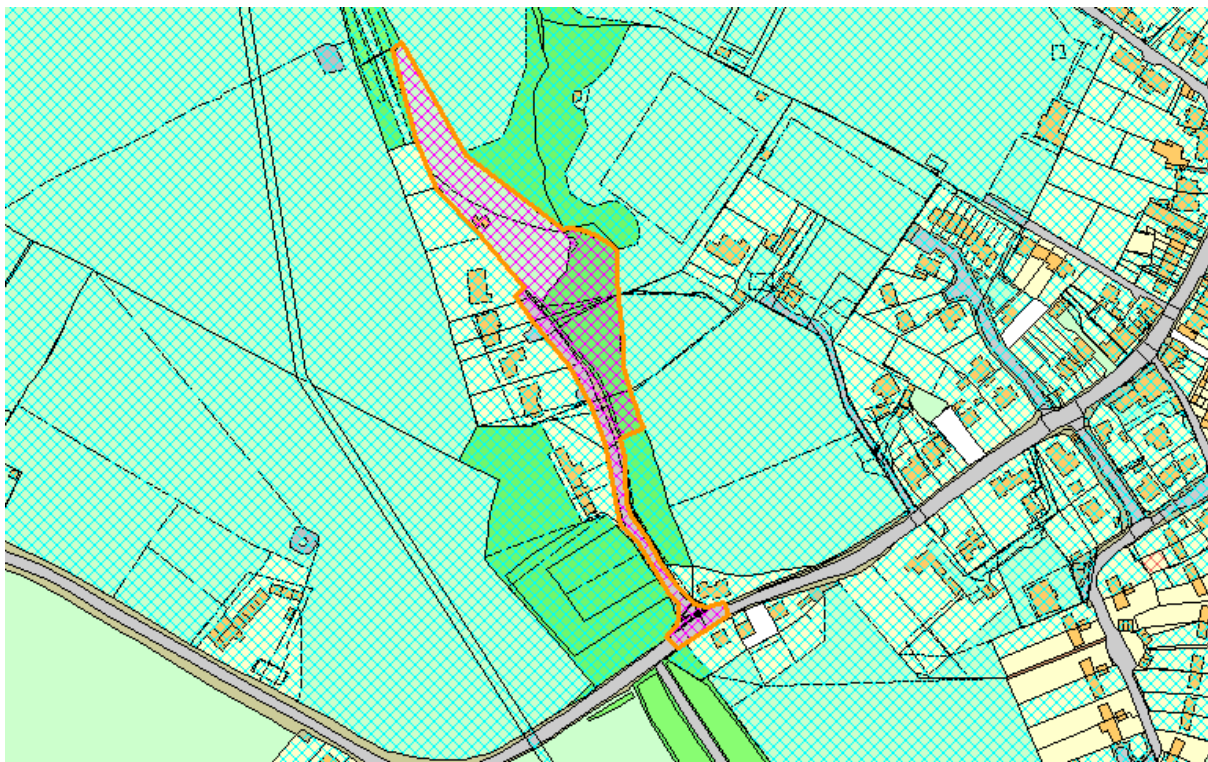


Report to: Planning Applications Committee
Date: 10 November 2021
Application No: LW/20/0245
Location: Land to the East of Bridgelands, Barcombe Cross, BN8 5BW
Proposal: Reserved Matters application to provide details of the layout and appearance for the development of six houses (approved under LW/18/0627).
Applicant: Richard Meaker
Ward: Chailey, Barcombe & Hamsey
Recommendation: Approve Reserved Matters.
Contact Officer: **Name:** Julie Cattell
E-mail: julie.cattell@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL Liable.

Map Location:



1. **Executive Summary**

1.1 The details submitted for Reserved Matters in respect of layout and appearance are in general conformity with the Outline Planning Permission and meet all relevant national and local planning policies.

1.2 Approval is therefore recommended.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework

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

2.2 Lewes District Local Plan

- LDLP: – SP2 – Distribution of Housing
- LDLP: – CP2 – Housing Type, Mix and Density
- LDLP: – CP11 – Built and Historic Environment & Design
- LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage
- LDLP: – BA03 – Land at Bridgelands
- LDLP: – DM25 – Design
- LDLP:- DM33 – Heritage Assets

3. **Site Description**

3.1 The site is located to the south west of Barcombe Cross, outside of the defined settlement boundary and adjacent to the Barcombe Cross Conservation Area. The site covers an area of approximately 0.55 hectares and is accessed via a narrow lane running northwards off the High Street. The lane currently serves The Old Station House (converted into 2 dwellings) and 4 detached dwelling houses, all located on the western side of Bridgelands.

3.2 The existing site can be described as rough pasture, with a pond close to the eastern boundary, and a solitary Corsican Pine (which is subject to a TPO). The boundary to the lane, which runs along the western boundary, consists of mature native hedge with two access gates. The site has a general slope from south to north /north east with a fall of between 2-2.5m.

3.3 The site is adjacent to the former railway line serving Barcombe. The section of the railway line to the north of the site is a designated Local Wildlife Site (L79). The red line boundary of the northern site stops short of the southern boundary of this designation.

4. Proposed Development

- 4.1 This application as originally submitted, sought approval for the Reserved Matters (RM) concerning layout, appearance and landscaping relating to Outline Planning Permission LW/18/0627, approved on 23rd November 2018.
- 4.2 During the course of the application, it became clear that the ecological reports that had been submitted under LW/18/0627 and upon which the landscape scheme was based, were not satisfactory. The applicant's agent agreed to withdraw the landscape RM from this application and to submit a new Ecological Appraisal and Ecological Impact Assessment. This application, ref. LW/21/0231/CD, is currently under consideration and negotiations with the County Ecologist are on-going at the time of writing this report. Once agreed, this document would form the basis of a revised application for the landscape RM.
- 4.3 At the same time as withdrawing the landscape RM from this application, the applicant's agent also withdrew information submitted in respect of conditions 6-11, 13-15, 17-19, 23, 25 28-30 of LW/18/0627. These matters will be re-submitted under separate applications for approval of those specific details.
- 4.4 In this report therefore, Members are asked to consider layout and appearance *only*.
- 4.5 The layout of the development is very similar to the illustrative layout considered at Outline Stage in compliance with condition 4 of the permission.
- 4.6 As a result of comments submitted by neighbours and following negotiations with officers, the scheme as originally submitted has been amended. Dormer windows on plots 1, 2, 3 and 6 have been omitted. Plots 3 and 6 now have 1 roof light to the habitable roof space.
- 4.7 The outline permission indicated a mix of 2 x 4 bed, 1 x 3 bed and 3 x 2 bed houses. The proposed mix is 3 x 4 bed and 3 x 2 bed houses:
- Plot 1 – 2 x double bedrooms.
 - Plot 2 – 4 x double bedrooms on first floor, 1 of which is labelled as study.
 - Plot 3 – 3 x double bedrooms, 1 x single bedroom, plus study in roof space.
 - Plots 4 and 5 – 2 x double bedrooms, plus study on first floor.
 - Plot 6 – 4 x double bedrooms plus study in roof space
- 4.8 The study in plot 2 is large enough to be counted as an extra double bedroom. The studies in plots 3 and 6 have limited headroom and do not meet the National Space Standard for a habitable bedroom. The study in plots 4 and 5 is below the National Space Standard for a single bedroom.
- 4.9 In total, there 13 car parking spaces across the site, including garages for plots 4 and 6 a car port for plot 2.
- 4.10 The proposed design of the new houses is a very traditional typology – pitched and hipped roofs, with feature panels in some gables and brick quoin

and banding details. The external materials palette comprises red plain tiles to the roofs, multi-stock and blend facing bricks, with hanging tiles and fibre cement boarding to the gable features.

5. **Relevant Planning History**

Application site

- 5.1 E/63/0049 - Outline Application for residential development. Deemed Refused. - Deemed Refused.
 - 5.2 E/64/1252 - Outline Application for residential development. – Refused.
 - 5.3 E/67/0816 - Outline Application for the erection of private dwellings and telephone exchange on site of Barcombe Railway Station. – Refused.
 - 5.4 E/68/0028 - Outline Application for erection of dwellings and alterations to access. – Refused.
 - 5.5 E/72/1398 - Outline application for twenty-eight dwellings with garages. – Refused.
 - 5.6 E/73/1025 - Outline Application for fifty-two dwellings with garages at Barcombe Railway Station and part O.P. 8373. – Refused.
 - 5.7 E/72/1935 - Outline Application for erection of fifty-five dwellings with garages. – Refused.
 - 5.8 LW/77/0693 - Erection of five thousand sq. ft. workshop and use of lane for open storage. Restrictive Planning Conditions Nos. 4 & 7. Limiting times 08.00 - 18.00 Mondays to Fridays inclusive, 08.00 - 13.00 on any Saturday and at no time on Sundays or Public Holidays – Approved.
 - 5.9 LW/84/1341 - Outline Application for the erection of three four-bedroom detached houses with garages. – Refused.
 - 5.10 LW/90/0910 - Construction of new access onto C8. - Refused.
 - 5.11 LW/18/0627 - Erection of six houses with parking and access (outline application with access, layout and scale determinable) – Approved 5/11/2018.
- Other relevant sites
- 5.12 LW/20/0288 - Hillside Nurseries, High Street, Barcombe - Residential development comprised of nine new homes, access improvements and associated works – Withdrawn 28 July 2020. This site is located to the north east of the application site.
 - 5.13 LW/20/0633 - Land North of High Street Barcombe - Erection of up to 26 dwellings together with associated development and site access with all other matters reserved – Refused 21 April 2021 on grounds of unsafe access and ecological impact.
 - 5.14 LW/21/0530 - Land North of High Street Barcombe - Erection of up to 26 dwellings together with associated development and site access whilst all other matters are reserved for future consideration – Approved in principle 4 August 2021 subject to s106. This site is located immediately to the east of the application site.

6. Consultations

6.1 Barcombe Parish Council

- 6.1.1 The proposed exit/entrance is dangerous, the site lines are poor and the visibility splays are inadequate.
- 6.1.2 With the proposed development of the neighbouring sites BA01 and BA02 the traffic volumes will rise and potentially there will be two additional entrances within 100 metres, increasing the risks.
- 6.1.3 We have already declared our concern in our comments to application LW/20/0288 and suggested that the developers of the two sites concerned, combine to create a wider exit point with preferably a kink in the road and a mini roundabout.
- 6.1.4 If this is not done we fear for the safety of any drivers exiting from BA03 because of the vehicle speed and volumes in both directions. We would like to point out that using historic crash statistics is meaningless as these exits will inevitably increase them.
- 6.1.5 There are flooding issues associated with this development. Run-off water already causes flood risks to the existing houses. We request that the Planning Department insist that the flood mitigation proposals must be capable of handling the runoff water from the proposed development on site BA02 and not just concentrate on their site BA03.
- 6.1.6 The existing plans don't give enough information to determine the exact materials to be used or the house heights in relation to any others. Plans are notoriously difficult to interpret in regard to style, density and overall appearance. We have some comments already which are:
 - The construction of 5 bedroomed houses was specifically rejected in the 2015 Village Housing survey – they should be a maximum of 4 bedrooms.
 - There are too many parking spaces.
 - The floor levels and roof heights are not to exceed existing houses.
 - There are privacy issues with overlooking.
 - There needs to be a new impartial environmental/ecological report and impact survey on what is a valuable wildlife corridor and habitat. Nightingales and dormice are amongst the important residents the existing report appears to have been completed by a relative/family member of the developer and is not considered impartial.
 - Who will have the responsibility/ownership and maintenance/repair of the road.
 - No trees should cut or pruned, - hedgerows and bushes are to remain intact.
 - The ponds must not be disturbed.

- To reduce the flooding problem, we request that all have permeable/porous drives.
- There must be adequate turning circles.
- We insist on hedges not garden panels.
- There is a pollution risk to local houses from waiting traffic.
- There should be no streetlights

6.2 Heritage and Design

6.2.1 The site is located to the south-west of Barcombe Cross Conservation Area with the south-east of the site bordering the CA as it is experienced on Bridgelands. The proposed materials and layout for the new dwellings is not considered to be detrimental the setting of the Conservation Area.

6.3 Trees and Landscaping

6.3.1 A Proposed Landscaping Plan and Report has been prepared by Nicolas Jones as part of the reserved matters details which sets out the proposals for the site. The proposals include new native hedge planting across in three areas across the site.

6.3.2 The proposed hedgerow species proposed will provide seasonal interest and appropriate screening and will enhance the aesthetic and ecological value of the site. Given the level of established tree cover and bordering within the site, no additional tree or shrub planting is proposed.

7. Neighbour Representations

7.1 Representations were received from 36 residents in the close vicinity of the site and the wider area. Issues raised are summarised as follows:

- Presence of nightingales
- Ecology, impact on wildlife
- Concern about quality of ecology report
- Concern over protection of hedgerows
- Concern over Japanese Knotweed
- Concern about extension of site into wildlife areas
- No landscape plan submitted
- Concern over levels
- Development not needed in the village
- Drainage/flooding
- Too many hard surfaces
- Highway hazards, lack of pavements
- Accessibility of site

- Sightlines
- Query over ownership of road
- Increase in traffic
- Concern about increase in parking spaces
- Concern about road width and refuse and recycling vehicles
- Pollution
- Signage – ‘gated community’ not wanted
- Increase in size of properties
- Design
- Expansion outside of the village envelope
- Development on greenfield site
- Impact on infrastructure
- Overdevelopment
- Contamination
- Concern over archaeology
- Concern of length of building process and impact on residents
- Does not object to new housing, but wants footpath to pump house field
- Loss of privacy, overlooking from dormer windows, loss of daylight and sunlight to properties opposite the site

7.2 Cllr Linington raised the following issues:

- The outline planning permission was for 2x2 bed semi-detached, 1x2 bed, 1x3 bed and 2x4 bed houses. This application has 2x2 bed semi-detached houses, 1x3 bed house and 3x5 bed houses. The houses also have larger footprints and greater heights. This is not a small change and does not generally conform to the outline planning permission. The greater size of the houses means greater numbers of occupants and greater numbers of cars. During the Parish Council Housing Survey in 2015, 2 and 3 bed houses were the most wanted types of houses in the village.
- The Bridgelands road is too narrow for cars and cars/lorries to pass and the junction with the main road is dangerous. Condition 30 requires visibility splays of 2.4m by 60m to the north east and 2.4m by 56m to the south west of the junction. Although this can be met to the north east, it cannot be met to the south west, the maximum being 2.4m x 39m. Thus condition 30 cannot be discharged. The addition of a stop sign and white lining will not make this junction safer and, in fact, is totally out of character for the village and

unsightly. The proposed gates are especially out of character and would not make exiting the junction any safer.

- At the Planning Committee meeting when the outline planning application was approved, I made the point that the Flood Risk Assessment was a desk exercise and that no-one had visited the site to check on actual conditions. The extra hard standing for cars and driveways will add to the water run-off when it rains. The addition of decking around the pond could also affect the path of water running into the pond. The Drainage Strategy in this application is based on the possibly flawed original Flood Risk Assessment and Surface Water Strategy. These should be redone by an independent expert, taking into account water drainage from the existing houses in Bridgelands, water running down into Bridgelands from the High Street during heavy rain, current water draining from Hillside and the potential increase if around 30 houses are built on that site, before conditions 6-11 are discharged.
- Many have written about the wildlife including the nightingales. The original Ecological Assessment was limited in scope and only covered reptiles. The validity of the Ecological Mitigation Report in this application to discharge condition 14 has been questioned because of doubt over the author's expertise.
- I am pleased that LDC has said that this Report should be scrutinised by an independent ecologist. The Landscape Strategy has yet to be submitted – this could affect the habitat for the wildlife on the site and so will need to be checked for any necessary amendments following the review of the Ecological Mitigation Strategy and any further Ecological Assessments.
- Since the outline permission was granted an oil contamination incident occurred which led to oil running across the site and into the pond. Although an excellent clean-up operation was carried out by the Environment Agency, a new Environmental Risk Assessment for contaminated land should be commissioned to check for any residual contamination on the site.
- Although solar panels are mentioned and the possible use of air source heat pumps, it is not clear whether gas is expected to be used for a gas fired boiler for heating and hot water. As there is no mains gas in the village the only way for gas to be used is for bottled gas to be delivered. This would be a concern on safety grounds and also on traffic grounds if delivery lorries had to navigate the narrow road.

8. Appraisal

8.1 Principle of development

- 8.1.1 The principle of the development and number of units has been established by the Outline Planning Permission LW/18/0627. The layout and appearance are in general conformity with the scheme that was considered at outline stage and complies with policies SP2 and BA03
- 8.1.2 Policy CP2 requires developments to provide a range of dwelling types and sizes to meet identified local need, including smaller units. Account will also need to be given to the existing character and housing mix of the vicinity of the site.
- 8.1.3 The number of units was approved under the Outline Planning Permission, although the mix of unit sizes – 3 x 2 bed, 1 x 3 bed and 2 x 4 bed was indicative. The amended mix of unit sizes submitted at this stage – 3 x 2 bed and 3 x 4 bed - is considered to be acceptable and to meet the requirements of CP2.

8.2 Layout and Design

- 8.2.1 The layout is considered to be acceptable in that it makes the best use of the site given existing constraints such as, its shape and the need to respect and retain existing natural features. The layout also allows for sufficient space for parking, circulation and turning areas.
- 8.2.2 There are 13 car parking spaces, including garages and a car port. Using the ESCC Parking Calculator, the parking needs of the site, both for residents and visitors would be met. The calculation takes into consideration the potential for the studies to be used as additional bedrooms.
- 8.2.3 The spacing between the proposed houses avoids any mutual overlooking and overshadowing and allows generous garden areas.
- 8.2.4 As noted in paragraph 4.7 above, the proposed design of the new houses with pitched and hipped roofs, feature panels in some gables, brick quoin and banding details, plain roof tiles and brick walls finish, respects the prevailing character of Barcombe Village and Bridgelands itself.
- 8.2.5 The Heritage and Design Officer does not consider the design and materials will be detrimental to the setting of the Barcombe Cross Conservation Area.
- 8.2.6 In terms of layout and appearance, the proposal is considered to meet the relevant criteria of policies CP11, DM25 and DM33.

8.3 Response to objections

- 8.3.1 Objections and comments that specifically relate to the Reserved Matters, i.e., layout, appearance and landscaping have been addressed in the appraisal above.
- 8.3.2 Objections and comments relating to matters that will be covered by discharge of conditions applications – e.g., drainage, highways, traffic, site management during construction, sustainability, ecology,

and archaeology – are noted but are not relevant to the consideration of the Reserved Matters.

- 8.3.3 Many of the objections noted the presence of nightingales on and around the site. The matter was referred to the Sussex Ornithological Society who confirmed that they do not believe the site to be a suitable habitat for nightingales or that the development will directly put them at risk; therefore no formal objection would be made.
- 8.3.4 It is acknowledged that the ecology reports submitted with the application were not satisfactory. As noted above, further reports have been submitted for consideration under LW/21/0231/CD.
- 8.3.5 Now that the dormer windows have been removed, there would be no adverse impact on existing properties in Bridgelands by way of overlooking. There is sufficient distance between the existing and site to ensure that no overshadowing will arise.
- 8.3.6 The Parish Council comment about planning application ref. LW/20/0288 for development of the adjoining site to the north-east is noted. This application was withdrawn on 28th July 2020.

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 information submitted in respect of Reserved Matters only, is considered satisfactory and meets all relevant national and local planning policies.
- 10.2 Approval is recommended subject to the following condition:
 - 1. The development hereby permitted shall be carried out in accordance with the following approved drawings:

PLAN TYPE	DATE RECEIVED	REFERENCE
Proposed Block Plan	17 December 2020	ADC1193/01D Proposed site plan with levels
Proposed Layout Plan	17 December 2020	ADC1193/02D Plots 1 and 2 site plan
Proposed Layout Plan	17 December 2020	ADC1193/03C Plot 3 site plan
Proposed Layout Plan	17 December 2020	ADC1193/04C Plots 4 and 5 site plan
Proposed Floor Plan(s)	17 December 2020	ADC1193/06B Plot 1 floor plans

PLAN TYPE	DATE RECEIVED	REFERENCE
Proposed Elevation(s)	17 December 2020	ADC1193/07B Plot 1 elevations
Proposed Floor Plan(s)	17 December 2020	ADC1193/08C Plot 2 floor plans
Proposed Elevation(s)	17 December 2020	ADC1193/09C Plot 2 elevations
Proposed Floor Plan(s)	17 December 2020	ADC1193/10A Plot 3 floor plans
Proposed Elevation(s)	17 December 2020	ADC1193/11B Plot 3 elevations
Proposed Floor Plan(s)	24 April 2020	ADC1193/12A Plots 4 and 5 floor plan
Proposed Elevation(s)	24 April 2020	ADC1193/13A Plots 4 and 5 elevations
Proposed Floor Plan(s)	17 December 2020	ADC1193/16A Plot 6 garage plans and elevations
Proposed Layout Plan	24 April 2020	ADC1193/17B Proposed site layout plan
Other Plan(s)	17 December 2020	ADC1193/20A Levels and site section
Location Plan	24 April 2020	ADC1193/21 Location Plan
Design and Access Statement	22 May 2020	Design and Access Statement
Additional Documents	24 April 2020	Materials Schedule

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

11. Background Papers

11.1 None.