building and that an electric vehicle charging point is to be provided. This will help to reduce local contributors towards climate change.

8.27 The comments from neighbouring residents are acknowledged, as are the consultation comments from the highway authority. Subject to being the correct width (narrower than proposed) and adequate visibility splays being provided, the new access would be acceptable and no objection has been received from the highway authority with regards to highway safety matters. The road is relatively straight at this point, and it is subject to a 30mph speed limit.

8.28 In view of the above the proposals are considered to be compliant with policy SD19 of the South Downs Local Plan.

9 Conclusion

9.1 Having considered the positive aspects of the scheme it is suggested that the scheme is sustainable development with no significant adverse influence on the objectives of the policies linked to the established settlement boundary and to refuse the application solely based on its being outside of the planning boundary when the proposals are acceptable in all other respects, may be difficult to justify in this particular instance. Therefore, on balance, approval is recommended.

10 Reason for Recommendation and Conditions

It is recommended that the application be Approved for the reasons and subject to the conditions set out below.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

3. The development hereby permitted shall be implemented in accordance with the Ecosystems Services statement submitted, together with the provision of an electric vehicle charging point, and shall be maintained as such thereafter.

Reason: In order to ensure the development mitigates for the increased resources used in its construction and operation, and to mitigate local contributors towards climate change and in accordance with policies SD2, SD9 and SD48 of the South Downs Local Plan, policy CONS9 of the Ditchling, Streat and Westmeston Neighbourhood Plan, and having regard to the National Planning Policy Framework.

4. Notwithstanding the Ecosystems Services statement submitted, the precise details of the location and number of items including bird and bat boxes, shall be submitted to the local planning authority by way of plans and written statements, for approval, and shall be put in place prior to the first residential occupation of the new dwelling hereby permitted.

Reason: In order to ensure that the development mitigates for the increased resources used in its construction and operation; to mitigate local contributors towards climate change; and to enhance the biodiversity of the site, in accordance with policies SD2, SD9 and SD48 of the South Downs Local Plan, policy CONS9 of the Ditchling, Streat and Westmeston Neighbourhood Plan, and having regard to the National Planning Policy Framework.

5. Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The details shall include appropriate planting to reinforce the boundaries of the site and provide screening, as well as boundary details such as fencing and hedge planting reinforcement. The approved landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with policies SD4 and SD5 of the South Downs Local Plan and having regard to the National Planning Policy Framework.

6. Prior to the first residential occupation of the new dwelling hereby permitted, an electric vehicle charging point shall be provided either within or on the side of the garage, adjacent to the parking area, and made ready for use by the new residents.

Reason: In order to reduce consumption of resources and mitigate local contributors to climate change in accordance with policy SD48 of the South Downs Local Plan and having regard to the National Planning Policy Framework.

7. The external materials and finishes to be used in the development hereby permitted shall strictly accord with those indicated on the plans hereby approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with policy SD5 of the South Downs Local Plan, policy CONS2 of the Ditchling, Streat and Westmeston Neighbourhood Plan, and having regard to the National Planning Policy Framework.

8. 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.

Reason: In the interests of the residential amenities of the neighbours having regard to policies SD5 and SD7 of the South Downs Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding, where appropriate
- v. the provision of wheel washing facilities if necessary
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of neighbouring residents and highway users during construction and in accordance with policies SD5 and SD7 of the South Downs Local Plan and having regard to the National Planning Policy Framework.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes B or C of Part 1 of Schedule 2 (amend classes and schedule as necessary) of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to maintain control over new roof openings that may otherwise contribute to light pollution and potentially compromise the dark night sky reserve designation of the National Park in accordance with policy SD8 of the South Downs Local Plan, policy CONS8 of the Ditchling, Streat and Westmeston Neighbourhood Plan, and having regard to the National Planning Policy Framework.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes A or E of Part 1 of Schedule 2 (amend classes and schedule as necessary) of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to monitor and control future development that may affect the setting and visual amenity of the development and the character of the local area, as well as the amenity of neighbouring residents, having regard to policies SD4 and SD5 of the South Downs Local Plan, policy CONS2 of the Ditchling, Streat and Westmeston Neighbourhood Plan, and having regard to the National Planning Policy Framework.

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

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway having regard to policies SD5 and SD19 of the South Downs Local Plan and the National Planning Policy Framework.

13. No part of the development shall be first occupied until visibility splays of 2.4 metres by 215 metres to the south, and visibility splays of 2.4 metres by 43 metres to the north have been provided at the proposed site vehicular access onto Beacon Road. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway having regard to policies SD5 and SD19 of the South Downs Local Plan and the National Planning Policy Framework.

14. The development shall not be occupied until the parking area has been constructed and provided in accordance with the approved plans. The area shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway having regard to policies SD5 and SD19 of the South Downs Local Plan and the National Planning Policy Framework.

15. The proposed garage shall measure at least 6m by 7m (internally).

Reason: To provide adequate space for the parking of vehicles and cycle storage, and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway having regard to policies SD5 and SD19 of the South Downs Local Plan and the National Planning Policy Framework.

16. The development shall not be occupied until the cycle parking area has been provided in accordance with the approved plans.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development having regard to policies SD5, SD19 and SD48 of the South Downs Local Plan and the National Planning Policy Framework.

17. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans and the turning space shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway having regard to policies SD5 and SD19 of the South Downs Local Plan and the National Planning Policy Framework.

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

Reason: To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding having regard to policies SD5 and SD19 of the South Downs Local Plan and the National Planning Policy Framework.

19. Prior to the commencement of development, the gully located in front of the access must be relocated in accordance to East Sussex Highway standards.

Reason: To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding having regard to policies SD5 and SD19 of the South Downs Local Plan and the National Planning Policy Framework.

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

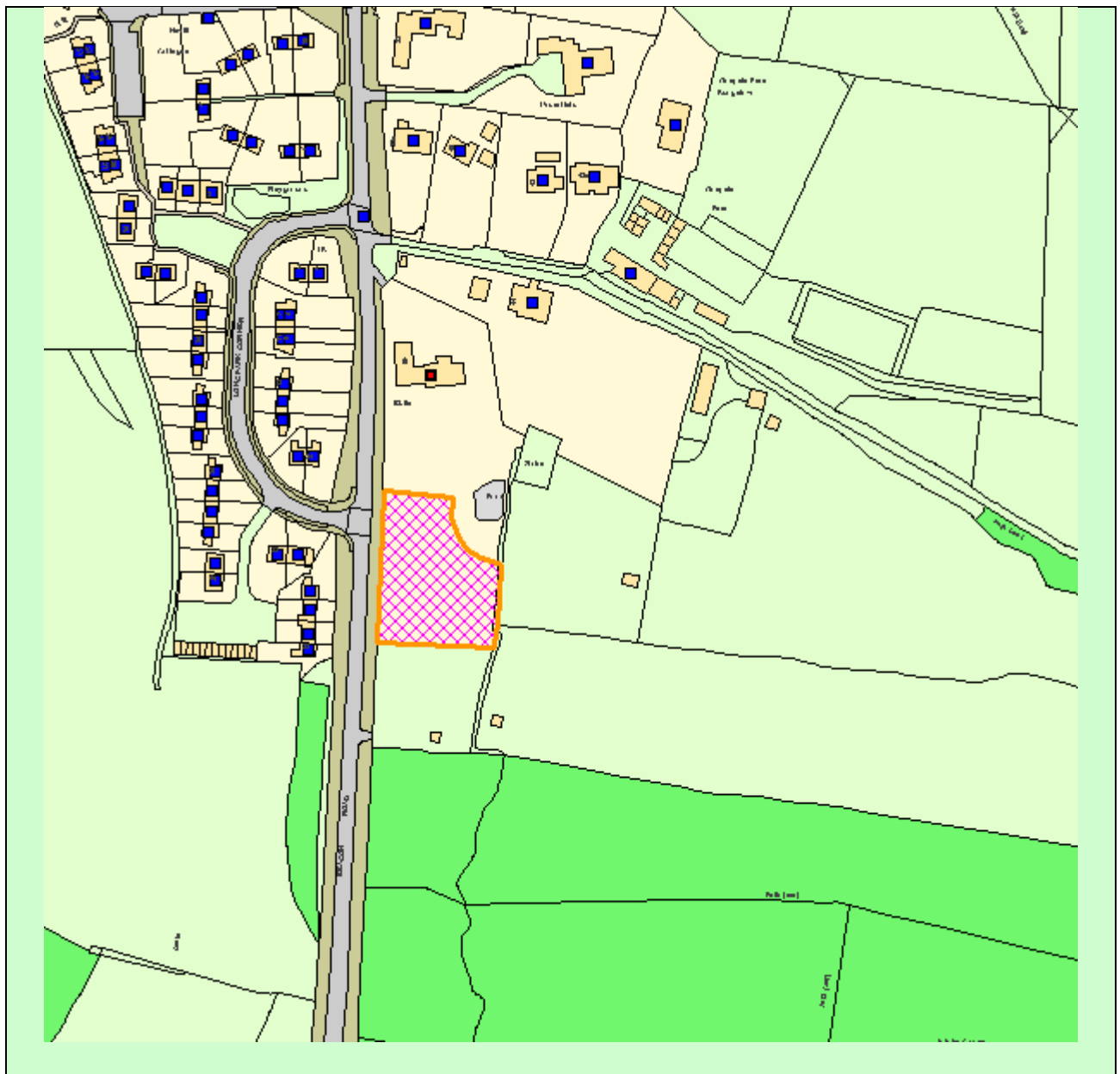
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

15. Appendices

15.1 Appendix 1 – Site location map

Appendix 2 – Plans referred to in consideration of this application

Appendix I – Site location map



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Appendix 2 – Plans referred to in consideration of this application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans -	Plans & Elevations		24.03.2020	Approved
Plans - Access Plan	7768/101 A		24.03.2020	Approved
Application Documents -	Appraisal of Ditchling Planning Boundary, Site & Surroundings		24.03.2020	Approved
Application Documents -	Baseline Assessment Checklist		24.03.2020	Approved
Application Documents -	Planning, Noise, Design & Access Statement		24.03.2020	Approved
Application Documents -	Ecosystems Report		24.03.2020	Approved
Application Documents -	Photo & Visual Assessment		24.03.2020	Approved

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