

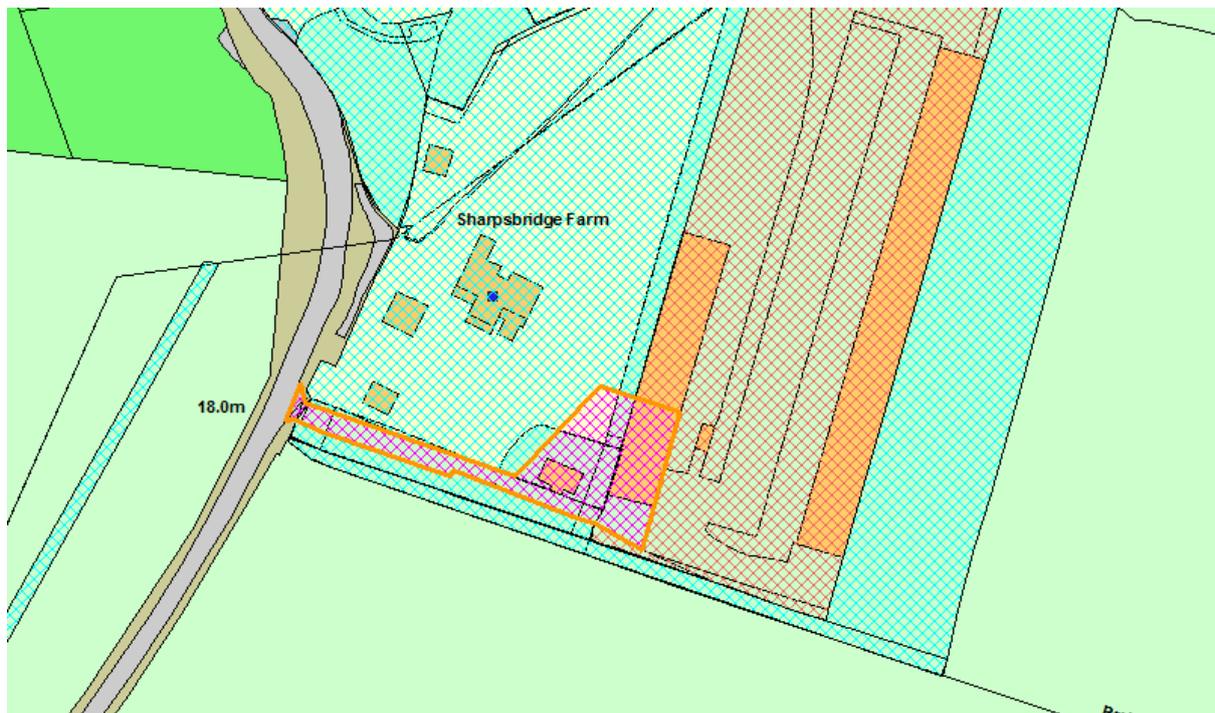
**Report to:** Planning Applications Committee  
**Date:** 9 June 2021  
**Application No:** LW/20/0774  
**Location:** Sharpsbridge Farm, Sharpsbridge Lane, Newick, TN22 3XG  
**Proposal:** Demolition of existing house and erection of new dwelling (resubmission of planning application LW/20/0138).

**Applicant:** Andrew Bone  
**Ward:** Newick  
**Recommendation:** Grant planning permission subject to conditions.  
**Contact Officer:** **Name:** Julie Cattell  
**E-mail:** [julie.cattell@lewes-eastbourne.gov.uk](mailto:julie.cattell@lewes-eastbourne.gov.uk)

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

**Map Location:**



## 1. **Executive Summary**

1.1 The proposed development as amended meets all relevant national and local planning policies and is considered to be acceptable. Crucially, the application has overcome the reason for refusal under LW/20/0138.

1.2 Approval is recommended, subject to conditions.

## 2. **Relevant Planning Policies**

### 2.1 National Planning Policy Framework

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

### 2.2 Lewes District Local Plan

- LDLP: – CP2 – Housing Type, Mix and Density
- LDLP:- CP10 – Natural Environment and Landscape Character
- LDLP: – CP11 – Built and Historic Environment & Design
- LDLP: – CP13 – Sustainable Travel
- LDLP: – CP14 – Renewable and Low Carbon
- LDLP: – DM1 – Planning Boundary
- LDLP: - DM5 Replacement Dwellings in the Countryside
- LDLP: - DM21 Land Contamination
- LDLP: – DM25 – Design
- LDLP: - DM26 Refuse and Recycling
- LDLP:- DM27 Landscape Design

### 2.3 Newick Neighbourhood Plan

- HO1.1 – Design of new housing
- HO1.3 – Height of new housing
- HO1.4 – Size of new dwellings
- HO1.5 – Off road parking for new dwellings

## 3. **Site Description**

3.1 The application site is located to the east of Sharpsbridge Lane, between Newick and Uckfield and falls outside of the planning boundary. Formerly a chicken farm, the wider site comprises a large, two storey, detached dwelling, garage and an extensive garden at the western part of the site; a redundant grain silo and poultry sheds to the east and, between them, a detached, single storey, timber clad dwelling which is the subject of this

application. There is a single access road off Sharpsbridge Lane which serves the whole site.

- 3.2 The existing dwelling has a floor area of approximately 45m<sup>2</sup> and contains one double bedroom, a bathroom, a study, a kitchen/ dining/ living room and a hallway. It abuts the access road to the south (which leads on to the redundant poultry shed) and has a limited garden area to the side and rear enclosed by mature conifers and post and rail fencing. There are various other trees and vegetation on the wider holding including tree and/or hedge screening around the perimeter.
- 3.3 The land surrounding land is agricultural. Footpath 20 runs east/west along the access road and beyond. The site falls within the Ashdown Forest 7km Zone.

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

- 4.1 The application seeks planning permission to demolish the existing dwelling and the redundant poultry shed and re-build a replacement dwelling. The footprint of the new dwelling would be located to the north and east of the existing. A non-protected birch tree would be removed to facilitate the development.
- 4.2 The new dwelling, with an overall floor area of 67.2m<sup>2</sup> would comprise one double bedroom, one single bedroom, kitchen/dining/living room, utility room and bathroom.
- 4.3 Two car parking spaces would be laid out to the west of the new dwelling, provided with electric car charge points and a secure cycle store.
- 4.4 The design of the new dwelling is simple and traditional, with a pitched gable roof, an open-sided, gable fronted porch to the front and an open timber pergola across the rear elevation. The roof finish would be artificial slates and the walls, vertical, black stained timber cladding. The windows would be powder coated aluminium finished in dark grey. The roof pitch would be deeper, resulting in an increase in a ridge height approximately 2.5m higher than the existing. Internally, the roof space would be partially exposed over the entrance hall with a rooflight above.
- 4.5 The windows to the living area in the east facing elevation would extend from the floor to the apex of the gable. Access to the rear garden would be via sliding doors in the north elevation.
- 4.6 This application was submitted in response to refused application LW/20/0138 – see below.
- 4.7 The application as originally submitted had the proposed new dwelling located centrally on the site, with the entrance oriented to the north, a detached double garage in the north-east corner, and a driveway running alongside the west and north boundaries. Following negotiations with the case officer, the siting of the dwelling was amended and the garage and driveway removed.

## 5. Relevant Planning History

- 5.1 LW/05/0499 Section 73A Retrospective application for temporary planning permission for detached timber frame office building for use in connection with business of general builders and specialist dental supplies – approved 2 May 2005.
- 5.2 LW/07/0339 - Renewal of temporary permission LW/05/0499 for retention of detached timber frame office for temporary business use and permission to retain structure after business use on a permanent basis – approved 2 May 2007.
- 5.3 LW/12/0424 Continued use of building as a B1 office on a permanent basis - approved 28 May 2012.
- 5.4 LW/13/0587 - Conversion of B1 unit to a residential dwelling - PA not required 22 October 2013.
- 5.5 LW/19/0171 Demolition of existing chicken sheds and erection of detached dwelling – granted 28 August 2019.
- 5.6 LW/20/0138 – Demolition of existing house and erection of new dwelling with associated car parking – refused 24 June 2020 for the following reason:
  - The proposed dwelling would not be within the same residential curtilage as the existing building, which is a modest, cabin-style structure. Taking into account extant planning permissions, the proposal could result in a cluster of three relatively large homes on the landholding served by a shared access. In any case, the proposed development would have a 'suburbanising' effect and would be out of keeping with the rural character of the area contrary to DM5 and DM25 of Lewes District Council Local Plan: Site Allocations and Development Management Policies February 2020.

## 6. Consultations

### 6.1 Environmental Health

- 6.1.1 I am aware of the previous application where land contamination conditions were recommended. I also do not see any desktop study report for the resubmitted application. A desktop study report for any potential land contamination because of the historic agricultural uses of the site will inform whether full land contamination is required on the site or not. In absence of such report full land contamination condition as recommended for LW/20/0138 is required.

### 6.2 District Services

- 6.2.1 No comments received.

### 6.3 Southern Water

- 6.3.1 The Environment Agency should be consulted directly regarding the use of a private wastewater treatment works or septic tank drainage which disposes of effluent to sub-soil irrigation. The owner of the premises will need to empty and maintain the works or septic tank to ensure its long-term effectiveness. The Council's Building Control officers or technical staff should be asked to comment on the

adequacy of soakaways to dispose of surface water from the proposed development. No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

#### 6.4 Newick Parish Council

- 6.4.1 NPC wishes to object to this application, the third one received for this property during 2020 and the latest in a long line of planning applications. The first one of the year LW/20/0138 (and the one which this current application is a resubmission of) was for 'Demolition of existing house and erection of new dwelling with associated car parking', and was refused on 24/6/20 for the following reasons: 'The proposed dwelling would not be within the same residential curtilage as the existing building, which is a modest, cabin-style structure. Taking into account extant planning permissions, the proposal could result in a cluster of three relatively large homes on the landholding served by a shared access. The proposed development would have a 'suburbanising' effect and would be out of keeping with the rural character of the area contrary to DM5 and DM25 of Lewes District Council Local Plan: Site Allocations and Development Management Policies February 2020.'
- 6.4.2 The second one of the year LW/20/0454 was continued use of the office at Sharpsbridge Farm as an independent C3 dwelling house and sworn affidavits were submitted with the application from the owners and the tenant; it was approved. We are concerned the applicant openly admits that the tenant isn't paying any Council tax, how can that be acceptable or legal? This current application LW/20/0774 says little about the C3 classification and demolishes that dwelling entirely and moves the position to the North West.
- 6.4.3 The design of new dwelling has a high pitch to the roof giving a bulky feel causing the same suburbanising effect described in the officers report for the original application.
- 6.4.4 There is little more that NPC needs to add to our objection to as the officers report for LW/20/0138 already says it all. There is perhaps one thing that we could add concerns the proximity of the site to RoW footpath Newick 20.
- 6.4.5 It is the understanding of NPC that agricultural buildings can be converted to residential as long as they are a genuine conversion and not a new build on a different site otherwise the protection afforded by this policy to protect against urbanising the countryside would not work.

#### 7. **Neighbour Representations**

- 7.1 Two representations have been received from local residents, objecting to the application for the following reasons:

- The proposed new house is 1.5 x the size of the existing, is not in the same location so cannot be considered a replacement.
- Will harm the rural character of the area through suburbanisation.
- Question over whether the existing building is in fact residential, question over applicant's true intentions for the wider site.
- Proposed access road is unsafe.
- Concern over refuse storage arrangements, excessive carry distances.
- Sharpsbridge Farm is no longer a farm, it is a mini-conurbation and HQ of Martlett's Builders.
- Sharpsbridge Lane is a single-track lane which is already heavily trafficked and used as a rat run to access the A272.
- The demolition of what is probably no more than a shack will no doubt be replaced by yet another dwelling, adding to the traffic congestion.
- Council should give serious consideration to the reasons as to why the original application was refused.

## 8. Appraisal

### 8.1 Principle

- 8.1.1 To be clear, the existing building has established residential use (by application ref. LW/13/0587). This permission relied on the change of use being implemented by 30<sup>th</sup> May 2016. The current application was accompanied by affidavits from the applicant and the tenant which state that it has been occupied as a dwelling since 2015 following conversion works taking place.
- 8.1.2 Although the site is outside of the planning boundary, replacement dwellings in the countryside are supported by policy DM5, subject to the following criteria:
- The scale, form, height and massing of the replacement dwelling is compatible with its rural location and the surrounding form of development;
  - The replacement dwelling is located in the same or similar position of the existing dwelling, unless an alternative location would result in clear landscape, highway access or local amenity benefits.
- 8.1.3 It is considered that the scale, form height and massing of proposed new dwelling is sufficiently similar to the building it is to replace to satisfy policy DM5. Although the ridge would be higher, it would still be a single storey building, modest in form and massing, so would not be in conflict with policy HO1.3. The footprint has been moved to the north and east to allow sufficient space for parking and to set the

new dwelling further back from the public footpath to provide an element of privacy and defensible space.

8.1.4 Policies CP2 and HO1.4 support the provision of smaller dwellings.

8.1.5 It is noted that the reason for refusal under LW/20/0138 included reference to the cumulative impact of a replacement dwelling, together with the existing house to the front of the site and the implementation of planning permission LW/19/0171 (for another detached dwelling) would be out of keeping with the rural character of the area. However, the dwelling proposed under LW/20/0138 was for a replacement dwelling of a larger footprint and in a different location on the site. The impact of the current, more modest scheme, sited closer to the original footprint and of a similar design, would not be sufficient to warrant a further refusal.

## 8.2 Design

8.2.1 The design and materials palette of the proposed new dwelling echoes the existing building and is considered to be consistent with its rural location. As such, the proposal meets the design aspects of policies CP11, DM25, HO1.3. Details of the materials have been submitted with the application.

## 8.3 Amenity, landscaping, contamination

8.3.1 The proposed new dwelling, at 67.2m<sup>2</sup> exceeds the Nationally Described Space Standard for a 2 bedroom/3-person house.

8.3.2 Although not indicated on the submitted site plan, there is ample space adjacent to the parking area for refuse and recycling bins. This can be secured by pre-occupation condition.

8.3.3 The new dwelling would benefit from a sizeable rear garden. The submitted plans show additional tree planting along the eastern boundary.

8.3.4 Pre-commencement and pre-occupation land contamination reports are required by condition as recommended by Environmental Health.

8.3.5 Overall, it is considered that the proposal meets the amenity aspects of policies CP11, DM21, DM25, DM26 and DM27.

## 8.4 Transport and parking

8.4.1 As this is an application for a replacement dwelling, there is unlikely to be a change to the existing level of traffic movements to and from the site.

8.4.2 Using the ESCC Parking calculator the proposal would generate a demand for 2.26 parking spaces. The scheme would provide a dedicated area for 2 spaces with electric car charge points. There is space within the site to meet the demand for visitor parking if required.

8.4.3 The application documents include details of an off-the-peg store for 2 cycles, the location of which is indicated on the site plan.

8.4.4 The proposal complies with policies CP13 and HO1.5.

## 8.5 Sustainability

8.5.1 The application was not accompanied by a Sustainability Statement or strategy, however this can be secured by condition in order to comply with policy DM14.

## 8.6 Ashdown Forest

8.6.1 Although the site falls within the Ashdown Forest 7km Zone, the proposal is for a replacement dwelling so there would be no net gain. Therefore, the proposal would not generate a need for a contribution to the SANG, as set out in policy DM24.

## 9. **Human Rights Implications**

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

## 10. **Recommendation**

10.1 It is considered that the proposal as amended, overcomes the reasons for refusal under LW/20/0138 and is now considered to be acceptable. Approval is recommended subject to conditions

### 10.2 Conditions

1. No development shall commence, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:
  - the anticipated number, frequency and types of vehicles used during construction;
  - the method of access and egress and routeing of vehicles during construction;
  - the parking of vehicles by site operatives and visitors; 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;
  - details of the precautions and facilities put in place to guard against the deposit of mud and substances from the application site on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed in order to be free of mud and similar substances prior to entering the public highway; and other works required to mitigate the impact of

construction upon the public highway (including the provision of temporary Traffic Regulation Orders);

- details of public engagement both prior to and during construction works;

- measures to control the emission of dust, dirt, air pollution and odour during demolition and construction;

- temporary lighting for construction and security;

- public engagement both prior to and during construction works;

- means of safeguarding public rights of way or providing temporary diversions;

- details outlining the proposed range of dust and dirt control measures and noise mitigation measures during the course of construction of the development, having regard to Section 61 consent under the Control of Pollution Act 1974;

- details of off-site monitoring of the CEMP; and

- assurance that the construction will be undertaken in accordance with the Considerate Constructor's Scheme

The approved CEMP shall thereafter be implemented and adhered to throughout the entire site preparation and construction period.

- Reason: In the interests of highway safety and the environmental amenities of the area, having regard to guidance within the National Planning Policy Framework.

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

1. A preliminary risk assessment which has identified:

- (a) all previous uses

- (b) potential contaminants associated with those uses

- (c) a conceptual model of the site indicating sources, pathways and receptors

- (d) potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be

collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

- Reason: To ensure that risks from 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 having regard to policy DM21 of the Lewes District Local Plan and guidance contained in the National Planning Policy Framework.
3. 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, boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
    - Reason: To ensure a satisfactory development in keeping with the locality having regard to policies CP11 and DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.
  4. No development above ground floor slab level of any part of the development hereby permitted shall commence until a report has been submitted to, and approved in writing by, the Local Planning Authority, to include details and drawings to demonstrate how a minimum of 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The report shall identify how renewable energy, passive energy and energy efficiency measures will be generated and utilised for each of the proposed buildings to collectively meet the requirement for the development. The approved details shall be implemented with the construction of each dwelling and thereafter retained.
    - Reason: In order to reduce locally contributing causes of climate change in accordance with policy CP14 of the Lewes District Local Plan Part One: Joint Core Strategy and the National Planning Policy Framework.
  5. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to

demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

- Reason: To ensure that risks from 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 having regard to policy DM21 of the Lewes District Local Plan and guidance contained in the National Planning Policy Framework.
6. No building shall be occupied until the cycle store have been provided as shown on the approved drawing and made permanently available for that use.
    - Reason: To promote sustainable ways of transport in accordance with policies CP13 and CP14 of the Lewes District Local Plan and guidance contained in the National Planning Policy Framework.
  7. No building shall be occupied until the car parking areas and the electric car charging points as shown on the approved plan have been laid out and made ready for use.
    - Reason: To provide suitable car-parking spaces for the development and to promote sustainable ways of transport in accordance with policies CP13 and CP14 of the Lewes District Local Plan and guidance contained in the National Planning Policy Framework.
  8. No part of the development shall be occupied until full details of storage for refuse and recycling bins have been submitted to and approved in writing by the Local Planning Authority. These areas shall thereafter be retained.
    - Reason: To ensure that the facilities are available having regard to policy DM26 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.
  9. Any works in connection with this permission shall be restricted to the hours of 0800 to 1800 Mondays to Fridays and 0830 to 1300 on Saturdays, and not at any time on Sundays, Bank or Public Holidays
    - Reason: In the interest of the amenities of the adjoining residents having regard to policies CP11 and DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.
  10. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 1 and Part 2 of Schedule 2, other than hereby

permitted shall be undertaken unless the Local Planning Authority otherwise agrees in writing

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

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

<b>PLAN TYPE</b>	<b>DATE RECEIVED</b>	<b>REFERENCE</b>
Illustration	21 April 2021	Material schedule
General	21 April 2021	Affidavits
Other Plan(s)	21 April 2021	Cycle store and electric car charge details
Location Plan	12 November 2020	2020/14/01
Proposed Block Plan	21 April 2021	2020/14/02A
Design and Access Statement	21 April 2021	Design and Access Statement
Proposed Section(s)	12 November 2021	2020/14/04
Proposed Layout Plan	21 April 2021	2020/14/06A
Proposed Elevation(s)	21 April 2021	2020/14/05A
Proposed Floor Plan(s)	12 November 2021	2020/14/04
Proposed Roof Plan	12 November 2021	2020/14/04

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

## 11. Background Papers

11.1 None.