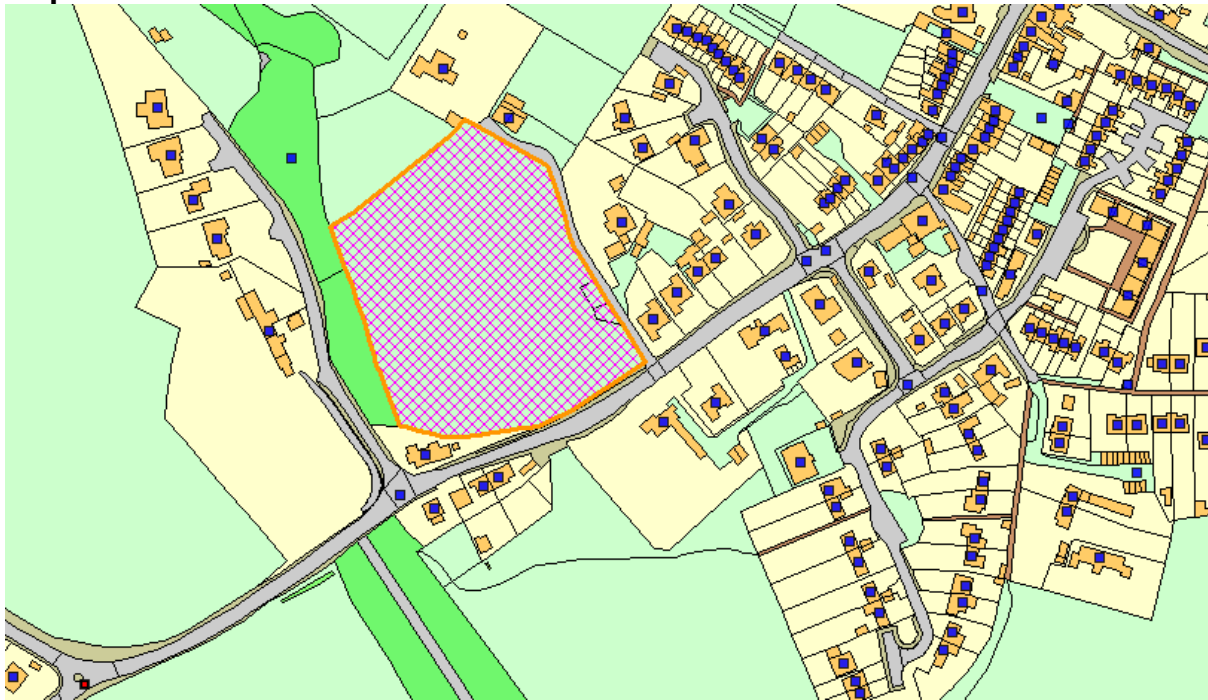


**Report to:** Planning Applications Committee  
**Date:** 4 August 2021  
**Application No:** LW/21/0530  
**Location:** Land North of High Street, Barcombe, East Sussex  
**Proposal:** Outline permission for the erection of up to 26 dwellings together with associated development and site access whilst all other matters are reserved for future consideration.  
**Ward:** Chailey, Barcombe & Hamsey  
**Applicant:** Rydon Homes Ltd.  
**Recommendation:** Delegate authority to approve subject to conditions and s106 agreement to secure affordable housing.  
**Contact Officer:** **Name:** James Smith  
**E-mail:** [james.smith@lewes-eastbourne.gov.uk](mailto:james.smith@lewes-eastbourne.gov.uk)

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**Map Location:**



**1. Executive Summary**

- 1.1 The current scheme follows a previous outline application (LW/20/0633) which was refused by members due to concerns that the access would be unsafe and that the removal of the hedge to allow the access to be formed would have a detrimental impact upon nature conservation and biodiversity.
- 1.2 The submitted scheme, which as previously, seeks approval for access arrangements only, maintains the access on the same position as

previously but with additional technical reports provided setting out the rationale for selecting the site access point and additional details on biodiversity and ecological mitigation and improvements.

- 1.3 The proposed development is considered to represent sustainable development. It would provide environmental gains by way of introducing new habitat as part of the site landscaping scheme and reducing pressure to develop surrounding greenfield sites. It would provide social gains by facilitating a net gain of 26 residential units (including 10 affordable housing units) that would be of good quality and in an accessible and sustainable location. It would provide economic benefits by generating additional custom for nearby shops and services.
- 1.4 The applicant has submitted indicative layout, design, scale and landscaping details that demonstrate the site is capable of accommodating the development. Consultee responses from relevant stakeholders provide assurances that the development could be carried out without harm to the landscape, ecology, highway safety, flood risk or the historic environment.
- 1.5 Overall, it is considered that the proposed development would not have any unacceptable impact on any areas or assets of significant importance (as defined in the NPPF) or result in significant harm that would outweigh the benefit of up to 26 new dwellings to assist the district in addressing housing need.
- 1.6 It is therefore recommended that the application is approved subject to relevant conditions and a section 106 agreement securing policy compliant affordable housing provision.

## 2. **Relevant Planning Policies**

### 2.1 National Planning Policy Framework 2019

2. Achieving sustainable development

4. Decision making

8. Promoting healthy and safe communities

11. Making effective use of land

12. Achieving well-designed places

14. Meeting the challenge of climate change, flooding and coastal change

15. Conserving and enhancing the natural environment

14. Conserving and enhancing the historic environment

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

LDLP1: – CP2 – Housing Type, Mix and Density;

LDLP1: – CP10 – Natural Environment and Landscape;

LDLP1: – CP11 – Built and Historic Environment & Design

LDLP1: – CP12 – Flood Risk, Coastal Erosion and Drainage

LDLP1: – CP13 – Sustainable Travel  
LDLP1: – CP14 – Renewable and Low Carbon Energy  
LDLP2: – BA02 – Land Adjacent to the High Street  
LDLP2: – DM1 – Planning Boundary  
LDLP2: – DM14 – Multi-functional Green Infrastructure  
LDLP2: – DM15 – Provision for Outdoor Playing Space  
LDLP2: – DM16 – Children’s Play Space in New Housing Development  
LDLP2: – DM20 – Pollution Management  
LDLP2: – DM22 – Water Resources and Water Quality  
LDLP2: – DM23 – Noise  
LDLP2: – DM24 – Protection of Biodiversity and Geodiversity  
LDLP2: – DM25 – Design  
LDLP2: – DM27 – Landscape Design  
LDLP2: – DM33 – Heritage Assets

### 3. **Site Description**

- 3.1 The site comprises a single enclosed field that has most recently been in use as a paddock. It is positioned on the western edge of Barcombe Cross, falling within the planning boundary. The site topography includes a gentle rise of approx. 5.5 metres from west to east. The field is open in nature with any significant trees and hedgerow distributed around site boundaries only.
- 3.2 The south-eastern boundary of the field flanks Barcombe High Street and is marked by a mature hedgerow and tree line that occupies a raised bank running parallel to the highway. The hedge is trimmed to approx. 2-3 metres in most places. The south-western boundary is bordered by a belt of trees on the eastern side of Bridgelands, a private road which provides access to a group of detached dwellings built on the former site of Barcombe Cross train station. The north-eastern boundary is flanked by a private access track serving a dwellings at Vine Slead and Hillside as well as a group of derelict buildings that formerly accommodated Hillside Nurseries. This track is also currently used as vehicular access to the site itself. There is a line of mature *leylandii* trees marking the north-western boundary of the site immediately behind which is a lawn belonging to the residential dwelling ‘Hillside’. The south-western corner of the site is recessed from the High Street, with the wedge shaped plot at Willow Cottage forming a buffer.
- 3.3 The village of Barcombe Cross extends to the north-east and south-east of the site. The historic core of the village is designated as a Conservation Area and incorporates a number of Listed Buildings, the closest of which to the site is The Olde Forge House, a Grade II Listed dwelling occupying a converted 17<sup>th</sup> Century building that originally housed the village forge. This building is approx. 40 metres to the east

of the site. The historic part of the village clusters around the High Street and comprises buildings of mixed design, scale and provenance. Flint walling, red brick and tile hanging are common materials and steeply sloped gable roofing is frequently seen. Buildings are generally arranged in terraces or groups of detached and semi-detached buildings that are positioned closely together. A number of former shop buildings have been converted to residential use over time. The overall character is of an intimate village setting with buildings positioned close to the road and small landscaped areas maintained to frontages in many places.

- 3.4 Tertiary roads branch off from the High Street, particularly to the north and south-east and these provide access to more modern, relatively high density residential development. There are also a number of twittens and footpaths that provide access to buildings set back from the High Street as well as connections with the wider public footpath network which criss-crosses the fields surrounding the village and connects with the Ouse Valley Way and South Downs National Park to the east and south.
- 3.5 The centre of the village, where there is a public house and a village shop is approx. 150 metres to the north-east of the site. Barcombe Primary School is approx. 375 metres walking distance from the site as is the adjacent recreation ground. The village as a whole is tightly nucleated with minimal sprawl into the fields and woodland surrounding it. The rural character of the village is enhanced by this surrounding countryside and the buffer it provides between the nearest neighbouring significant settlements, these being Isfield (approx. 3.5 km to the north-east), South Chailey (approx. 3.5 km to the north-west), Lewes (approx. 3.5 km to the south) and Ringmer (approx. 3.5 km to the south-east).
- 3.6 The site is allocated within Lewes District Local Plan Part 2 for residential development of approx. 25 new dwellings under policy BA02. Neighbouring land to the north-east at Hillside Nurserys and to the north-west at Bridgelands is also allocated for residential development but as distinct sites. The site lies on the edge of the Conservation Area. The south-eastern corner of the site falls within an Archaeological Notification Area. There are no other specific planning designations or constraints attached to the site.

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

- 4.1 The application seeks outline permission for the erection of up to 26 new dwellings on the site. All matters are reserved other than site access details. A new access would function as the main access to the site and would be provided by way of a new crossover formed on the south-eastern boundary and taken from the High Street. The scheme is largely similar to that considered under previous application LW/20/0633 but with additional hedge planting and biodiversity mitigation/enhancement measures included (see section 8.8), updated ecology surveys and road surveys and further information explaining the rationale for the location and design of the site access.

- 4.2 The proposed access would cut through the existing hedgerow and bund on the south-eastern boundary. The access road would be 5.5 metres in width, with an 8 metre radius maintained at the junction with the High Street. 2 metre wide raised kerb footways on either side of the access road and these would connect with the existing footway running along the northern side of the High Street. Sections of the existing hedgerow and tree line either side of the proposed access would be trimmed back in order to provide visibility splays of 2.4m x 70m to the east and 2.4m x 54m to the west.
- 4.3 The application is accompanied by indicative layout plans used to demonstrate the capacity of the site and how dwellings could be arranged to allow for access by servicing and emergency vehicles. The accompanying Design & Access Statement also sets out design principles and parameters. It is stated that maximum building height would be two-storey and describes how dwellings could be designed to be sympathetic to the local vernacular through the identification of characteristic architectural features and locally used materials.
- 4.4 The application is accompanied by an Affordable Housing Statement that confirm that 10 dwellings (38.5% of the overall development) would be provided as affordable housing with a commuted sum equivalent to 0.4 of a dwelling paid in order to satisfy LLP1 requirements for 40% Affordable Housing. An indicative mix of dwellings is also set out as follows. 2 dwellings (8%) would be 1 bed properties, 10 dwellings (38%) would be 2 bed properties, 9 dwellings (35%) would be 3 bed properties and 5 dwellings (19%) would be 4 bed properties.

## 5. Relevant Planning History

- 5.1 **E/53/0430** - Outline Application for permission to carry out residential development – Refused 21<sup>st</sup> December 1953
- 5.2 **E/68/0382** - Outline Application for erection of dwellings – Refused 27<sup>th</sup> May 1968
- 5.3 **E/72/1935** - Outline Application for erection of fifty five dwellings with garages – Refused 1<sup>st</sup> January 1973
- 5.4 **E/73/1025** - Outline Application for fifty two dwellings with garages at Barcombe Railway Station and part O.P. 8373 – Refused 22<sup>nd</sup> October 1973
- 5.5 **LW/86/0823** - Outline Application for eleven detached dwellings with new cul-de-sac – Refused 10<sup>th</sup> July 1986
- 5.6 **LW/20/0633** - Outline Planning Application for Erection of up to 26 dwellings together with associated development and site access with all other matters reserved – Refused 11<sup>th</sup> May 2021, appeal submitted.
- 5.7 Due to the outstanding appeal, it was considered appropriate to bring this application before the committee as soon as possible notwithstanding the formal consultation period does not expire until Friday 6 August 2021.

5.8 The Ward Councillor and the Parish Council were informed of this application as soon as it was received although the press notices could not be placed until a week later which resulted in the formal consultation period ending 2 days after the committee meeting. In the circumstances of this case, it was not considered that any prejudice would be caused by dealing with this application at the August Committee, especially as the application is substantially the same as the previous one. As such, Members are asked to delegate authority to the Head of Planning to grant planning permission subject to no new material considerations being received prior to the expiry of the consultation period.

## 6. Consultations

### 6.1 Consultations:

Due to the fact that the majority of the submitted scheme is identical to the previously considered application, previously submitted consultee comments have been used in instances where no further comment has been provided. Where previously submitted comments have been referred to this will be clearly stated next to those comments.

#### **ESCC Archaeology (comments submitted for LW/20/0633)**

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

#### **Specialist Advisor – Conservation (comments submitted for LW/20/0633)**

No objection is raised at this stage. The design of the houses will be of the utmost important to determine the appropriateness of the new dwellings within the setting of the Barcombe Conservation Area. They should reflect the existing style prevalent within the village while not appearing pastiche.

#### **ESCC Ecology**

To address the previous refusal, the current application is supported by an Ecological Addendum Report (EAR) (Aspect Ecology, June 2021). The EAR consists of a review of the previously provided ecological information, and updated surveys undertaken in 2021. The EAR made particular reference to the hedgerow at the front of the site, part of which would require removal for access. The new surveys were largely in agreement with the previous findings, and as a result, my advice remains largely unchanged.

Provided the recommended mitigation and enhancement measures are implemented, the proposed development can be supported from an ecological perspective. It is recommended that conditions are applied for a Construction Environmental Management Plan (Biodiversity), a Biodiversity Method Statement for reptiles, dormice and great crested newts, and an Ecological Design Strategy addressing enhancement of the site to provide biodiversity net gain.

### **Southern Water (comments submitted for LW/20/0633)**

Our investigations indicate that Southern Water can facilitate foul sewerage run off disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

### **Lead Local Flood Authority (comments submitted for LW/20/0633)**

The information provided is satisfactory and enables the LLFA to determine that the proposed development is capable of managing flood risk effectively. Although there will be a need for standard conditions which are outlined in this response.

OFFICER COMMENT: The LLFA have also provided a response to comments provided by CGS Civils on behalf of neighbours that were sent in during the course of the determination of the previous development (and subsequent rebuttal submitted by the applicant). Their response is as follows:-

We have reviewed both the response on behalf of the neighbours and the response from the applicant and these do not alter our previous comments on the application. As this is an outline application we consider there are opportunities to develop the drainage strategy based on further investigation and design. However, the overall drainage strategy is appropriate and we have recommended conditions which require further information for the design.

### **ESCC Highways (comments submitted for LW/20/0633)**

This outline application seeks approval for erection of up to 26 dwellings with all matters reserved except access. The site forms part of the development allocation (Policy BA02) in the Lewes Site Allocation and Development Management Policies Local Plan which was allocated for 25 net dwellings.

A Transport Statement has been submitted in support of the application. Following my initial comments dated the 7th October further information has been received which allays my concerns. On this basis I recommend conditions.

### **Planning Policy (comments submitted for LW/20/0633)**

The application is for a site allocated in policy BA02 in LPP2. Policy BA02 allocates the site for a residential development for approximately 25 dwellings, subject to compliance with the appropriate Development Plan Policies and criteria within the policy. The proposed development of 26 dwellings is in line with this number and the requirements for access, height and character of the buildings, and all required assessments are provided. However, the Flood Risk and Drainage Strategy does not inform on capacity of the local sewer network to which the development will be connected. Policy BA02 requires that occupation of the development needs to be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider. There is a lack of information on this issue.

OFFICER COMMENTS: Upgrading of the sewerage network would be carried out by southern water on phasing programme to be agreed between them and the developer. This is explained in section 8.7 of this report.

## **LDC Waste and Refuse**

Consideration needs to be made for the storage of outdoor food waste caddies as food waste is collected separately from general refuse.

We like the idea that collection points have been allocated for properties in order to ensure that the vehicle can access the bins. This collection point however needs to be written into the terms and conditions of the property otherwise there is the potential that an assisted collection request is submitted to us that we cannot accommodate.

Waste and recycling collection points 1, 4, 5, 6 & 7 need to be positioned closer to the main road of this development. Bins need to be presented at the kerbside so if the vehicle is unable to position itself outside the property the collection point has to be where the vehicle can stop - the main access road through.

Waste and recycling collection points 21-26 - More space should be considered for this collection point as refuse and recycling bins may be collected on the same day. At the moment there appears to only be enough space to present 1 bin type at a time.

OFFICER COMMENT: As these comments relate to the internal layout of the scheme they will be addressed at the reserved matters stage.

## **Barcombe Parish Council (comments submitted for LW/20/0633)**

During the meeting the Chair of the Planning Committee consolidated the concerns raised in the letters and emails (eleven) received by the Parish Council. A copy of this summary will be sent to Lewes District Council. The Parish Council has also recommended that individuals write to Lewes District Council with their concerns. In summary the issues raised are:

Flooding of the road and neighbourhood properties caused by an increase in hard surfaces/removal of vegetation.

- Provision of safe access to and from the site.
- Impact on biodiversity of the area, including loss of a historic hedge.
- Impact on the 'Hilltop' nature of Barcombe Cross Village.
- Proposed introduction of lighting to what is, and should remain, a 'dark' village. Formation of visibility splays will involve removal of the whole hedge;
- Road surveys will be carried out during lockdown and results are therefore unrealistic;
- Cumulative impact of traffic should be considered with other allocated sites in Barcombe;
- A professional, reasoned argument should be provided to support the drainage scheme that has been put forward;
- If approved then suitable landscaping and design details should be required;
- The dark skies environment of Barcombe should be protected;



The Parish Council recognise that there is a need for low cost starter homes and properties suitable for downsizing in the village but to reflect the numerous concerns raised about this development the Parish Council is negative towards this application.

The councillors suggest that if the application is granted the funds allocated to equipped play space on land North of High Street could be added to a Parish Council fund to allow a more extensively equipped playground in the existing recreation ground.

## 7. Neighbour Representations

7.1 A total of 4 letters of objection had been received at the time of writing this report. A summary of material planning matters raised is provided below. Content of any additional letter received will be summarised in the supplementary report:-

### Highway Impact:

- The site access would be dangerous;
- Will generate additional traffic on the narrow lanes passing through the village and the surrounding area;

OFFICER COMMENT: Highway matters are addressed in section 8.4 of this report.

### Ecological Impact:

- The ecological value of semi-improved grassland has not been taken into account;
- Would involve the loss of a significant amount of ancient hedge;
- Is adjacent to a significantly important wildlife corridor which is also under threat from the proposed development at Bridgelands.

OFFICER COMMENT: The application is accompanied by a significant amount of information relating to ecological impact, mitigation and enhancement, all of which has been produced by professional organisations and reviewed by the County Ecologist. The methodology of the report is based on that described by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2018). As part of the submitted Ecological Addendum Report, an additional phase 2 botanical survey has been carried out over the grassland as well as additional fauna surveys. The updated surveys have not altered the conclusion that the majority of the site is of low ecological value and that significant enhancements to habitat and biodiversity can be facilitated by the development.

### Visual Impact:

- The methodology used for the Landscape and Visual Impact Assessment (LVIA) is incorrect and misleading;
- Occupies a raised area on the edge of the village and would harm its setting and the adjacent Conservation Area;

OFFICER COMMENT: The submitted LVIA provides an example of how the development may look. The design, scale, landscaping and layout of the development are all reserved matters and, as such, the potential visual impact of the development would be thoroughly examined at the reserved matters stage, in consultation with the ESCC Landscape Architect.

Flooding & Drainage:

- The Flood Risk Assessment is misleading and records of local flooding are somewhat hidden;
- The surrounding area is identified as being at risk of surface water flooding and increased impermeable surfacing will increase risk;

OFFICER COMMENT: The drainage details have been assessed by the Lead Local Flood Authority (LLFA) who are satisfied with the principle of the scheme put forward with additional details being secured by condition, see section 8.7 of this report..

Sustainability:

- There is a lack of local facilities available to support the development;

## 8. **Appraisal**

### 8.1 Key Considerations

8.1.1 The main considerations relate to the principle of the development; the impact upon the character and appearance of the area and neighbour amenities, impacts upon highway/pedestrian safety and flood risk and the overall merits of the scheme in terms of the balance of economic, environmental and social objectives that comprise sustainable development.

8.1.2 It is important to note that the application is for outline approval only, with full details of the main site access the only matter to be agreed at this stage. Indicative plans have been provided to demonstrate the capacity of the site as well as to indicate how the scheme can respond to specific requirements set out in policy BA02 of the Lewes District Local Plan Part 2. Full details of the layout, design, scale and landscaping of the development would be afforded full scrutiny as part of an application for approval of reserved matters, should outline permission be granted.

8.1.3 All planning obligations need to be agreed at the outline stage as this represents the overall planning permission for any such development. As such, a Section 106 legal agreement has been drafted to secure affordable housing.

### 8.2 Principle

8.2.1 The site falls within the planning boundary where the general principle of residential development is acceptable as per policy DM1 of the Lewes District Local Plan part two. Barcombe Cross is defined as a

service village in the settlement hierarchy in table 2 of LLP1, which states that such settlements have the capacity to support growth by 30-100 new dwellings.

- 8.2.2 The site is specifically allocated in the Lewes District Local Plan Part 2 for the development of approximately 25 new dwellings. This allocation, along with others in LLP2, is crucial in ensuring the commitment to deliver new housing is met. The recent expiry of the housing targets set in LLP1 and their replacement with housing need targets set using the national government standard method has resulted in a significant increase in housing delivery targets and further increased the importance of ensuring that allocated sites are developed at optimal efficiency as per para. 123 of the National Planning Policy Framework (NPPF). The allocation is subject to a number of criteria and parameters set out in LLP2 policy BA02, all of which will be discussed in the main body of this report.
- 8.2.3 Para. 8 of the Revised National Planning Policy Framework (NPPF) defines sustainable development as comprising three overarching objectives, these being to respond positively to economic, environmental and social needs. Para. 10 goes on to state that there should be a presumption in favour of sustainable development.
- 8.2.4 Para. 11 of the NPPF states that decision taking should be based on the approval of development proposals that, where a five year supply of housing land cannot be demonstrated, as is the case within Lewes District, permission should be granted for development unless there is a clear reason for refusing based on impact on areas or assets of particular importance (as defined in the NPPF) or if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, with relevant Local Plan policies also taken into account. Ultimately this approach results in a 'tilted balance' in favour of development.
- 8.2.5 Policy CP2 of the Lewes District Local Plan part one provides a list of objectives to be applied to new housing development within the district. This includes a requirement for housing development that meets the needs of the district to be accommodated in a sustainable way, to conserve and enhance the character of the area in which it will be located. Development should incorporate a suitable mix of accommodation and be socially inclusive. Para. 118 (a) of the NPPF states that planning decisions 'should encourage multiple benefits from both urban and rural land... taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.'
- 8.2.6 From a housing delivery perspective, para. 68 of the NPPF acknowledges the important contribution that small and medium sized sites, such as the application site, can make towards meeting the housing, particularly as development on such sites is often built-out relatively quickly.

8.2.7 The proposed development is therefore considered to be acceptable in principle and will be assessed on the balance of its economic, social and environmental merits in full accordance with the principle of supporting sustainable development as set out in paras 8, 11 and 12 of the Revised National Planning Policy Framework as well as development plan policies relating to design, carbon reduction, landscaping, pollution control and ecological enhancements.

### 8.3 Planning Obligations

8.3.1 The proposed scheme represents major development (more than 10 new dwellings) and, as such, there is a requirement for affordable housing to be provided, at a rate of 40% of the total number of units as per Policy CP1 of the Lewes District Core Strategy. This amounts to a provision of 10.4 units. In order to fully comply with the standards set out in the Lewes District Council SPD for affordable housing, 10 units would need to be incorporated into the development with the remaining 0.4 unit required being secured as a pro-rata commuted sum. This approach is compliant with the appropriate use of commuted sum as set out in para. 5.2 of the LDC Affordable Housing SPD. The commuted sum will be calculated using the Affordable Housing Commuted Sum Table provided in the Affordable Housing SPD.

8.3.2 The applicant has confirmed that affordable housing would be provided in compliance with the requirements of CP1 and a Section 106 legal agreement has been drafted to secure this. A provisional dwelling mix of 2 x 1 bed flats, 2 x 2 bed flats, 4 x 2 bed houses and 2 x 3 bed houses is proposed with a tenure split of 70% affordable rent and 30% intermediate. The dwelling mix is consistent with the objective to provide a greater proportion of 1 and 2 bed units as set out in policy CP2 of LLP1 and the Affordable Housing SPD.

8.3.3 A section 278 agreement between the applicant and ESCC Highways would be used to secure red surfacing to the section of High Street to the front of the site as well as to provide new signage.

### 8.4 Site Access:

8.4.1 The site would be accessed on the south-eastern boundary, directly from the High Street as required by LLP2 policy BA02 (a). The access includes a footway on both sides, ensuring the needs of cyclists and pedestrians as well as motorists are met as also required by BA02 (a). A Technical Note accompanying the application states that the use of the existing access that runs along the north-eastern site boundary was considered but draws attention to the ESCC Highways response to application LW/20/0288 (a smaller scheme of 9 dwellings at the neighbouring Hillside Nurseries site which is also an allocated site) which concluded that this access was too narrow to serve the development and there was no space for provision of footpaths. Furthermore, it is noted that if this access were to be widened it would require the removal of a mature oak tree.

Additionally, if the access were to be widened and used to serve two developments providing a cumulative amount of up to 35 dwellings it would also be likely to result in increased disruption to residents living at Wheelwrights House and Vine Slead.

- 8.4.2 The Technical Report also states that the use of Bridgelands was considered but notes this would require the crossing of 3<sup>rd</sup> party land as well as widening works that would result in the loss of trees.
- 8.4.3 Comments attributed to ESCC Highways relate to those provided for application LW/20/0633. As the access details have not been altered for the current application, they are considered to remain applicable. Any additional comments made will be reported in the supplementary report.
- 8.4.4 The technical details of the proposed site access have been fully assessed by ESCC Highways who are satisfied with the width of the access, which at 5.5 metres would allow for two-way vehicular movement, as well as the junction radius, which is 8 metres. Tracking plans have been provided to show that an 11.997-metre-long refuse truck, which is larger than vehicles currently used, could enter and leave the site in a single movement. Swept path analysis showing access/egress can be achieved by a 7.9-metre-long fire appliance has also been provided.
- 8.4.5 Gradient plans and cross sections show the ground level at the site access being lowered along the first 30.3 metres of the access road, that would head directly to the north west, to allow for a gradient of 1:20 to be formed at the point where it meets the High Street over a 5 metre transition, increasing to a gradient of 1:10 thereafter before it reaches the existing site level. The 5-metre section of 1:20 gradient road would be sufficient to accommodate a vehicle waiting to enter onto the High Street. The sides of the road and footway would be flanked by embankments maintaining existing site levels.
- 8.4.6 Visibility splays measuring 2.4m by 70m and 2.4m by 54m would be provided to the east and west respectively. In order for these splays to be maintained, a section of the existing hedgerow/tree line on the south-eastern site boundary would need to be cut back. Part of the existing embankment may also need to be re-profiled, as identified in the submitted stage 1 Road Safety Audit. The dimensions of the splays have been informed by a speed survey on the section of road passing the site which has confirmed average speeds are above the 30mph restriction on the road. A fresh speed survey was carried out in May 2021, prior to the submission of the current application, and confirms that average speeds recorded were 34.6 mph for north eastbound traffic and 35.9 mph for south westbound (as opposed to 34.4 mph and 35.5 mph respectively recorded in the previous survey). As such, the splays would allow for suitable levels of visibility of oncoming traffic to allow motorists to safely pull out of the site and onto the High Street. It is also considered that the similarities between the speed survey result carried out in May 2021 and those carried out in June 2020 supports the reliability of the data obtained.

- 8.4.7 The Technical Note also confirms that the visibility splays would be provided in front of the existing field boundary hedge and, as such, would not require cutting back large sections to 0.6 metres in height. The report confirms the overall length of hedge that would need to be removed to incorporate the access would be 18.4 metres.
- 8.4.8 It is anticipated that the proposed development would generate an additional 156 daily vehicle trips. The Technical Report states that two-way movements in the AM and PM peak hour would equate to approx. one vehicle entering or leaving the site every 4 minutes. ESCC Highways do not consider this increase to be significant over the course of the day and are satisfied that they can be accommodated in the existing highway network without significant issue or additional congestion.
- 8.4.9 ESCC Highways stated that they were satisfied with all technical details provided for the site access when the application was previously submitted. They have suggested that the final layout of the development includes elements that are visible from the approach on the High Street as motorists would be expected to modify their driving behaviour and reduce speed when seeing the development. This can be fully investigated at reserved matters stage and, if required, it is considered there is the capacity for these elements to be incorporated without causing harm to biodiversity mitigation measures and with visual impact restricted to a localised area at the immediate approach to the site only. Further mitigation measures in the form of red surfacing on the road at the entrance to the village and a junction warning sign will be secured through the use of an s278 Legal Agreement.
- 8.4.10 The Technical Note confirms that the proposed new footway at the access point would be 2 metres in width in accordance with para. 6.3.22 of Manual for Streets whilst the existing footway leading north-east towards the village is generally 1.5 metres, and never less than 1.2 metres, in width, allowing for two-way pedestrian movements. Attention is drawn to the National Government 'Inclusive Mobility' document para. 2.2 which states that, in regard to footway width, 'a blind person using a long cane or with an assistance dog needs 1100mm. A visually impaired person who is being guided needs a width of 1200mm. A wheelchair user and an ambulant person side-by-side need 1500mm width.
- 8.4.11 The final layout plan would need to be able to demonstrate that adequate turning space for service vehicles would be provided within the site in order to ensure that they can enter and leave in forward gear. The indicative layout plan shows 48 x allocated car parking spaces and an additional 8 x visitor spaces being accommodated within the site. This quantum is informed by the ESCC car parking demand calculator tool being applied to the indicative mix of 26 dwellings. It is considered that the indicative layout plan demonstrates the site has sufficient capacity to accommodate this

quantum of parking although it is noted that some spaces are shown in a tandem configuration and that this arrangement is generally not supported by ESCC Highways. It is considered the layout could be adjusted to provide a more acceptable arrangement of spaces.

- 8.4.12 It is therefore considered that the submitted site access arrangements provide sufficient capacity to serve the development and would not result in an unacceptable highway or pedestrian safety hazard. The proposed scheme is therefore considered to comply with LLP2 policies BA02(a) and DM25 and paras. 108, 109 and 110 of the National Planning Policy Framework (NPPF).

## 8.5 Visual Impact

- 8.5.1 As the application seeks approval for site access only this is the only part of the scheme that can be fully assessed at this stage. However, the submitted indicative plans and Landscape & Visual Impact Assessment (LVIA) will also be assessed as an example of the potential form of the development.
- 8.5.2 The 2018 LDC document 'Site Allocations and Development Management Policies Submission Document Sustainability Appraisal (Incorporating a Strategic Environmental Assessment)', which was submitted as a core document in the consideration of LLP2 by the Inspector, notes the environmental sensitivity of the site on account of its topography and setting adjacent to a Conservation Area. Para.10.18 of this document confirms that mitigation measures written into policy BA02 would address concerns relating to environmental impact. This was referred to in response to 'matter 10' raised by the planning inspector in their initial inspection of LLP2 (document ID/2). The Inspector did not raise any concerns following the receipt of the response.
- 8.5.3 The most significant visual impact associated with the formation of the site access would be the removal/cutting back of a section of the existing tree line/hedgerow flanking the High Street to allow for the new opening as well as the provision of visibility splays required for road safety purposes. An 18.4 metre length of hedgerow would be removed in its entirety. Submitted plans show that there would not be any need to reduce any substantial part of the retained hedge to 0.6 metres in order to provide visibility splays.
- 8.5.4 The indicative layout plan shows that the site has capacity for buildings and infrastructure to be set back from the road allowing for space for mitigation hedge and tree planting as well as the creation of open green space that would interact with the wider street scene.
- 8.5.5 Whilst the loss of this hedging would alter the character of the immediate stretch of the road it is considered that the loss can be effectively mitigated by the planting of new native hedgerow set slightly back from the road so as to allow for visibility splays to be maintained. This new planting could connect with the existing

hedgerow network and, through being set slightly back from the road, could be allowed to flourish with less disturbance pressure to be cut back or damaged by-passing traffic. It is noted that the existing hedgerow appears to be subject to a cutting regime.

- 8.5.6 It is therefore considered there is ample opportunity for mitigation in the form of planting that would maintain the verdant nature of the section of the High Street passing the site and also provide a visually sympathetic screen to the proposed development that would amalgamate effectively with surrounding landscaping. Indicative layout plans show that planting could provide an integral part of the development through additional screening and creation of mixed habitats that could enrich the visual quality of the site margins and soften the visual impact of the development.
- 8.5.7 Notwithstanding site boundary landscaping, the rising topography of the site means the proposed development would be visible, in part, from surrounding streets and open space, particularly when approaching Barcombe from the south west. However, it is noted that existing views on this approach include dwellings on The Grange and it is considered that the proposed development would integrate with these neighbouring buildings, marking the edge of the settlement and the transition from the rural environment to the village.
- 8.5.8 Although full details of design, scale, layout and landscaping are reserved matters it is clear that the proposed development will involve building over a site that has not previously been developed and is currently a meadow. Notwithstanding this, the site is not isolated, being directly adjacent to the established village of Barcombe. It is also self-contained and not considered to form a significant part of the wider more open rural environment. The rear boundary of the site broadly aligns with the north-western extent of neighbouring residential development on The Grange and School Path. It is therefore considered that residential development of the site would appear as a natural extension to the west of Barcombe village. As is characteristic of surrounding development, the extent of the proposed development would not project a significant distance from the High Street and, due to being directly accessed from it, it is considered it would engage well with the High Street and neighbouring development branching off from it, thereby becoming an integral part of the community and not appearing divorced from its surroundings.
- 8.5.9 The gross area of the site is approx. 12081 m<sup>2</sup> (1.2 hectares) whilst the net developable area (which does not include landscape buffers) is 0.9 dwellings per hectare. The density of the proposed development of 26 dwellings thereby equates to approx. 22 dwellings per hectare based on the gross site area and approx. 29 dwellings per hectare based on developable area. Both of these densities fall within the suggested density spectrum set out in for new residential



development in villages which is 20-30 dwellings per hectare as stated in policy CP2 of LLP1. It should be noted that policy BA02 of LLP2 considers the site to be capable of accommodating approximately 25 new dwellings.

- 8.5.10 The intimate and tightly nucleated nature of the village results in relatively high densities of development both on the historic core and in the more modern residential developments that are set back from the High Street. For comparison, the nearby group on 18 dwellings on The Grange are built to a density of approx. 30 dwellings per hectare. Development on Oaktree (12 dwellings) is approx. 25 dwellings per hectare. The 16 dwellings at the northern end of Munster Green (including the car parking area) are at a density of approx. 45 dwellings per hectare. It is therefore considered that a relatively dense form of residential development is in keeping with the general spatial characteristics of the village.
- 8.5.11 It is important that the final layout of the development avoids excessive uniformity in plot size, orientation and shape in order to reflect the mix of plot size and layout that are established characteristics of the village and which provides a strong sense of organic growth of the settlement, creating increased depth to the sense of space and place.
- 8.5.12 In terms of design, the indicative plans and Design & Access Statement confirm that dwellings and flats would not exceed two-storeys in height, as required by BA02 (b). Appraisals of surrounding development have identified key architectural features within the surrounding Conservation Area such as a mix of hipped, barn hipped and gable roofing, dual aspect frontages, chimneys and bay windows. It is stated that these features could be incorporated into the final design of the scheme. A palette of locally used external materials has also been identified, including the frequent use of red clay tile hanging, red brick, clay roof tiles, terracotta roof ridge tiles, decorative roof finials and occasional use of render and timber weatherboarding. It is stated that these materials would be incorporated throughout the development.
- 8.5.13 It is considered that the indicative layout drawings and architectural appraisals demonstrate that the site could support a residential development of the scale proposed which would be able to integrate with both the surrounding built environment, including the adjoining Conservation Area as well as with the surrounding rural landscape.
- 8.5.14 It is therefore considered that the application complies with policy CP10 of LLP1, policies BA02(c), DM25 and DM27 of LLP2 and paras. 127 and 170 of the NPPF insofar as the outline details of the scheme are concerned.

## 8.6 Living Conditions for Future Occupants

- 8.6.1 It is considered that the indicative layout plans demonstrate that the site could accommodate a development of 26 dwellings that would engage well with the rest of the village and also provide a good sense of place and community. It shows that there would be sufficient

space to provide soft landscaping and greenery as well as communal open areas, including a play area. It is therefore considered that occupants of the proposed dwellings would not feel a sense of detachment from their wider surroundings.

- 8.6.2 It is stated that all affordable housing units would meet the Nationally Described Space Standards and, based on measurement of the footprint of each dwelling; it is considered there is ample room for all dwellings to be delivered as meeting or exceeding the space standards. Furthermore, each dwelling has a good-sized garden provided in a private area to the rear whilst communal green space is provided at the proposed flats.
- 8.6.3 The proposed development would include safe pedestrian links to the village in the form of raised kerb footways and the indicative plan shows this footway running across the length of the site.
- 8.6.4 It is therefore considered that the proposed development complies with policy CP2 of LLP1, policy DM15, DM16 and DM25 of LLP2 and section 8 of the NPPF.

## 8.7 Flooding and Drainage

- 8.7.1 The proposed development would involve the introduction of buildings and impermeable surfaces (equating to a total area of approx. 0.42 hectares) on what is currently an undeveloped greenfield site. The site is located in Flood Zone 1 and, as such, it is at a low risk from tidal and fluvial flooding. There are no records of any significant issues with surface water drainage within the site itself although land to the south, particularly on the adjoining site at Willow Cottage as well as land to the west at Bridgelands is identified by the Environment Agency as being at high risk of surface water flooding.
- 8.7.2 The Flood Risk Assessment includes details of how surface water generated by the development would be managed. Ultimately surface water would be discharged into an existing ditch that flanks the western boundary of the site. This would be via an attenuation pond formed in the south-western corner of the site which would allow discharge to be managed as close as practicable to existing greenfield run-off rates, this being 5.4 litres per second. Attenuation would be designed to account for a 1 in 100-year weather event with an additional 40% contingency as an allowance for climate change. This would require a basin of approx. 209 m<sup>3</sup> volume .
- 8.7.3 Foul water would be disposed of by way of connecting with the existing public foul water network. The connection point is likely to be at a higher elevation than achievable proposed drainage invert levels and a foul water pumping station would therefore be required to allow for discharge to function. The pumping station is shown on indicative site plans towards the north-west of the site.
- 8.7.4 Pollution control measures could be integrated into the drainage scheme to prevent discharge of pollutants into surrounding watercourses or onto surrounding land. It is therefore considered that the proposed drainage scheme would meet the criteria of sustainable drainage as set out in para. 051 of the Planning Policy Guidance on

Flood Risk and Coastal Change in that it would manage run-off, control water quality, provide amenity (in the form of the attenuation pond) and would enhance biodiversity by creating habitat not currently present on the site. The Lead Local Flood Authority (LLFA) have stated that they are satisfied that the surface water generated by the proposed development can be managed effectively.

8.7.5 Improvements to sewerage infrastructure referred to in policy BA20 (g) would be carried out by Southern Water. Such improvements are typically completed within 24 months of a planning approval (including outline permission) and any phasing of development that would be required would be agreed between Southern Water and the developer.

8.7.6 It is therefore considered that surface water run-off generated by the development can be adequately managed without unacceptable risk of flooding within the development or on neighbouring land. The development is therefore considered to comply with policy CP12 of LLP1 and paras. 163 And 165 of the NPPF.

## 8.8 Landscape, Ecology & Biodiversity

8.8.1 The application is accompanied by an Ecological Appraisal Report, as required by BA20 (e). A reptile survey has also been submitted. The Ecological Appraisal Report identifies primary ecological impacts of the proposed development as being the loss of a 20 metre section of hedgerow on the southern boundary of the site to allow for vehicular access and the permanent loss of approx. 1.2 hectares of poor semi-improved grassland, tall ruderal, scrub and scattered trees across the site. The majority of the site is categorised as being of low ecological value but it is noted that there are areas of priority habitats supporting the potential presence of great crested newt, nesting birds, roosting bats, hazel dormouse and reptiles. Additional details and up-to-date surveys have been included in a separate Ecological Addendum Report.

8.8.2 The reports set out a range of mitigation measures to minimise impact upon wildlife during clearance and construction works. This includes the translocation of reptiles from the construction zone to a suitable receptor site prior to site preparation and commencement of works, to avoid the risk of killing/injury to reptiles and the timing of all vegetation clearance works to avoid hibernating, maternity and nesting seasons for bats, birds, mammals and reptiles.

8.8.3 Further measures will be taken to ensure that all retained trees and hedgerow are protected during site clearance and construction works, that external lighting is avoided or minimised, that excavations and open pipework is covered overnight and that new boundary fencing includes small gaps underneath to allow for small mammals to commute through the site.

8.8.4 A number of opportunities for ecological enhancements/biodiversity net gain are identified. These include use of native wildflower and grass seed mix in areas of green space, hedgerow replacement and enhancement to include native fruit, seed, nut and nectar-bearing

shrub species, use of the attenuation pond to provide a habitat, planting that supports food sources for bats as well as roosting opportunities, installation of bat and bird roost/nest boxes, creation of piles and hibernacula for amphibians, invertebrates and reptiles and retention of corridors of less intensively managed vegetation to maintain ecological connectivity through the site for reptiles, particularly along the western boundary adjacent to off-site woodland.

- 8.8.5 The County Ecologist has assessed the appraisal and reptile survey and has noted that the section of hedgerow to be removed is species poor and that the majority of the grassland is poor, with relatively low ecological value. The proximity to the Dismantled Railway Line, Barcombe Local Wildlife Site (LWS) (approx. 213m to the north and with some connectivity to the site) and Spithurst Road Wildlife Verge lies (approx. 600m to the north east) is noted but the ecologist has concluded that, given the nature, scale and location of the proposed development, there are unlikely to be any impacts on the LWS or any other sites designated for their nature conservation interest.
- 8.8.6 In response to the refusal of LW/20/0633 due, in part, to perceived negative impact upon biodiversity as a result of the removal of a section of boundary hedge to allow for site access, the applicant has submitted an Ecological Addendum Report (EAR) that includes a Detailed Hedgerow Assessment of this feature (Hedgerow H1).
- 8.8.7 The assessment confirms that the hedge is comprised almost entirely of beech. Occasional self-sown specimens of Blackthorn, Elm, Hawthorn and Hazel are present but account for no more than approximately 5% of the total plant stems within the hedgerow. In addition, the hedge has a ground flora dominated by Ivy, Cleavers and Dock immediately beneath the hedge, together with a narrow band of ruderal herbs on either side comprising mainly Cow Parsley, with some Garlic Mustard and occasional Lords and Ladies.
- 8.8.8 Based on the diameter of the beech stems (4-6 cm) it is concluded that the hedge is relatively young
- 8.8.9 Para. 5.2.7 of the EAR states that ‘An assessment of the hedgerow against the Heritage Criteria as outlined in the Hedgerows Regulations 1997 has been previously carried out as part of a Heritage Assessment which concluded that “It is not considered to be an important hedge as it does not accord with any of the heritage criteria as outlined in the Hedgerows Regulations 1997”, explaining the reasons why and stating that “The historic map regression demonstrates that the road was realigned sometime between 1961 and 1981 (Figs 12 & 13) with the existing hedge therefore being no more than 55 years old”.
- 8.8.10 Para. 5.2.8 continues, ‘With reference to the Wildlife and Landscape Criteria of the Hedgerows Regulations, Hedgerow H1 contains five woody species within the central 30m section. According to Section 7 (paragraph 1) of the Regulations, with a count of five species, to determine if the hedgerow is ‘important’ it is necessary to examine the presence of associated features listed under Section 7 (paragraph 4). In referring to such associated features, the

assessment finds that the hedgerow does not possess a sufficient number of qualifying features to be regarded as 'important'.

Specifically, it supports only one of the requisite features - it has gaps not exceeding 10%. Although it has connections with two hedgerows (albeit to curtilage hedgerows which are in any event not counted by the Regulations) at the western end, this is not a sufficient number to qualify under this criterion. Together the features do not meet the required threshold for 'importance'.

- 8.8.11 Additionally, the EAR draws attention to the historical management of the hedge which has resulted in reduced structure and also does not consider it an integral part of any wildlife corridor.
- 8.8.12 It is considered that the 18.4 metre section of hedge to be removed is not significant in the context of the overall length of the hedge and that potential harm would be offset through proposed enhancements to the remaining hedgerow.
- 8.8.13 The previously refused scheme included the planting of 530 metres of new native hedgerow as an ecological/biodiversity enhancement measure. The current application has increase this by a further 178 metres with additional hedge planting proposed for the eastern boundary, north-western boundary and the site interior. This represents an increase in hedgerow throughout the site of 346%. The new hedgerow would incorporate a mix of native species in contrast to the relative monoculture of the existing hedgerow.
- 8.8.14 The County Ecologist is satisfied that suitable mitigation measures have been identified in order to address unacceptable harm to wildlife/habitat and also that the site offers opportunities for biodiversity net gain. It is therefore considered that the proposed development could be delivered without unacceptable ecological harm and with the benefit of supporting habitat enhancement and creation and biodiversity net gain. Enhancement measures should provide a minimum of 10% Biodiversity Net Gain as required by the Biodiversity Net Gain Technical Advice Note (TAN)
- 8.8.15 Full details of site landscaping would be secured at the Reserved Matters stage.
- 8.8.16 It is therefore considered that the development complies with policy CP10 of LLP1, policies BA02(e), DM24 and DM27 of LLP2 and paras. 170 and 175 of the NPPF.

## 8.9 Sustainability

- 8.9.1 The application is in outline form and, as such, it is not possible for all sustainability measures to be detailed at this stage. It is, however, noted that the development would utilise sustainable drainage systems that includes the formation of an attenuation pond that will also provide an amenity and habitat asset. This, as well as other open green space within the overall site area is considered to support the delivery of multi-functional green infrastructure as required by LLP2 policy DM14.

- 8.9.2 The application for Reserved Matters would need to include a sustainability statement that confirms compliance with the aims and objectives of the recently adopted TANs for Circular Economy, Sustainability in Development and Biodiversity Net Gain. This would include, but not be limited to, details on how water consumption would be kept to 100-110 litres per person per day, renewable energy and carbon reduction measures, building layouts that maximise access to natural light, support for sustainable modes of transport, provision of electric vehicle charging points (minimum of one per dwelling), and facilities to support working from home.
- 8.9.3 The applicant has stated that a Site Waste Management Plan (SWMP) will be produced for the scheme in full accordance with the Site Waste Management Plan Regulations 2008. This should be submitted at the reserved matters stage.

#### 8.10 Archaeology

- 8.10.1 An Archaeological Assessment of the site has been carried out and a report submitted as part of the suite of documents supporting the application.
- 8.10.2 The ESCC Archaeologist has assessed the report and broadly agrees with the conclusion. It has, however, been requested that fieldwork is carried out prior to commencement of development in order to enable any archaeological deposits and features that would be disturbed by the proposed works, to be either preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss.
- 8.10.3 The fieldwork can be secured by planning condition. It is therefore considered that the proposed development could be carried out without causing unacceptable harm or damage to archaeology.
- 8.10.4 It is therefore considered the proposed development complies with policy CP11 of LLP1, DM33 of LLP2 and section 16 of the NPPF.

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

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

## 10. Recommendation

10.1 It is recommended that, subject to no new material considerations being raised prior to the expiry of the consultation period, that the Head of Planning is authorised to grant planning permission subject to the conditions listed below and a Section 106 Agreement securing a policy compliant affordable housing contribution.

### Conditions

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the Reserved Matters, as defined in condition 2; to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2. No development shall commence until details of the:
  - a) Layout (including site levels)
  - b) scale
  - c) design
  - d) landscaping

(hereinafter called "the Reserved Matters") have been submitted to and approved in writing by the Local Planning Authority. Application for the approval of the Reserved Matters shall be made within three years of the date of this permission. The development shall accord with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

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

<b>PLAN TYPE</b>	<b>DATE RECEIVED</b>	<b>REFERENCE</b>
Location Plan	1 <sup>st</sup> July 2021	1062-OA-01
Access Plan	1 <sup>st</sup> July 2021	1062-OA-07
Transport Statement	1 <sup>st</sup> July 2021	JNY10636-01a
Stage 1 Road Safety Audit	1 <sup>st</sup> July 2021	JNY10636 - 02
Technical Note (Highways)	1 <sup>st</sup> July 2021	JNY10636-03
Technical Note (Highways)	1 <sup>st</sup> July 2021	JNY10636-03a
Arboricultural Implications Assessment	1 <sup>st</sup> July 2021	J58.67
Archaeological Desk-Based Assessment	1 <sup>st</sup> July 2021	PN2677/DBA/1
Ecological Addendum Report	1 <sup>st</sup> July 2021	ECO-6230

Other plans submitted are indicative only and, whilst use to inform the decision, are not approved at this stage as they relate to reserved matters.

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

4. No development shall take place until details of the layout of the new and the specification for the construction of the access which shall include details of drainage have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the use hereby permitted shall not commence until the construction of the access has been completed in accordance with the specification set out on Form HT407 which is attached to and forms part of this permission.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with LLP2 policies BA02(a) and DM25 and paras.108, 109 and 110 of the National Planning Policy Framework (NPPF).

5. The access shall not be used until the visibility splays shown on the submitted (plan no JNY10636-01 REV A) are cleared of all obstructions exceeding 600mm in height and kept clear thereafter.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with LLP2 policies BA02(a) and DM25 and paras.108, 109 and 110 of the National Planning Policy Framework (NPPF).

6. A junction warning sign for westbound traffic shall be provided prior to occupation of the development in accordance with details that have first been submitted to the Local Planning Authority for approval in consultation with the Highway Authority. The signs should not obstruct visibility of drivers using the access where it joins the public highway.

Reason: To ensure the safety of persons and vehicles proceeding along the highway in accordance with LLP2 policies BA02(a) and DM25 and paras.108, 109 and 110 of the National Planning Policy Framework (NPPF).

7. Red surfacing shall be laid at the entrance to the village on the High Street prior to occupation of development in accordance with details that have been first submitted to the Local Planning Authority for approval in consultation with the Highway Authority.

Reason: To ensure the safety of persons and vehicles proceeding along the highway in accordance with LLP2 policies BA02(a) and DM25 and paras. 108, 109 and 110 of the National Planning Policy Framework (NPPF).

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



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

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

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with LLP2 policies BA02(a) and DM25 and paras.108, 109 and 110 of the National Planning Policy Framework (NPPF).

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

Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with LLP2 policies BA02(a) and DM25 and paras.108, 109 and 110 of the National Planning Policy Framework (NPPF).

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

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development in accordance with policy CP13 of LLP1 and para. 102 of the NPPF.

12. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the details which shall have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority) and the turning space shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with LLP2 policies BA02(a) and DM25 and paras.108, 109 and 110 of the National Planning Policy Framework (NPPF).

13. The new estate roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to its subsequent adoption as a publicly maintained highway

Reason: In the interest of highway safety and for this benefit and convenience of the public at large in accordance with LLP2 policies BA02(a) and DM25 and paras.108, 109 and 110 of the National Planning Policy Framework (NPPF).

14. The completed access shall have maximum gradients of 5% (1 in 20) from the channel line for the first 5 metres into the site and 10% (1 in 10) thereafter.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with LLP2 policies BA02(a) and DM25 and paras. 108, 109 and 110 of the National Planning Policy Framework (NPPF).

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

- the anticipated number, frequency and types of vehicles used during construction,
- means of reusing any existing materials present on site for construction works,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- address noise impacts arising out of the construction;
- demonstrate that best practicable means have been adopted to mitigate the impact of noise and vibration from construction activities;
- include details of the use of protective fences, exclusion barriers and warning signs;
- provide details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils and fuel;
- details of any external lighting.

Reason: In the interests of highway safety and the amenities of the area in accordance with LLP2 policies BA02(a), DM20, DM23 and DM25 and paras. 108, 109 and 110 of the National Planning Policy Framework (NPPF).

16. No part of the development shall be occupied until a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport and/or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport in accordance with LLP1 policy CP14 and section 9 of the NPPF.

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

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

18. 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;
- 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.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

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 and policy BA02 of the adopted Local Plan part 2.

19. No development shall take place (including any demolition, ground works, site clearance) until a method statement for the rescue and translocation of reptiles has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

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

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

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

20. No development shall take place until an ecological design strategy (EDS) addressing enhancement of the site for biodiversity, in line with the recommendations in the Ecological Addendum Report, Aspect Ecology, dated June 2021, has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:

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

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

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

21. The surface water drainage strategy outlined in HSP Consulting Flood Risk Assessment Report (dated September 2020) should be carried forward to detailed design. Surface water runoff from the proposed development should be limited to 5.4 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence.

Evidence of this (in the form of hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.

The details of the outfall of the proposed attenuation pond and how it connects into the watercourse should be provided as part of the detailed design. This should include cross sections and invert levels.

The condition of the ordinary watercourse which will take surface water runoff from the development should be investigated before discharge of surface water runoff from the development is made. Any required improvements to the condition of the watercourse should be carried out prior to construction of the outfall.

The detailed design should include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.

Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policies BA02(f) and DM22 and paras. 163 and 165 of the NPPF.

22. Prior to occupation of the development, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policies BA02(f) and DM22 and paras. 163 and 165 of the NPPF.

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

- a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details.
- b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policies BA02(f) and DM22 and paras. 163 and 165 of the NPPF.

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

Reason: To enable the recording of any items of historical or archaeological interest in accordance with Core Policy 11 in the Lewes District Local Plan Part 1; Joint Core Strategy 2010 – 2030; coupled with the requirements of paragraphs 189 - 199 of the National Planning Policy Framework 2018.

25. 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 written scheme of investigation approved under condition 24.

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.

26. No buildings or structures within the development shall exceed two storeys in height.

Reason: In order to control the scale of the development in the interest of visual amenity and landscape impact in accordance with LLP1 policies CP10 and CP11, LLP2 policies DM25, DM27 and DM33 and sections 15 and 16 of the NPPF.

27. The development shall incorporate an appropriately sized children's play area that is integral to the overall design and layout of the development, is sited in safe, open and welcoming locations which are overlooked by dwellings and well used pedestrian routes, is provided with seating for accompanying adults, is additional to any incidental amenity space; and is properly drained, laid out, landscaped and equipped for use at an agreed stage or stages no later than the occupation of the 5th unit of the development.

The play equipment shall be designed, manufactured, installed and maintained in accordance with European Standards EN1176 and EN1177 (or any superseding legislation) and the submitted details shall be accompanied by a management and maintenance plan for the play area.

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

28. Prior to the commencement of the development hereby permitted details of the protection of the trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. The measures of protection should be in accordance with BS5837:2012 and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the Root Protection zones.

Reason: In the interests of the amenity and the landscape character of the area in accordance with LLP1 policy CP10, LLP2 policy DM27 and section 15 of the NPPF.

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

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

30. No development shall take place, including any works of demolition, until a Construction and 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 throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- means of reusing any existing materials present on site for construction works,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- address noise impacts arising out of the construction;
- demonstrate that best practicable means have been adopted to mitigate the impact of noise and vibration from construction activities;
- include details of the use of protective fences, exclusion barriers and warning signs;

- provide details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils and fuel;
- details of any external lighting.

Reason: In order to safeguard environmental and residential amenity and in the interests of highway safety and the wider amenities of the area having regard to Policy CP11 of the Lewes District Local Plan part one, policies DM20 and DM23 of the Lewes District Local Plan part 2 and the Circular Economy Technical Advice Note.

## 11. **Background Papers**

11.1 None.