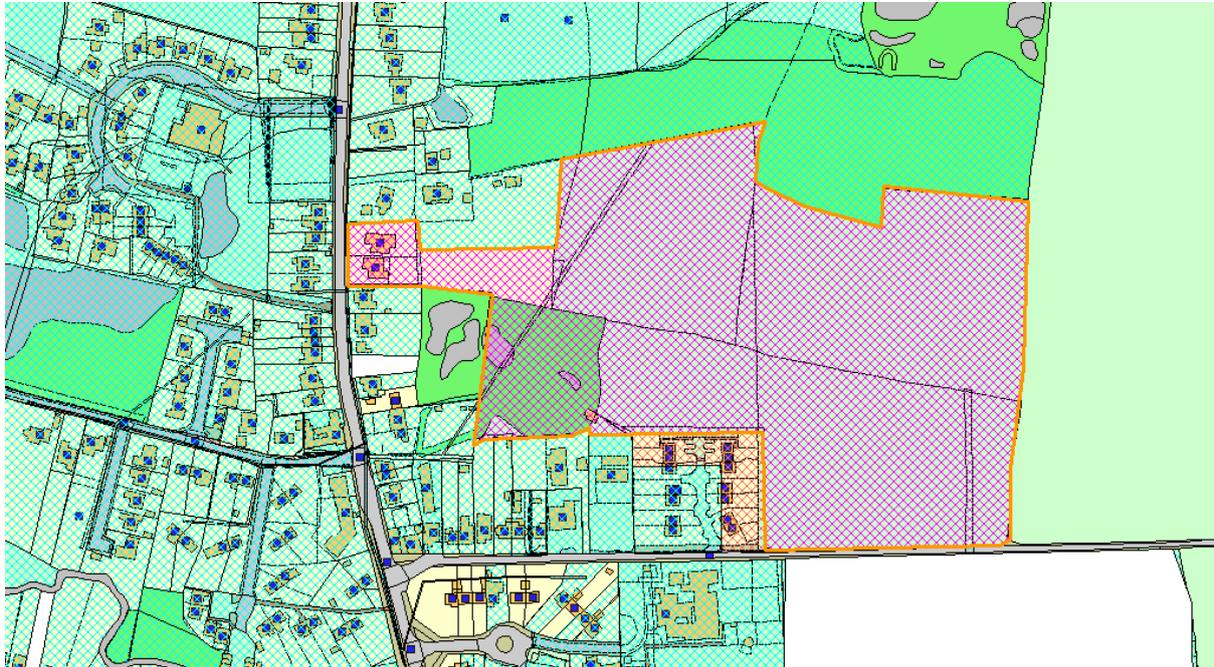


Report to: Planning Applications Committee
Date: 8 December 2021
Application No: LW/21/0262
Location: Land adjacent Nolands Farm, Station Road, Plumpton Green, East Sussex
Proposal: Outline application for the demolition of 2-No. existing dwellings and outbuildings and the erection of up to 86 No. residential dwellings, including 40% affordable housing, provision of pedestrian and vehicular access, open space, associated infrastructure and landscaping, all matters reserved except access (amended description).
Ward: Plumpton, Streat, E.Chiltington, St John Without
Applicant: Mr W Adams
Recommendation: Refuse planning permission.
Contact Officer: **Name:** Andrew Hill
E-mail: andrew.hill@lewes-eastbourne.gov.uk

Important note: this scheme is CIL liable.

Map Location:



1. Executive Summary

- 1.1 The current scheme follows a previous outline application (LW/17/0885) for 45 dwellings, which was refused in 2018 on the

grounds of principle of development, landscape impact and impact on highway safety.

- 1.2 The submitted scheme is also in outline form with only access determinable at this stage. The current proposal is seeking permission for up to 86 residential units, and is supported with additional technical reports, seeking to address the previous reasons for refusal.
- 1.3 The proposed development would provide environmental gains by way of introducing new habitat as part of the site landscaping scheme however it would in itself result in the development of a large greenfield site. It would provide social gains by facilitating a net gain of 86 residential units (including 40% affordable housing units) that would be of an appropriate design for the area 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 an indicative layout, design, scale and landscaping details that demonstrate the site is capable of accommodating the development proposed. However it is considered that this extensive development to the east of the village, extending the built form of the village onto an area of undeveloped countryside would have a detrimental impact on the character and appearance of the wider landscape setting of this part of the village and wider countryside.
- 1.5 Overall, it is considered that the proposed development would have an unacceptable impact on areas or assets of significant importance (as defined in the NPPF), in this case the character and visual amenity associated with the wider countryside and result in significant harm that would outweigh the benefit that up to 86 new dwellings would have in assisting the district in addressing housing need.
- 1.6 It is therefore recommended that the application is refused.

2. Relevant Planning Policies

2.1 National Planning Policy Framework

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)

Spatial Policy SP2 - Distribution of Housing

LDLP1: - CP1 – Affordable Housing;

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: – 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

2.3 Plumpton Neighbourhood Plan

Policy 1 – Spatial Plan

Policy 2 – New Build Environment and Design

Policy 3 - Landscape and Biodiversity

Policy 4 – Sustainable Drainage and Wastewater Management

Policy 5 - New Housing

3. Site Description

3.1 The Application Site, comprising two properties located on the eastern side of Station Road and approximately 5ha of predominantly flat land to the east, is located on the eastern edge of Plumpton Green. With the exception of the two properties, Chestnut House and Saxon Gate and their curtilages, the site lies outside the planning boundary; it is not within or adjacent to a Conservation Area and is not within the South Downs National Park.

- 3.2 The site comprises the access (2 existing dwellings with gardens and part of a field forming the immediate Nolands Farm House curtilage), three larger fields bounded by mature hedgerow with some trees and a small area of woodland containing two ponds, on the north side of North Barnes Lane. The site is not classified as high-grade agricultural land. The southern boundary of the Site is contiguous with existing residential development along North Barnes Lane and the Lane itself.
- 3.3 To the south of North Barnes Lane, the land is within the control of the applicant. This land is currently formed partly of open field with trees and scrubland in the western part and the Bevern Stream flanked by mature trees is just beyond the southern boundary.
- 3.4 The site is in close proximity to a range of services and facilities including the convenience store/post office, village hall, pub, recreation ground and tennis club, pre-school, railway station and bus stops, all within walking distance of the site.
- 3.5 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 86 new dwellings on the site, to include 40% affordable housing. All matters are reserved other than site access details. A new access off Station road would function as the main access to the site and would be provided by way of a new crossover formed on the western part of the site currently occupied by the dwellings Saxon Gate and Chestnut House. The application has been amended with the reduction in the maximum number of units (down from 89 to 86) and the removal of the proposed business hub.
- 4.2 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 layout has been amended to address concerns raised in third party representations. The accompanying Design & Access Statement sets out design principles and parameters. It is stated that maximum building height would be two-storey, with single storey bungalows and covered parking structures. It describes how dwellings could be designed to be sympathetic to the local vernacular through the identification of characteristic architectural features and locally used materials.
- 4.3 The application is accompanied by a range of supporting documents including an Ecological Appraisal, Landscape and Ecology Plan, Biodiversity Impact Calculation, Archaeological Assessment, Utilities and Foul Drainage assessment, Flood Risk Assessment, and assessments covering Landscape and Visual Impact, Townscape, arboriculture, transport, energy statement, and an environmental

assessment. An indicative layout plan, together with indicative design plans to show building designs and materials have also been submitted.

5. Relevant Planning History

- 5.1 E/58/0544 - Outline Application to erect ten dwellinghouses. - Refused
- 5.2 E/71/0608 - Outline Application for the erection of dwellings. - Refused
- 5.3 E/71/0789 - Outline Application for erection of dwellings. - Refused
- 5.4 LW/87/1101 - Planning and Building Regulations Applications and Listed Building Consent to erect a front porch. Planning Permission Approved Conditionally. Building Regulations Exempt. Site plan inadequate. Plotted from sheets. - Approved
- 5.5 LW/01/0873 - Demolition of outbuildings and construction of bungalow. – Approved
- 5.6 LW/02/0930 - Listed Building application for alteration to drive including part demolition of garden wall - Withdrawn
- 5.7 LW/04/2598 - Change of Use of land from agricultural to residential, extension of driveway and erection of garage - Approved
- 5.8 LW/17/0885 - Outline planning application for 45 new dwellings, including 40% affordable units, the demolition of two existing dwellings and outbuildings. Provision of a new vehicular and pedestrian access via Station Road. Provision of open space, associated infrastructure and landscaping. Demolition of 2 no. existing houses - Saxon Gate & Chestnut House - and miscellaneous farm structures - Refused
- 5.9 LW/21/0055 - screening opinion relating to potential development of 89 new dwellings – EIA not required as not EIA development.

6. Consultations

6.1 Consultations:

ESCC Landscape Architect – On balance and considering the current policy context, it is recommended that the proposed development could be supported. This would be subject to a robust mitigation strategy, as outlined.

It is recognised that the proposed development needs to be considered against the provisions of policy DM1 of the LPP2 and Policy 1 of the Plumpton Neighbourhood Plan as it would be outside the current planning boundary and within a countryside setting. However, as the council can no longer demonstrate a five-year housing supply it is understood that both of these policies can only be afforded moderate weight and therefore decisions on planning applications involving provision of housing must be tilted in favour of sustainable development, in accordance 11d of the NPPF. The Lewes DC Planning Policy comment on this application, dated 14.5.21, outlines that this means planning permission should be granted unless any adverse impacts would significantly outweigh the benefits.

The Lewes District Council and South Downs National Park Landscape Capacity Study (September 2021) for Plumpton Green concludes that:

The south-east edge of the village is relatively open with medium sized fields, however land to the immediate east features several smaller fields bounded by mature trees and hedgerows. These features contain the landscape and obstruct outside views. This area offers the greatest opportunity for change without impacting on the landscape character. Although other identified landscape character areas, adjacent to the existing development area, are considered to be more visually sensitive due to the larger scale landscape, there is the potential for small scale changes in the landscape within a strong and reinforced landscape.

This study identifies three broad character areas around the village and the site area is washed over by two of these. The majority of the site area is within character Area B01 which is assessed as having a medium capacity for development. The field within the proposed site development area to the east of Sun Close is in character Area A01 which is assessed as having low to negligible capacity for development. The area which is in the same ownership as the application site to the south and east of the school, Area A03, is assessed as having low to negligible capacity.

It is acknowledged that areas of the site could be considered suitable for development without having unacceptable impacts on the wider landscape and views. Notably those fields closest to the village edge that are aligned with the existing development edge.

It is noted that a Landscape and Visual Impact Assessment (LVIA, HED March 2021) has been submitted to accompany the application. This provides a description of the baseline landscape and visual context of the site and surrounding area including the local and national planning policy context.

The LVIA does identify some local sensitivities in relation to the site including the intact character of the field systems and strong historic field pattern. The LVIA identifies viewpoints towards the site from the local public footpath network and assesses the potential visual effects of the proposed development from these views.

The LVIA suggests that the proposed development, with appropriate mitigation, would have an overall moderate adverse effect on landscape and visual amenity. The LVIA concludes that these effects will reduce to minor after 15 years, by which time the proposed mitigation planting would have established. The change would be from rural countryside to medium to low density residential development across the site area. The proposed mitigation includes retention of the existing trees and hedgerows on the site, provision of landscape buffers to the boundaries with the countryside and reduced densities on the rural edges of the site. The proposed development would have an impact on the rural character of this edge of village location. The conclusion of the LVIA that this would reduce over time would be dependent on the detailed design and robust mitigation measures.

The proposed landscape masterplan would retain existing mature trees and hedgerows; however, the historic open green field character within this framework of hedges would be lost. The site currently forms part of the

green buffer between the wider countryside and the village. This buffer is important in views to the village from surrounding public rights of way and notably North Barnes Lane, as well as footpaths 8a, 20 and 16. The views across the site area from Sun Close and Barnes Lane towards the church spire are also notable. These could be obscured by the proposed development.

The background assessments which have informed the Plumpton Neighbourhood Plan concluded that there would be scope for small scale development to the east of the village and as an extension to the built-up area boundary. These are proposed to be low density developments with, for example, a maximum of twenty houses on the Oakfield plot. It was considered that low density development in a strong landscape framework would not detract from the character of the village.

The development boundary on the eastern edge of the village is currently Sun Close aligned with the school to the south. The development of 20 units currently under construction on the Oakfield site does not extend beyond this edge. The proposed development of 89 units would extend beyond this edge and encroach into the countryside setting of the village.

It is acknowledged that the proposed development would retain and protect most of the existing trees and hedges on the site. If reinforced with new tree planting the well treed hedgerow on the eastern edge of the site could be established as the new defined boundary to the village

The two houses to be demolished have become an established part of the streetscape and are well designed to be in character with the local vernacular. The loss of these and creation of a new bell mouth would have an adverse impact on the character of Station Road in this location. It is noted that a new house is proposed on the south side of the access which would help to mitigate the impact of the new access.

There are views towards the development site from the local footpath network and in most of these views the roofs of Sun Close are evident. The development and associated mitigation could offer an opportunity to reduce the visual impact of the houses in Sun Close from these viewpoints. The proposed houses would extend the built form on the village edge deeper into the countryside. The proposed development and associated mitigation planting could obscure views to the church spire from North Barnes Lane. The potential visual effects of the development would be restricted to the local area.

The comments from the SDNPA raise concerns regarding potential impacts on the longer distance views from the Black Cap and Ditchling Beacon. The retention of the existing trees and hedgerows and provision of additional planting, as recommended below, would help to ensure that potential visual impacts on long distance views would be negligible. From these longer distance viewpoints the proposed development would be seen against the background of the existing built up area. Potential impacts from these longer distance views could be further mitigated by the sensitive use of a variety of materials which reflect the local vernacular.

The SDNPA highlight concerns regarding potential impacts on the Western Low Weald character area as the setting of the SDNP. The retention of the

existing trees and hedgerows and the recommended mitigation measures outlined below would minimise potential effects on the setting of the SDNP. Regarding the Dark Night Skies Reserve it is recommended that the applicant is required to provide a lighting assessment and that external lighting is kept to a minimum.

The Townscape Note provided to accompany the application identifies that the more recent growth of the village has been as linear spurs to the west and east. The proposed development would extend deeper into countryside than the existing built up area. The key landscape and visual effects of the development would be the loss of the green buffer between the existing village edge and countryside and the visual effects from surrounding public rights of way and notably North Barns Lane.

Should the local planning authority be minded to approve the application the detailed layout and landscape masterplan would need to incorporate measures to mitigate for adverse landscape and visual effects. As an outline application it is acknowledged that the layout in terms of scale and massing can be secured by condition. It is recommended that the following mitigation measures are considered in the detailed design and layout:

- a) The proposed habitat net gain area within the blue line to the south of North Barns Lane is secured as undeveloped land in perpetuity as this provides a landscape buffer between the site and the South Downs National Park.
- b) A Landscape and Ecological Management Plan (LEMP) is required by condition to secure the long-term retention and protection of all retained and new landscape features including the land outlined in a) above.
- c) The proposed planted buffer on the north side of North Barns Lane is extended to fill the proposed open space between the access road and the site boundary.
- d) The Design and Access Statement suggests that there would be a variety of eaves heights across the site including single storey bungalows. It is recommended that the lower eaves are located along the boundary with North Barns Lane and on the east side of the proposed development. This would reduce the potential visual intrusion on the views towards the development from the surrounding countryside and public rights of way.
- e) The proposed access would impact on the character of the existing streetscape and it is noted that a footway is proposed on both sides of the bell mouth. The urbanising effect of the new access could be reduced if the footway was provided on one side only. It is recognised that this would be subject to the approval of East Sussex highways.
- f) The existing treed hedgerow is reinforced with large specimen native trees to close gaps and in the long-term screen the proposed development and the houses on Sun Close. This tree belt provides a robust edge to the wider and much more open countryside to the east. If the development were to be approved this tree belt could form the new defensible boundary to the built-up area of the village.

Conclusion

On balance and considering the current policy context, it is recommended that the proposed development could be supported. This would be subject to a robust mitigation strategy, as outlined above. A high-quality landscape led development could provide an opportunity to enhance local landscape character and views and establish a defensible boundary to the built development on the eastern edge of the village.

South Downs National Park – Although the application site is located outside of the National Park, the Council has a statutory duty to consider the Purposes of the National Park when making its determination. The statutory purposes and duty of the National Park are:

- o Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.
- o Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.
- o Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.

The National Park's comments on the development are as follows:

Landscape and Visual Impacts - The site is 770m from the national park at its nearest point and 3.5Km north of the scarp slope, from which far ranging views of the Western Low Weald are possible. We are concerned by the proposed development as it is within the setting of the South Downs National Park (SDNP). It is part of a larger landscape of which its historic character is shared with parts of the SDNP and this coherence in historic character suggests the site contributes positively to the setting of the SDNP.

The NPPF paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks. We wish to draw attention to the Government's proposed changes (underlined below) to the NPPF paragraph 175 on national parks. Although this is still in draft form it certainly shows policy direction by the Government to protect the setting of national parks as well as the national parks themselves.

"The scale and extent of development within these designated areas should be limited, while any development within their settings should be sensitively located and designed to avoid adverse impacts on the designated landscape."

It needs to be fully considered whether this proposal is indeed sensitively located and avoids adverse impacts on the National Park. In determining the application, the District Council should have regard to the East Sussex Landscape Character Assessment 2016 (in particular the character of settlements within the Western Low Weald Landscape Character Area), and the South Downs Landscape Character Assessment 2020 (in particular the potential effects on the A2 Adur-Ouse Open Downs, I2 Adur-Ouse Scarp, and J2 Adur-Ouse Scarp Footslopes Landscape Character Areas). The SDNPA Viewshed Analysis should also be consulted, with particular regard to viewpoints 13 (Blackcap) and 22 (Ditchling Beacon).

Rural Roads

It necessary to consider the impact of the development on the rural roads of the National Park. This is a matter that is currently being addressed by the new transport model being prepared for

East Sussex. It was addressed at the recent examination of the Eastleigh Local Plan. Paragraphs 23 to 25 are the most relevant where the Inspector talks about the impact of a strategic development on the rural roads of the South Downs National Park. She describes how the rural roads form an integral part of the overall National Park experience and how the predicted levels of traffic could have a detrimental effect on local communities. She concluded that the site did not represent the most suitable option when considered against all other reasonable alternatives and deleted it from the Plan. The Inspector referenced our document Road in the South Downs and was not convinced that suitable mitigation could be brought forward to mitigate against this increase in traffic movements having regard to this document.

Lighting

The SDNPA has been successful in achieving Dark Skies Reserve status for the South Downs National Park - only the second such Reserve in England. Lighting should therefore follow the Institute of Lighting Professionals (ILP) guidance GN01:2011 Guidance notes for the reduction of obtrusive light. Should you be minded to grant planning permission then details of external lighting (both

during and after the construction period) should be secured by an appropriate planning condition with the intention of limiting light pollution impacts and disturbance to wildlife.

Council For Protection Of Rural England – Stripped of its superficial greenwash and its imaginative but completely implausible transport statement, this is a proposal to create a large new housing estate for commuters at a sensitive and car-dependent countryside location at Plumpton Green, at a time when there are large allocated urban-centre brownfield development sites in Lewes and Newhaven, with and without planning permission, whose construction is stalled by the developer preference for the windfall profits arising from countryside planning permissions such as that sought here.

The national interest and the critical fight against climate change demands that such self-interested and destructive proposals to prioritise greenfield over brownfield development are refused.

Plumpton residents (who have demonstrated through their Neighbourhood Plan that they are willing to accept appropriate development in their village) have unambiguously shown their overwhelming opposition to the disproportionate scale of this proposal, which would be very damaging to Plumpton's sense of place.

Comparison of the transport systems actually used by the real residents of Lewes and Newhaven (available on the East Sussex in Figures website maintained by East Sussex County Council) demonstrates beyond any

shadow of a doubt the much higher use of the private car in communities such as Plumpton Green, despite the presence of a railway station, compared to those of the equivalent urban households. Rural residents have no realistic alternative. They not only own far more cars; they also necessarily make much greater use of them. The application notes the presence of a GP surgery in South Chailey, barely 45 minutes' walk away, for Plumpton Green residents to use. It does not mention that there is no footpath along the narrow, busy, country lanes connecting the two, or consider that those needing to access primary care may be unable to walk such a distance. Lewes District Council has declared a climate change emergency. Any council claiming to care about this issue yet even considering approval of such an inappropriate proposal would be guilty of the absolute hypocrisy.

This application should be refused. To approve it would be completely irresponsible

Planning Policy Comments – This proposed residential development should be considered against the policies of the adopted Lewes District Local Plan Part 1 (LPP1), the adopted Lewes District Local Plan Part 2 (LPP2) and the Plumpton Parish Neighbourhood Plan (PPNP). The National Planning Policy Framework (NPPF) is also a material consideration.

The Local Plan Policies Map (Inset Map 8) shows that the proposed development is located outside of the planning boundary for Plumpton Green, with the exception of the two existing dwellings that would be demolished to provide access. The application is therefore in clear conflict with Policy DM1 of the LPP2, adopted in 2020, and Policy 1 of the PPNP, adopted in 2018. It therefore fails to be in accordance with the approved development plan for the area.

However, the LPP1, which sets out the strategic policy framework to guide development and change, was adopted on 11 May 2016 and is now more than five years old. The Government has introduced a new standard method for calculating local housing need and instructed local planning authorities to identify a five-year supply of housing land sufficient to meet this housing need if their adopted strategic policies are more than five years old.

The district's housing land supply therefore has to be assessed against a local housing need figure of 782 dwellings per annum, calculated using the Government's standard method, instead of the 345 dwellings per annum requirement set out in Spatial Policy 1 of the LPP1.

As a consequence, the Council can no longer demonstrate a five-year supply of deliverable housing sites and decisions on planning applications involving the provision of housing must be tilted in favour of sustainable development, in accordance with Paragraph 11d of the NPPF. This means that planning permission should be granted unless:

- i) The application of NPPF policies that protect areas and assets of particular importance provides a clear reason for refusing the development proposed, or

ii) 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.

In recognition that Policy DM1 can only carry moderate weight in decision making under such circumstances, the Council has approved an Interim Policy Statement for Housing Delivery (Cabinet 25 March 2021 Minute 52). This Statement identifies the factors that the Council considers are critical to achieving 'sustainable development' in relation to the provision of housing outside of the settlement planning boundaries, as defined on the Lewes District Local Plan Policies Map.

The Statement does not form part of the development plan and does not alter the statutory planning framework for that part of Lewes District outside of the South Downs National Park. However, the Statement is intended to be used as a material consideration in the determination of planning applications.

In my opinion, the proposed housing development adjacent to Nolands Farm accords with the sustainability criteria set out in the Statement in the following respects:

- 1) The western boundary of the site is contiguous with the adopted settlement planning boundary for Plumpton Green
- 2) The scale of the proposed development would be appropriate to the size, character and role of Plumpton Green, having regard to its definition as a 'service village' in Table 2 of LPP1
- 3) The proposed development can provide safe and convenient pedestrian and cycle access to key community facilities and services within Plumpton Green
- 4) The proposed development would not result in the actual or perceived coalescence of settlements
- 5) The proposed development is located within the setting of the South Downs National Park but, subject to satisfactory design, is not likely to have an adverse impact upon the special qualities of the Park
- 6) An ecological impact assessment has been submitted and demonstrates that a 10% net gain in biodiversity can be achieved.
- 7) The proposed development makes an efficient use of the land, whilst responding sympathetically to the existing character and distinctiveness of the adjoining settlement and surrounding rural area.

All these factors are material considerations that weigh in favour of the application. In terms of deliverability, this is an outline application and I am not entirely convinced that the site is capable of delivering housing completions within the period up to the end of 2023 (i.e. the anticipated adoption of the new LPP1). This is material consideration that counts against the application.

However, with the exception of Policies DM1 of the LPP2 and Policy 1 of the PPNP, the application does not appear to conflict with other development plan policies. The provision of 89 dwellings, 40% of which would be affordable, is a significant benefit which, together with the overall compliance

with the criteria set out in the Council's Interim Policy Statement for Housing Delivery, suggests the balance may be in favour of approval.

N.B. The Council has a statutory duty to have regard to the purposes of the South Downs National Park in carrying out its planning functions. It will therefore be important to obtain the opinion of the National Park Authority in respect of the impact of the proposed development on the natural beauty, wildlife and cultural heritage of the Park

ESCC Highways – no objection subject to conditions/S106

Although this application is for OUTLINE purposes only the access is to be dealt with at this stage.

A Transport Assessment [TA] has been submitted, and the applicant has also included an illustrative site layout plan [1924-PL04 Revision P] which show both possible house type split and number of parking spaces. Whilst the layout of the site, including parking, is to be dealt with at detailed/reserved matters stage the parking areas as illustrated would not be acceptable. The applicant should also take into account those comments at a later date as it could affect the overall layout of the site.

1. The site and location

The applicant is proposing an 86-unit housing development to land at Nolands Farm, Station Road, Plumpton consisting of an indicative mixture of housing tenure, size and type to be determined at reserved matters stage. The site is situated within the village of Plumpton on the eastern side of Station Road.

Plumpton benefits from local services [public houses, convenience store and primary school] all within 10-minute walk of the site. Whilst there are school buses the bus services through the village are limited for commuters. However, Plumpton railway station is within approximately a 15-minute walk from all parts of the site with regular services to London Victoria and Lewes/Brighton/Eastbourne for commuters.

School bus transport is also provided to and from Chailey Secondary School via a school bus.

2. Transport Statement/Trip Generation

In order to determine the AM and PM peak traffic flows for this development and impact on the highway network the applicant has used the nationally accepted Trip Related Information Computer System (TRICS). This analysis reveals that the

the development would generate 49 vehicular trips in the AM peak and 50 in the PM peak. This relates to 1 trip every 1.2 – 1.5 minutes during the peak hours. Thus the number of vehicular daily trips associated with this development of 86 dwellings onto the highway network is acceptable.

3. Vehicular Access/Visibility

The proposal includes the permanent closure of the two existing accesses direct onto Station Road.

A new access is proposed to serve this development approximately midway along the Station Road site frontage.

The applicant has confirmed that Option 1, without any vertical traffic calming features, is proposed with this development, Option 2 has been omitted from the scheme. It should be noted that the semi-permanent vehicle activated signs [VAS] indicated to be installed at the proposed road narrowing/crossing points on drawing No. SK2164-10 revision B will not be required by ESCC as the recorded vehicle speeds here are suitable for a 30mph speed limit.

The new access is shown to include buildouts either side of the access narrowing Station Road and providing priority working for southbound traffic. New sections of footways around the bell mouth of the access would connect and link into existing footways on the eastern side of Station Road. New crossing points (dropped kerbs/tactile paving) on Station Road (C110) are to be provided linking the site to the footway on the western side.

In accordance with Manual for Streets visibility splays of 2.4m x 43m should be provided. These have been adequately shown on the submitted plans [SK2164-10B] to be provided.

A Stage 1 Road Safety Audit [RSA] was carried out on the access proposals by an independent RSA team, in line with ESCC guidance. The RSA raised 2 problems, the first relates to parked vehicles on Station Road and has recommended further measures are sought to prevent loading/unloading within the proposed parking restriction area/road narrowing on Station Road. The second concerns northbound reduced intervisibility at the road narrowing and recommends additional signing.

I am satisfied that the problems raised in the RSA have been addressed by the Designers Response and can be agreed/dealt with through the detailed design of the s278 agreement and Traffic Regulation Order process.

It should be noted that any parking restrictions would require a Traffic Regulation Order [TRO] which is open to objections and thus any restrictions not guaranteed.

4. Highway Works

In addition to the above the following points will need to be agreed/clarified at detail design stage through the s278 Agreement: -

- Provision and position of Timber posts/ gateway features- recommend safer alternative materials are used (particularly for the posts that sit outside the lower speed limit).
- Details of signing for the proposed priority working [non shown on current plans]
- Feature would need to be visible – with bollards etc, to prevent vehicle strikes/ loss of control type crashes
- Substantial gateway features will need to be submitted and agreed at the detailed design stage through the S278 Agreement. A commuted sum would be sought through the S278 for the maintenance of gateway features on the public highway and the features would require acceptance at that stage from the Parish for any Licencing and/or any on-going maintenance requirements (or an alternative maintenance arrangement must be found). The maintenance costs will not be known until the gateway features are agreed during the detailed design at s278 stage but will be calculated using the standard methodology. Thus contributions for ongoing maintenance will not need to be sought separately through the S106.

To encourage occupiers of this development/villagers to use public transport bus stop infrastructure needs to be improved.

- The nearest northbound bus stop is just south of Riddens Lane which has a brick bus shelter. However, the stop is not accessible to all persons due to parked vehicles. Providing the necessary protection to ensure compliance with accessibility regulations would normally be by way of a raised kerb. However, to minimise the loss of parking in this location, I would wish to see the entry to the layby [southern end] re-profiled to effectively provide a bus stop build out “pier” of sufficient width and height to be accessibility compliant.
- There is currently no marked southbound bus stop in the location of the site/Riddens Lane. It is therefore recommended that a new stop opposite the northbound bus stop (or in the vicinity of) be provided. The exact position to be agreed and will need to be accessible to all with provision of DDA compliant kerbing, bus stop pole, flag/timetable.
- Also, in order to connect the site to the bus stops dropped kerbs and/or tactile kerbing is required across Riddens Lane at its junction with Station Road and across Station Road in the vicinity of the bus stops and may require further alterations to the bus layby profile at the northern end.
- Due to vehicles currently parking on Station Road to the north of Riddens Lane it may be necessary to introduce some form of parking restrictions at this point.

A Traffic Regulation Order and appropriate signing will be required for the alterations to the bus stop; parking restrictions in the vicinity of Riddens Lane; parking restrictions at the location of the access to this site therefore a £5000 contribution would be sought for the administrative costs of the Traffic Regulation Order.

5. Layout/Pedestrian Connectivity

The applicant has indicated that the site's internal carriageways would likely be offered for adoption. For an estate of this size, the Highway Authority would seek to adopt the internal carriageways and footways (in particular the main spine road from the C110) which should be laid out and constructed in accordance with ESCC Local Design Guide.

The layout should be well designed to accommodate all modes. Consideration should be given to providing footways on both sides of the internal spine road with associated crossing points (dropped kerbs) and/or service strips provided alongside carriageways.

The proposed road widths are detailed in the TA. A 6m carriageway for first section of the access road with 2m wide footways around the bellmouth and into the access linking to existing footways in Station Road is acceptable. A well-designed road layout prioritising non car movement over traffic often does not require speed reducing features, but these are likely to be acceptable within the site layout as part of the highway.

Given the 30mph speed limit through the village this development would need to be subject to a 30 limit also. As a result if street lighting is not provided then appropriate signing with repeaters will be required and necessitate alterations to the Traffic Regulation Order.

The application indicates a cycle/footway link through the site to the south to connect to North Barnes Lane. As previously discussed this would be a good link both for cyclists and pedestrians to reach the Primary School and local facilities as well as the local bridleway/footpaths. It would be beneficial if this link was provided for not only the residents of this site but also the general public particularly for locals to use. If the internal roads are not to be adopted public use of this route should be secured through the site through a s106 agreement for this footpath/cycle path to be used by the public as a permissive path. Adequate signage etc would also need to be agreed.

6. Refuse and Servicing

The ESCC 'Good Practice Guide for Property Developers' states that the access road(s) within a new development must be capable of accommodating a vehicle with dimensions of approximately 12 metres length x 3.5 metres high x 3 metres wide and weighing 26 tonnes (when fully loaded).

The swept path analysis drawing SK21614-51 shows that a refuse vehicle can enter and leave the site and drawing Nos: SK21614-50; 52 - 54 shows

indicatively that a vehicle can negotiate a route around the site. The 12m refuse vehicle would seem to be able to manoeuvre in the turning areas. However, as layout is a reserved matters issue the internal tracking would need to be determined at detail stage.

7. Travel Plan

A Travel Plan is required in association with this development to ensure that private car trips to and from the site are minimised. The travel plan should include targets for reduced car use and a monitoring programme to ensure these targets are met. The Travel Plan and Travel Plan Audit Fee of £6,000 should be secured by a s106 legal agreement.

8. Parking

Parking is to be dealt with at detail stage and would need to be in accordance with ESCC's parking demand calculator [October 2017].

The applicant has confirmed that there will be no garages on the site only car spaces and car ports. However, the indicative layout still shows a considerable amount of tandem parking. In accordance with ESCC's parking guidelines tandem parking should also be avoided where possible, as with garages, if vehicles are in regular use and for convenience parking on-street occurs instead. The removal of tandem parking from the provision may result in a shortfall of spaces. Although an illustrative plan shows the house type split/number of bedrooms these would be finalised at detail stage and cannot be fully assessed at present.

The revised layout now indicates effectively a car park between gardens and accessed via one point of entry between two properties [plots 19 & 20] in the northern part of the site. These parking areas tend not to get used whereby residents park on the road outside their property instead for convenience. Thus unless this parking area is well overlooked by properties then this type of parking is not generally not accepted by ESCC.

The parking spaces should also be 2.5m x 5m to meet current day standards with parallel spaces being 6m in length. The distribution of unallocated spaces for residents and visitors should be evenly spaced through the development.

As mentioned above the proposed parallel parking spaces for existing displaced residents on Station Road (and their visitors) would not be acceptable in that form. These spaces would need to be at a right angle to the new estate road to make them more accessible/attractive and prevent drivers having to do a 3 point turn close to the access junction onto Station Road. This can be dealt with at detail design stage.

Thus, the parking layout would need to be revised in accordance with ESCC's parking calculator at detail stage. It should be noted that this could affect the overall layout of the site.

Cycle parking would need to be provided at detail stage in accordance with ESCC's parking guidelines: -

Dwelling Type	Number of Bedrooms	Cycle Provision per Unit
Flat space if individual	1 & 2	0.5 spaces if communal 1
Flat	3 or more	1 space
House	1 & 2	2 spaces
House	3 or more	2 spaces

These parking areas should be covered, secure and in a conveniently accessible location for all users.

9. Construction Traffic Management Plan (CTMP)

I note that reference to the access for construction vehicles onto North Barnes Lane has now been deleted and that all construction traffic will be via the site access onto Station Road for which temporary construction access details would need to be agreed.

A revised CTMP would need to be submitted as there is insufficient information contained therein at this stage, however, this could be conditioned.

Conclusion

Mitigation Measures/S106 Agreement Obligations

- 1) Travel Plan developed in accordance with ESCC Travel Plan Guidance for developers (Feb 2020).
- 2) Travel Plan Audit Fee of £6,000
- 3) Access from the C110 [Station Road] including, closure of existing accesses, new buildouts, visibility splays and road markings etc as shown on plans Nos:- SK2164 – 10 revision B; site indicative layout 1924-PL04 revision P; and SK21614 -25;
- 4) The existing layby to the south of Riddens Lane shall be reprofiled to effectively provide a bus stop build out "pier" of sufficient width and height to be accessibility compliant and/or provide further alterations to the bus layby profile at the northern and southern ends.
- 5) New southbound bus stop on Station Road opposite the northbound stop [or in vicinity of] to be provided. The exact position to be agreed and

will need to be accessible to all with provision of DDA compliant kerbing, bus stop pole, flag/timetable.

- 6) Dropped kerbs and/or tactile kerbing across Riddens Lane at its junction with Station Road and across Station Road in the vicinity of the bus stops.
- 7) Footways around access bellmouth and footway links on Station Road together with appropriate crossing points on Station Road.
- 8) Substantial Improvements/alterations to gateway features at both ends of village with a commuted sum sought at the s278 detailed design stage.
- 9) Link through the site to North Barnes Lane [as cycleway/footway] for public use as permissive path [to be secured in case estate roads not adopted]
- 10) School Transport Contribution £108,300 to provide/enhance existing school bus transport services for 3 years.
- 11) Provision of parking spaces on new estate road for existing residents/visitors on Station Road.
- 12) A £5000 contribution towards the administrative costs of a Traffic Regulation Order for implementation of any parking restrictions required and/or extension to the 30mph within the site and/or bus stop cage.
- 13) Prior to commencement of Development Items 3-8 above shall be agreed, secured by a s278 agreement and constructed prior to the occupation of the first dwelling and which will include the need for Road Safety Audits stages 2, 3 and 4 and the implementation of any subsequent remedial measures.

The applicant is aware of and agreed to the above measures/obligations.

ESCC Archaeologist – 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.

Design & Conservation Officer – Less than substantial harm to the grade II listed Whitehouse Farm. No heritage benefits associated with the proposal which will therefore need to be weighed against the wider public benefits of the scheme.

The application site is to the east of Station Road in Plumpton Green. Access to the new housing development would be provided south of Whitehouse Farm, a grade II listed building formerly known as Knole Land Farm. The farmhouse is a simple 18th century farmhouse of two storeys, brick built and painted white under a tiled roof.

At the time of the 1841 tithe, Whitehouse Farm (or Knole Land Farm as it then was) formed part of a larger agricultural landholding belonging to John Jenner. The map below shows the farmhouse (plot 239, and the land associated with the farm (plots 221 and 240-248). The application site is on

part of the historic farmland associated with what is now Whitehouse Farm and there is an historic association with that building. The undeveloped land forms part of the setting of the grade II listed building. It is acknowledged that later development has already occurred on land that once belonged to the farm, and so the setting of the building has already been eroded, and the significance of the building affected. Nevertheless, the farmhouse is set back from the road and is currently experienced in a rural context with open fields to the north, east and south.

The development of land to the south would alter that rural experience and be harmful to the appreciation of the historic farmhouse.

The NPPF requires that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (para 193). Where development would result in less than substantial harm (as here), this should be weighed against the public benefits of the proposal (para 196).

There are no heritage benefits associated with the proposal and it is therefore necessary to consider the harm that would result to the designated heritage asset against the other merits of the proposal.

Southern Gas Networks – Our gas pipe locations are now available online at www.linesearchbeforedig.co.uk Not only can you access information about the location of our gas pipes in your proposed work area, but you can also search for information on other utility companies assets at the same time.

ESCC SUDS – The information provided is satisfactory and enable 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.

We have reviewed the submitted information and conclude that the preliminary proposals for the management of surface water from the development site are acceptable in principle.

As part of the detailed design, the applicant should determine the invert level of the receiving watercourses in order to confirm the feasibility of a gravity discharge. The applicant should also provide hydraulic calculations for the entire SuDS system and these should take into account the connectivity of the different SuDS features ('Network Model').

Information provided by the applicant indicates groundwater was struck at very shallow depths within the site. This should be carefully considered as part of the detailed design. Instead of accepting a potential loss of storage capacity due to high groundwater levels, the applicant should incorporate measures to prevent water ingress into the attenuation features, as well as measures to ensure the structural integrity of these features is not compromised.

If the Local Planning Authority is minded to grant planning permission, the LLFA requests the following comments act as a basis for conditions to ensure surface water runoff from the development is managed safely.

1. The principles set out in the outline surface water drainage strategy should be carried forward to detailed design. Surface water runoff from the proposed development should be limited to greenfield runoff rates 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.
2. The details of the outfall of the proposed attenuation ponds and how they connect into the watercourse should be provided as part of the detailed design. This should include cross sections and invert levels.
3. 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.
4. The detailed design should include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
5. The detailed design of the attenuation ponds and permeable pavement should be informed by findings of groundwater monitoring between autumn and spring. If a 1m unsaturated zone between the base of the SuDS features and the highest recorded groundwater level cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the drainage system should be provided.
6. 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.
7. The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.
8. 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.

Sussex Ramblers – overdevelopment in this rural parish, intrusive in and landscape from the South Downs Way, extend too far into the countryside beyond the existing settlement, Plumpton Lane unsuitable for increased traffic.

ESCC County Ecologist – no objections subject to mitigation and compensation measures being delivered.

With reference to your recent consultation, I have now had the opportunity to consider the above application and offer the following comments on ecological issues.

This advice is provided to the Local Planning Authority by the County Ecologist in line with the Service Level Agreement and is not a statutory consultation response.

Policy Context

1. Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 states that:

"Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity."

The Duty applies to all public authorities in England and Wales, including all local authorities. Conserving biodiversity includes restoring and enhancing species and populations and habitats, as well as protecting them.

2. The National Planning Policy Framework (NPPF, 2018) states that "the planning system should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity or geological value" and "minimising impacts on and providing net gains for biodiversity" (paragraph 170).

3. The NPPF sets out principles that local planning authorities should seek to apply when determining planning applications to protect and enhance biodiversity; these include refusing planning permission if significant harm to biodiversity from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for; refusing development that would result in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees), unless there are wholly exceptional reasons and a suitable compensation strategy exists; and encouraging opportunities to incorporate biodiversity improvements in and around developments, especially where this can secure measurable net gains for biodiversity (paragraph 175).

4. Core Policy CP10 of the Lewes District Local Plan 2016 states that the natural environment of the district, including landscape assets, biodiversity, geodiversity, priority habitats and species and locally designated sites, will be conserved and enhanced by: ensuring that new development will not harm nature conservation interests, unless the benefits of development at that location clearly outweigh the harm caused (in such cases appropriate mitigation and compensation will be required); maintaining and where possible enhancing local biodiversity resources including through maintaining and improving wildlife corridors, ecological networks and avoiding habitat fragmentation; and working with neighbouring local authorities to contribute to the delivery of biodiversity improvements within

the South Downs Way Ahead Nature Improvement Area and the Brighton and Lewes Downs Biosphere Project, as well as other projects and partnerships that are established during the plan period.

Potential Impacts on Biodiversity

Designated Sites and Habitats

5. The site proposed for development is not designated for its nature conservation interest. Given the nature, scale and location of the proposed development, there are unlikely to be any impacts on sites designated for their nature conservation interest.

6. The development relates to two plots of land. The northern sector is proposed for development, and the southern sector is proposed for enhancement. Habitats on site (in both sectors) include improved grassland, neutral semi-improved grassland, dense/continuous scrub, ruderal vegetation, scattered scrub, broadleaved woodland, a small orchard and allotments, buildings and bare ground. There are hedges bordering and within the site, the majority of which are species rich and in good condition. The site also includes a dry ditch and a number of log piles. The habitats of greatest importance from an ecological perspective are the hedgerows, scrub and woodland. Both the woodland and the hedgerows are habitats of principal importance (HPI) under section 41 of the NERC Act. The woodland is to be retained and enhanced through positive management, and the majority of the hedgerows are to be retained and protected.

7. The proposed development will result in the loss of 3.19ha of improved grassland, 1.12ha of semi improved grassland, 0.07ha of amenity grassland, 0.33ha of scrub, 0.01ha of bare ground and 0.22ha of ruderal vegetation. There is a lack of clarity over the biodiversity impact of this loss. The Ecological Impact Assessment (EclA, The Ecology Co-op, 11/03/21) states that without mitigation, there will be a loss of 22.49 biodiversity units, calculated using the Defra Biodiversity Metric 2.0. However, the Biodiversity Impact Calculation (BIC, The Ecology Co-op, 11/03/21) states that there will be a loss of 12.82 units. If it is the case that 22.49 units will be lost and 11.01 created (as stated in the BIC), then there will be a net loss of 11.48 units. However, if it is the case that the site pre-development has 22.41 biodiversity units, and post development 24.77, then there will be a net gain. Clarification is required.

8. The BIC states that habitat creation and enhancement within the developed area in the northern sector, and in the southern sector to be retained, will compensate for the loss of habitat and will provide enhancements. The BIC also states that compensation/enhancement will include tree planting, including with new garden spaces. Planting within garden spaces should not be included in calculations of mitigation/compensation and biodiversity net gain as there is no way of guaranteeing that the planting will be retained.

9. The proposed development will result in the loss of c. 0.052km of hedgerow for access into and through the site. The proposal to mitigate for this impact through the provision of 1.44km of new native species-rich hedgerows is acceptable and will result in a net gain in terms of hedgerow units. To maximise their potential for biodiversity, hedges should be allowed

to grow tall, and cut to an A shape. They should also be cut on alternate sides in alternate years in late winter. The Landscape and Ecological Management Plan (LEMP, The Ecology Co-op, 11/03/21) refers to hedges being cut in late winter but does not make any reference to the height, width, cutting regime etc.

10. The proposal to retain, protect and enhance the woodland is supported, as is the proposal to maintain a minimum 5m buffer to the woodland and retained hedgerows during construction. However, given the known presence of dormice, nightingales (likely breeding), and bats on site, including the rare barbastelle bat, it is strongly recommended that a wider buffer to the hedgerows and woodland is provided. This is particularly important for the northern boundary, which is where dormouse nests were recorded, and where there are trees with bat roost potential.

Badgers

11. Badgers are protected under the Protection of Badgers Act 1992. Four sett entrances were recorded on the eastern boundary of the northern sector and there were multiple mammal runs recorded across the site. In 2017 and 2020, the set was disused, but the recommendation in the EclA for a pre-construction survey is supported, as are the best practice construction practices outlined in the EclA and LEMP. The proposed development will result in the loss of some foraging habitat, but the proposals to retain/create some open space and corridors on site, and to enhance the southern sector is acceptable.

Bats

12. All species of bats are fully protected under the Wildlife and Countryside Act 1981, as amended, and the Conservation of Habitats and Species Regulations 2017, as amended, making them European Protected Species. Chestnut House, proposed for demolition, supports up to three day roosts of common pipistrelles, and has also been used by brown-long eared bats relatively recently. Low numbers of common pipistrelles were also recorded emerging from Saxon Gate (also proposed for demolition) in 2017, although not in 2020. As the building was historically a bat roost, and the conditions have not changed significantly, it should be assumed that the building still supports roosting bats. As such, works to demolish the buildings will require a European Protected Species licence. From the evidence provided, I concur with the view expressed in the EclA that a low impact licence is likely to be suitable.

13. There are six mature trees on site with bat roost potential, the majority of which are on the northern boundary of the site. Artificial light can negatively impact on bats through e.g. causing disturbance at the roost, affecting feeding behaviour, avoidance of lit areas and increasing the chances of bats being preyed upon. All lighting design should take account of national guidance, as recommended in the EclA, and it is recommended that the buffer to the northern boundary and central hedgerow is increased from that shown in the indicative layout plan. This is particularly important given the recording of a barbastelle bat using the site. Barbastelles are very rare and are listed in Annex II of The Habitats Directive. Barbastelles forage over and in broadleaved woodland, unimproved grassland and field margins,

and are particularly light sensitive, tending to wait for darkness to cross open areas.

14. At least nine species of bats were recorded foraging and commuting on site, with the hedgerows and treelines being important features. As such, these features should be retained as far as possible, and kept dark. Maximum light spill onto these areas should be 1 lux.

15. The LEMP proposes the provision of a number of bat boxes, tubes and access tiles on mature trees on site and in new houses. Given the recorded presence of brown long-eared bats in Chestnut House, it is also recommended that consideration is given to at least one of the properties on site including a dedicated roof void for the species, with access tiles provided.

Breeding birds

16. Under Section 1 of the Wildlife and Countryside Act 1981, as amended, wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. All the dense scrub, hedgerows, hedgerows with trees, semi-mature and occasional mature trees offer potential for nesting birds, and the EclA notes that habitats on site also have potential for barn owl, turtle dove, lapwing, skylark and yellowhammer. Breeding bird surveys recorded 33 species on site, of which six are red listed on the Birds of Conservation Concern and four are amber listed. Of particular note is the recorded presence of nightingale on site, likely breeding. Unfortunately, the EclA does not show where the nightingale was recorded, and as such, it is difficult to ascertain what the potential impacts of the development may be on that species. Nightingales are faithful to their breeding sites, and as such, as much dense scrub as possible should be retained and protected with a suitable buffer. The proposal in the EclA to create new areas of native scrub around the edges of the woodland and along the dense species-rich hedgerows is supported.

17. As recommended in the EclA, to avoid disturbance to nesting birds, any demolition of buildings or removal of scrub/trees that could provide nesting habitat should be carried out outside the breeding season (generally March to August). If this is not reasonably practicable within the timescales, a nesting bird check should be carried out prior to any demolition/clearance works by an appropriately trained, qualified and experienced ecologist, and if any nesting birds are found, advice should be sought on appropriate mitigation.

Hazel Dormouse

18. The hazel dormouse is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981, as amended, and Schedule 2 of The Conservation of Habitats and Species Regulations 2017, as amended, making it a European Protected Species. Dormouse presence has been confirmed on site, with nests recorded in hedgerows on the northern boundary and to the south east of the site. Dormice should therefore be assumed to be present in all suitable habitat on site. The removal of suitable habitat to create access will therefore require a European Protected Species licence.

19. The removal of scrub should be kept to a minimum and the number and size of gaps in hedgerows for access should be kept to a minimum. The current site layout shows two sections of hedgerow for removal. If possible, this should be reduced to one. Furthermore, it is recommended that heavy standards are planted either side of the gap with the canopy allowed to join across the carriageway, to reduce fragmentation.

20. The EclA recommends that new native hedges should contain a high proportion of thorny species and that thorny species should be included in the buffer planting to the woodland, to reduce the risk of predation from domestic cats. It is also recommended that wider buffers are provided to the hedgerows and woodland to further reduce the risk.

Great Crested Newts

21. The great crested newt (GCN) is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2017 making it a European Protected Species. There are good quality terrestrial habitats on site, and GCN were recorded in a pond within 250m of the site in 2017 and 2020. Given the number of waterbodies in the surrounding area, most of which could not be accessed for survey, I concur with the conclusion in the EclA that it should be assumed that GCN are using the site and that works will require a European Protected Species licence.

22. The mitigation strategy outlined in the EclA and the LEMP is in line with best practice. It is noted that it is proposed that any GCN captured will be translocated to a receptor site in the southern portion of the site. It is strongly recommended that a new pond is created in this area.

23. It should be noted that Lewes District Council is entering into the District Level Licensing scheme with NatureSpace, with an organisational licence expected to be secured in the late summer. It may therefore be possible for the applicant to enter into the scheme at the Reserved Matters stage.

Reptiles

24. Slow worms, grass snakes, common lizards and adders are protected against intentional killing or injuring under Schedule 5 of the Wildlife and Countryside Act 1981, as amended. Reptile surveys in 2017 were carried out broadly in accordance with best practice and recorded low populations of slow worm and common lizard on site. No updated surveys have since been conducted, but the walkover survey in 2020 found no significant change in conditions, so it can be assumed that these populations persist. It is therefore proposed that reptiles are translocated to the southern sector of the site.

25. Whilst it is noted that enhancements are proposed to the southern sector to increase its carrying capacity for reptiles, no reptile surveys have been conducted of that area, and as such, it is not possible to ascertain whether that area already supports reptiles. Best practice guidance is that receptor sites should not currently support a population of the species to be translocated, for known reason, but be capable of supporting them given suitable remedial works if necessary. This is important because translocation should result in no less loss of sites.

26. The mitigation strategy set out in the LEMP proposes a minimum of 60 trapping visits. Best practice guidance is that the minimum trapping effort for low populations of slow worm and common lizard is 60 suitable days.

Other species

27. The site has the potential to support hedgehogs. The hedgehog is listed as a Species of Principal Importance (SPI) under section 41 of the NERC Act, and is classed as vulnerable to extinction on the Red List for British Mammals, as populations have suffered significant declines in recent years. Care should be taken during clearance of suitable habitat, and any hedgehogs found should be moved to retained habitat on or adjacent to the site. Any boundaries within the site should include gaps to allow hedgehogs to move through the site, with hedgerows being preferred to fences.

28. Himalayan balsam has been recorded within the dense scrub bordering the Bevern Stream to the south of the southern sector. Himalaya balsam is an invasive non-native species, listed on Schedule 9 of the Wildlife and Countryside Act. Whilst the stream is not in the same ownership and is therefore not subject to the current application, the proposal to remove Himalayan balsam from the site following best practice is supported.

29. The site is unlikely to support any other protected species. If protected species are encountered during development, work should stop immediately, and advice should be sought from a suitably qualified ecologist as to how to proceed.

Mitigation Measures and Biodiversity Net Gain

30. The majority of surveys were carried out in 2016/17, with some updates in 2020. It is important that planning decisions are based on up-to-date ecological reports and survey data. There were also some limitations to the surveys, e.g. GCN surveys where access to all waterbodies within 250m was not gained, and reptile surveys where the southern portion of the site was not surveyed. It is therefore recommended that the Reserved Matters stage is informed by up-to-date surveys. Furthermore, given the known presence of protected and notable species on site, including Barbastelle bats, dormice and nightingales, it is strongly recommended that a Reserved Matters application and site layout is informed by an Ecological Constraints and Opportunities Plan.

31. Whilst the LEMP submitted with the outline application is broadly acceptable, there is a lack of clarity over whether the development can compensate for the likely losses and provided biodiversity net gain. Whilst it is considered likely that some development of the site is possible, it is recommended that consideration is given to amending the layout and/or reducing the number of units, to increase buffer areas to boundary habitats and linear features, and to reduce the number of sections of hedgerows to be removed.

Summary

In summary, it is recommended that as much dense scrub and hedgerow as possible is retained, and that wider semi-natural buffers are provided to the hedgerows and woodland. Clarification is required as to how biodiversity impacts will be mitigated and/or compensated and how biodiversity net gain

will be achieved. Surveys are required to inform whether the survey site is suitable as a receptor site for reptiles. Reserved Matters should be informed by updated surveys and an Ecological Constraints and Opportunities Plan.

District Services – Waste Services has concerns about the site layout plan. A vehicle sweep path analysis would need to be provided to demonstrate sufficient turning space for up to a 12-metre-long vehicle. The need to reverse should be avoided as much as possible and the current layout suggests numerous reverse manoeuvres would need to be carried out in order to access all the properties.

Officer comment – amended plans have been received that indicate that the proposed layout could accommodate the necessary service vehicles and enabling them to turn within the site.

Sussex Police – Due to the application being outline, my comments will be broad with more in-depth advice being delivered at reserved matters.

The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. With the level of crime and anti-social behaviour in Lewes district being below average when compared with the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends and site-specific requirements should always be considered.

Plumpton Parish Council - wishes to OBJECT to the planning application reference LW/21/0262 and makes the following observations:

- o The determination of this application raises issues of strategic concern relating to housing numbers across the district and the relative age of the Lewes Local Plan. This application, unless recommended for refusal should not be determined under delegated powers and should be brought to Committee for determination, in which case the Parish Council would still recommend refusal.
- o The Parish Council considers that this application has not overcome the reasons for refusal related to Application Reference LW/17/0885 which was for a significantly lower amount of development. The Parish Council considers the urbanising impact of 89 dwellings will be most keenly felt in the Parish and will result in harm to the landscape setting not only of the village but the South Downs National Park.
- o The Parish Council considers that this application added to the cumulative impact of other planned sites to the eastern side of Plumpton Green would represent an unacceptable impact and pressure on the open countryside and the intrinsic rural character of the area.

- o The Parish Council considers that the application represents a quantum of development that is manifestly out of keeping with the nature of the Parish because if this application were to be approved it would represent a 25% expansion of the Parish over a relatively short period of time.
- o The Parish Council acknowledges the current uncertainty surrounding the number of houses that the District Council are expected to provide and notes the contents of the Interim Policy Statement for housing delivery. However, the Parish Council also notes that the Council stated: "It is important to note that the IPS will be published as informal guidance and will not alter the statutory planning framework for the district. Nor does it set out the full range of relevant national or local planning policy and practice that may be applied by the Council when considering applications for housing development outside of the planning boundaries."
- o The Parish Council acknowledges that Lewes District Council planning officers have stated that high weight will be accorded to both the Neighbourhood Plan policies and the Local Plan policies even though these are both now 'aged' according to revised (in 2019) Paragraph 14 of the NPPF and that the made Neighbourhood Plan along with the policies in the Lewes District Local Plan Part 1 and Part 2 still comprise the development plan for the application site, and should still be considered the starting point for determination of the application according to Paragraph 12 of the NPPF which states that "The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making."
- o the planning application is in outline form with all matters reserved except for access. The Parish Council considers that Lewes District Council should seek additional information up to and including a full application to allow Councillors to make an informed decision with all the information before them for their consideration. This application only seeks to determine the principle of development and not the details including the final number of dwellings to be provided. Without this information the accompanying assessments cannot be considered to be based on accurate information. The application seeks up to 89 dwellings with a similarly indicative notion of the make-up of dwellings. It must be considered that there is the potential for a development of 4 bed+ houses which would have much more of an impact on traffic, layout, landscaping, visibility from the national park etc than an application of 89 dwellings of up to 2 bed houses or flats.
- o The Parish Council considers that the applicant's description of the development proposal and its impact underplays the fact that the Parish is essentially rural, with a very limited range of amenities, with a significant part lying within the South Downs National Park; by the applicant's own description this development is within 1km of the South Downs National Park border. The Parish Council also considers that the impact of this proposal would severely erode both the soft border and the renowned dark skies biosphere as it appears to introduce street lighting in a village that has none currently.
- o The Parish Council considers that the applicant has misrepresented the discussions that have been carried out with the Parish Council during the pre-application process. Furthermore, the Parish Council would respectfully

remind Lewes District Council that pre-application advice is not binding on the authority in the determination of the application. The pre-application page on the Lewes District Council website states, "The advice we give at pre-application stage does not provide a formal legal opinion" and this allows for an application to be refused by Councillors.

- o The Parish Council considers that the proposed access for the site can only be made safe by fundamentally altering the character of the single rural road that serves the Parish. The Parish Council wishes to stress that it has not sought and does not agree with the wholesale changes proposed to several road junctions or the creation of access build out priority junctions. The applicant appears to believe that the measures are in keeping with the village character, but the Parish Council believes this statement is manifestly incorrect as Station Road has none of the proposed features currently.

- o The Parish Council has concerns that infrastructure in Plumpton has widely acknowledged capacity issues across all services, and that would only be exacerbated by this development proposal. Further indications of the lack of infrastructure maturity in the village is the lack of a connection to mains gas.

- o Of concern to the Parish Council is the statement that the development will benefit from fibre broadband provision to which the village does not have access. The Parish Council considers this runs contrary to the government's proposals to 'level-up' and would create a 'village within a village'.

- o The Parish Council raises concerns about the level of car parking proposed with an additional 210 spaces being provided and would ask Lewes District Council to seek further clarification from the Applicants that the correct numbers have been used in the assessments.

- o Given the outline nature of the application there is a lack of detail about what the 'Business Hub' will comprise in built form. The Parish Council would ask Lewes District Council to seek further information on this element of the proposal prior to determining the application.

- o The planning application form in Section 12 would appear to indicate that trees or hedges adjacent to the application site do form an important part of the local landscape character. In this instance Lewes District Council do have the ability to seek a full tree survey and the Parish Council would strongly recommend this.

- o The Biodiversity Impact Calculation submitted alongside the application is based on the provision of a number of matters that are not the subject of the application i.e. the final number of houses, provision of landscaping etc. The Parish Council considers that this is another reason why Lewes District Council should require a full application.

- o The Parish Council considers that the development proposal would remove and or displace community amenity and activity especially with regards to the highly valued Plumpton Scout Group.

- o The proposed construction access via North Barnes Lane cannot be supported given the experience and impact evidenced during the much smaller Sun Close construction.

Therefore, in conclusion the Parish Council objects to this application and would ask that Lewes District Council planning officers honours the commitment to give high (i.e. substantial) weight to the Neighbourhood Plan and Local Plan as the adopted development plan for the area.

The Parish Council considers that the policies within the adopted development plan for the application site are in broad conformity with the NPPF and that the application should be refused as to approve this application in isolation "Would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework when taken as a whole." (NPPF Para 11.d.ii)

The Parish Council would also recommend that Lewes District Council planning officers seek additional information in order to allow Councillors to make an informed decision, up to and including requiring the submission of a full application including all appropriate supporting documentation.

Plumpton Parish Council – Plumpton Parish Council objects in the strongest possible terms to this proposed development, on grounds of both principle and practice. If approved, it will not only undermine the inherent rural character of the Parish by extending greenfield development to the Parish boundary, but more significantly it also effectively undermines all made plans across the district and consequently erodes trust in local democracy and planning within Lewes District Council in particular.

In principle, the application is manifestly speculative, in that it does not accord with any of the relevant made plans, namely LPP1, LPP2 and the PPNP. It is opportunistic as these plans

are not inherently failing as the government's latest figures show Lewes District Council is delivering to 100% of the plan target, but unfortunately have been made to fail by changes in planning policy which dramatically change the future 'need'.

The application therefore relies not on true need and consensus, but instead on specific and narrow interpretations of uncertain and evolving planning policy and appeal decisions. Whilst it naturally exploits the unfortunate NPPF policy revisions (notably paragraph 14) that reduce the weight of democratically made plans, the result of this interpretation is contrary to the governments stated aim that the policy changes would reduce speculative developments and ensure that communities are not disadvantaged by unplanned growth.

The applicant simultaneously dismisses the made plans to justify the application, but then uses the content to support this development. If any weight is to be given to the made plans, then it is clear that this site has already been assessed and rejected. This was fundamental to the refusal of the previous application LW/17/0885, a decision that was clearly acknowledged by the applicant in 2019 in that no appeal was forthcoming.

Whilst there is still obvious uncertainty on what the district need actually is, Lewes District Council has commenced activity to resolve that and update the plan. At the very local need level it should be noted that only one of the

four allocated PPNP sites is currently in the process of build out, which is a good indication of demand.

The initial call for sites has identified potential land offering many thousands of dwellings across the district. Plumpton Parish Council is not blind to the sustainability merits of this particular site if developed more sympathetically to respect residents wishes, and subject to an appropriate access solution. However, in principle a development of this size relative to the target community should be plan led, allowing consideration of all sites, whilst prioritising brownfield over greenfield. In the absence of any compelling reason to the contrary, to proceed outside of district and neighbourhood plans is simply undemocratic and delaying the economic gain of a developer for a relatively short period to allow meaningful consultation within the plan process should not be regarded as compelling.

The applicant states in the Planning Statement (8.10) "There is no defensible reason why 'in principle' the application site cannot deliver 89 No. new homes, a business hub and associated green infrastructure." Plumpton Parish Council would respectfully suggest that respecting democracy is a fundamental British value, and in Lewes of all locations that principle should be defended. In practice, the proposed development is nearly twice the size of the previous application LW/17/0885 which was refused as recently as 2019, and for which the refusal reasons substantially still apply. At up to 89 new units, the development is utterly out of scale with not only the allocated housing target set by Lewes District Council in LPP1 and maintained in LPP2 (a minimum of 50 for the plan period, for which 70 are planned), but also anything that has gone before in the village; the assertion to the contrary by the applicant is clearly incorrect as the largest PPNP site is 20 and developments in the last 30 years have been limited to 12

(Sun Close) and 33 (West Gate). Density at the stated "25 - 26 dwellings per hectare" may be "policy compliant" but is approximately double that of the immediately adjacent PPNP site to the north that is currently in build out.

The applicant also does not consider this application in the context of planned development, and therefore understates the growth impact. The net result of its approval would be a 128% increase over planned growth, meaning that Plumpton would have to accommodate village expansion of 25% over a much shorter timespan than the original plan period, threatening community cohesion. The planning boundary would also be extended significantly to the east, opening up the potential for further speculative applications.

As the only 'non reserved matter', the chosen access to the site can only be made safe by fundamentally altering the character of the single rural road that serves the Parish - for the avoidance of doubt, and contrary to the applicants documented discussions with ESCC Highways officers, Plumpton Parish Council has not requested and does not support the wholesale changes proposed to several road junctions, nor the introduction of access build out priority junctions that simply inconvenience the vast majority of drivers that use the roads safely whilst doing nothing to increase enforcement for the very small minority who do not.

The applicant's analysis that these measures are in keeping with the existing village character is manifestly incorrect - Station Road has none of the

proposed features currently, and these were not required for access to the one plan site that is currently being built out.

Infrastructure in Plumpton is acknowledged as having capacity and reliability issues, especially around water, sewage, and electricity services. There is scepticism based on experience that existing services will cope as suggested. Whilst this development would more than double the planned growth, there is still no confidence in how the governments 'infrastructure first' commitment is to be realistically met for the expected growth, let alone any substantial unplanned additions, thus leaving residents to suffer more failures in water, sewage, surface water drainage, and electricity services, as well as endure slow broadband. As a further indication of infrastructure maturity, Plumpton was never even connected to a mains gas supply. It is also worth noting that there is no current fibre provision to residents of Plumpton, but this development will apparently benefit from that, further increasing the sense of creating a 'village within a village'.

This is greenfield development that removes and/or displaces community amenity and activity, including the highly valued Scouting activities. As a greenfield site it is difficult in isolation to accept the analysis that this type of development actually improves the landscape environment, ecology and biodiversity as suggested by the applicant. When viewed through the lens of the cumulative impact of this site alongside the three planned sites to the eastern side of Plumpton Green it represents an unacceptable pressure on open countryside and the inherent rural character of the area. It underplays the fact that the Parish is partly within the SDNP and this site is only 1km from the boundary, so the soft barrier and the world-renowned dark skies biosphere would inevitably be eroded.

The applicant states (section 9.2) that "This Planning Statement has demonstrated that there are no significant issues preventing approval for the principle of up to 89 No. new dwellings on the Application Site with detailed consent for the access from Station Road". Plumpton Parish Council has identified that there are significant issues. Whilst the NPPF revisions reduce the weight of current plans, LPP1, LPP2 and PPNP, it does not render them redundant, and all remain significantly aligned to policies within the NPPF.

Since this application falls under the 'decision taking' clauses of paragraph 11, Plumpton Parish Council considers that paragraph 11 clause d ii applies, and refusal is required as, especially when considered in the wider context of the profound implications for the district, the adverse impacts of approving this application in isolation "would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".

Accordingly, Plumpton Parish Council would request that Lewes District Council planning officers honour the stated commitment to provide 'high' weight to the made plans as permitted under the NPPF, refuse permission again for this application and direct this site through the plan making process so that it can be properly considered in the district and Parish context and not act as an unwanted precedent for further speculative development, in Plumpton or beyond. This would also better serve local democracy across the district, as it would free parish councillors, largely unpaid volunteers,

from the significant cost, time and effort expended responding to speculative development to the detriment of more positive community activity.

Plumpton PC also felt compelled to respond to the comments made by LDC Policy Team (letter dated 21 May 2021):

PPC considers that the strategic context for the policy conclusions is premature, and that some interpretations are flawed. The conclusions do not address the reality that in February 2019 LDC refused the application for a development half the size on the basis that it was unplanned, represented an unacceptable incursion of development and urbanisation of open countryside, resulting in harm to the rural and natural character of the landscape around Plumpton village, and could not demonstrate safe access.

- Regarding the primary justification for considering the application, namely that the council cannot demonstrate a 5-year housing supply, it has been most recently stated by Maria Caulfield (19th May 2021) that “I have had confirmation from the Government department that there is no increase in housing numbers for the local area and the housing need calculation is a guidance figure only and not a target. Once the South Downs National Park figure is taken out the guidance is 600 a year but if the district council can evidence why this is not achievable, they can set their own housing number. In addition, the current local plan still carries legal weight in planning terms and so the current figure can be used as there is a five-year land supply via the part 2 document.” It is therefore manifestly premature to justify unplanned development based on uncertain need figures, especially when this runs contrary to the stated aim of the NPPF policy revisions to avoid communities being subject to unplanned development. LDC planning officers should put the plan process before any individual speculative development.
- Use of ‘moderate’ weight for made plans is a breach of trust as LDC planning officers have reassured PPC in writing that LPP1/2 and the PPNP will be given ‘high’ weight; this is regarded as obvious as the interim policy statement clearly cannot carry the same weight as the legally made and adopted plans. Policy DM1 is clearly a very material policy within LPP2, adopted as recently as February 2020, and should be given substantial weight accordingly. Policy 1 is the major policy within the PPNP.

PPC respectfully challenges the opinions on the interpretation of the sustainability criteria in the interim statement. In particular:

- o 2 – the scale of the development is manifestly not appropriate and does not take into account extant unimplemented permissions as required; Table 2 in LPP1 states that a service village should take 30-100 units. Policy SP2 allocates a minimum of 50 to Plumpton Green, and that number is confirmed in LPP2 where it is acknowledged that the adopted neighbourhood plan more than meets that target at 68 (now 70 with approved applications). When considered against planned growth, this application would therefore exceed the policy maximum significantly over the plan period and would constitute a single development greater than the total

of all planned developments over the plan period, and greater than anything ever seen in the village, with overall growth of 25% in the plan period.

o 4 – this statement would be accurate except for the fact that it excludes consideration that extending the eastern building boundary to the parish boundary whilst LDC planning officers are in active discussion under a Planning Performance Agreement with another developer for a significantly larger development risks coalescence that should be considered in a planned way, and not in isolation.

o 5 – whilst inevitably subjective as to what constitutes an adverse impact, given the magnitude of this development within 1km of the SDNP it is disappointing that SDNP appears not to have been consulted to date. PPC has particular concerns regarding the impact on the world renowned dark skies biosphere as Plumpton currently has no streetlighting, but would draw attention to the relevant policy statement “Within the setting of the South Downs National Park, an assessment is undertaken to demonstrate that the proposed development will conserve the special qualities of the National Park. This assessment should be informed by the SDNP View Characterisation & Analysis Study 2015, the SDNP Tranquillity Study 2017, and the SDNP Dark Skies Technical Advice Note 2018. Relevant Local Plan Policies: APPENDIX 1 5 · LPP1 Core Policy 10 (Natural Environment & Landscape Character) · LPP1 Core Policy 11 (Built & Historic Environment and High-Quality Design) · LPP2 Policy DM25 (Design)”

o 6 – PPC is taking specialist advice on this point, but it is regarded that to support the developers claim that a biodiversity increase will result from development is open to challenge; the reality is that any biodiversity increase could be much more sustainably achieved without building on green fields.

o 7 – PPC does not consider that the development responds sympathetically to the existing character of the village; it is too large in scale, too dense in development, and requires wholesale changes to the single rural road to facilitate safe access, introducing features that do not exist currently and are not otherwise required. Whilst not always a concern of planners, many parishioners share PPC concerns regarding the impact on community cohesion by such a large development.

Barcombe Parish Council – object – no local demand for further housing, overdevelopment, outside the Parish Neighbourhood Plan boundary, insufficient infrastructure to meet demand, speculative development, LDC has a 5-year housing land supply.

Chailey Parish Council – Although the above planning application does not fall within the parish of Chailey, Chailey Parish Council would like to express

their concerns with regard to the proposed development for the following reasons:

We understand that the proposed development was previously considered by PPC and rejected. It has now come back with a considerable increase in the number of housing. Furthermore, the Plumpton Neighbourhood Plan does not allow for a development on such a large scale as this.

This development would destroy the character of the village; something that all villages are battling very hard with at the moment.

As with many of the surrounding villages, Plumpton Village lacks the necessary infrastructure to support such a development. In fact, the present infrastructure is already inadequate to support the current village. This development would therefore severely impact on an already weak system.

The proposed site is outside the planning boundary and therefore does not comply with the NHP nor the Local Plan.

Every day we are reminded about the future of our already delicate eco-system. This development would have a negative effect on the flora and fauna. The development would mean more cars on the road, therefore more pollution giving rise to more illnesses and allergies and subsequently a hit on our already overwhelmed NHS.

The track that will lead to the development (North Barnes farm) does not have suitable access and it would have an impact on the residents who already live on the track and Plumpton Lane. It would affect those that currently use it such as walkers and cyclists.

Southern Water Plc – No objection, there is currently adequate capacity in the local sewerage network to accommodate a foul flow of 0.90 l/s for the above development at manhole reference TQ36163501. Please note that no surface water flows (existing or proposed) can be accommodated within the existing foul sewerage system unless agreed by the Lead Local Flood Authority in consultation with Southern Water, after the hierarchy Part H3 of Building Regulations has been complied with Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

We completed a capacity check assessment for this site in February 2021 which advised of the following:

'There is currently adequate capacity in the local sewerage network to accommodate a foul flow of 0.90 l/s for the above development at manhole reference TQ36163501. Please note that no surface water flows (existing or proposed) can be accommodated within the existing foul sewerage system unless agreed by the Lead Local Flood Authority in consultation with Southern Water, after the hierarchy Part H3 of Building Regulations has been complied with.'

Our records indicate that primarily the flooding incidents in this area are attributable to blockages rather than insufficient capacity within the sewer network.

The analysis undertaken in relation to the impact of a proposed development on the existing sewer network, focuses on the capacity within the sewer network to accommodate the flows from the development. Sewer blockages do not bear relation to the capacity of the sewer and are caused by obstructions within the network, so they would not be a primary consideration when making the assessments (capacity checks).

Our Operations team are aware of the issues here and are working hard to identify and deliver the best long-term solution.

7. Neighbour Representations

7.1 A total of 601 representations were received of which 395 came from individual addresses, and of which there were 13 letter of support. Some responses were duplicated.

A summary of the issues raised is provided below:

- wieght should be given to the Neighbourhood Plan
- size and character inappropriate for the village
- impact on the National Park
- new housing should go on brownfield land
- massive overdevelopment
- alters the character of the village
- contrary to adopted policy
- increased traffic
- impact on public rights of way
- lack of infrastructure and services
- damage to the landscape
- impact on wildlife
- increae pollution
- increase danger to road users and those using the bridleway
- danger to way of life
- too many houses in one go
- previous reasons for refusal still apply
- just too big
- ruining the natural environment
- cumulative impact of development should be taken into account
- drainage issue especially sewerage
- increased flooding
- outside developmment boundary
- noise nuisance
- light pollution
- highway hazards
- undermines neighbourhood plan
- set a precedent for future development
- visual impact from the SDNP area
- no requirement for a village hub
- no demand for housing
- dark skies would be severely impacted on
- detrimental impact on biodiversity

- loss of green space

(Full copies of all representations received can be viewed on the web site).

Councillor Rob Banks, Plumpton, East Chiltington, Streat and St John Without ward -

I would like to submit my objections to the planning application at Nolands Farm in Plumpton Green for 89 houses (LW/21/0262) on the following grounds;

1. The cumulative impact of the 87 net houses in the Nolands Farm application would negatively affect the character of the village, added to the three sites already planned on the Eastern side of Plumpton Green but not yet all implemented, (The Glebe, Strawlands, and land to the rear of Oakfield House). This includes: - An unacceptable impact and pressure on the open countryside and the intrinsic rural character of the existing settlement of Plumpton Green and nearby area.

- The 2018 Plumpton Parish Neighbourhood Plan (Policy 5) deliberately chose smaller sites so that it would be easier for new residents to integrate with the wider community. This development, by contrast, with its own community hub would in effect be “a village within a village” and harm community cohesion.

- The pressure on infrastructure which cannot cope with the existing housing including sewerage, a poor power supply and narrow rural roads. Indeed the rural road which serves the village would be urbanised.

- The impact on people’s mental health and well-being resulting from the loss of yet more green space.

2. This development is outside of the 2018 Neighbourhood Plan which was a democratic process and voted on by local people. This site was considered and rejected and there is no demonstrable local demand for any further housing outside of this plan which already allows for 70 more houses to be built.

3. The application (LW/17/0885) for a smaller number of houses (48) on this site was refused in February 2019 because the development would represent “incursion of development and urbanisation of open countryside”. Nothing has changed and this reason for refusal still applies. LW/21/0262 does not accord with any of the relevant made plans, namely the existing Local Plan Part 1, Local Plan Part 2 (passed only in 2020) and the Plumpton Parish Neighbourhood Plan.

4. This proposed development goes against policies adopted in the Lewes District Local Plan, including Policies DM1 and DM2.

5. Visibility from and proximity to the South Downs National Park where there is supposed to be a “soft boundary”. Sun Close on North Barnes Lane consists of 12 dwellings and is very visually prominent to the surrounding area including from the Downs (as noted by the

Neighbourhood Plan steering group); 89 houses in the surrounding fields would have significantly greater impact on the landscape – the developer admits this is just 1km from the South Downs National Park border.

6. Insufficient and deficient infrastructure to support the current housing numbers let alone additional large development. Plumpton Green suffers now from frequent overflowing mains sewage system, no mains Gas, frequent mains power supply cuts and poor broadband. It has no GP surgery.

7. LDC already has a five-year housing supply. This is a speculative application outside of the plan led process.

8. Local youth (Scouts) amenity that has been used for decades would be lost and this would be to the detriment of young people. Uses for this amenity include for the Duke of Edinburgh awards for Scouts and local schools.

9. The main road through the village will see a huge increase in vehicular traffic (I am concerned about the level of car parking proposed with an additional 210 spaces being provided – but this itself proves the developers accept most people will use their cars. Even if the developers reduce this figure slightly there will still be a large increase in traffic). It will reduce the safety for villagers walking to the school and other amenities. It will cause immense traffic congestion and pollution, not just at a key junction in the heart of the village around the village shop but the length of the single street through the village and leading into the level crossing. The associated parking restrictions for other residents in Plumpton which accompany this application if it were to go ahead would have a significant impact on current residents' lives and could create serious access to their own homes for some residents with mobility problems.

10. The application talks of minimising light pollution but goes on to speak of street lighting lampposts limited to 3.5m in height. The Parish has a "dark skies" policy which does not favour street lighting.

11. The area has a history of flooding due to the relatively flat land east of Station Road, there is no indication how the hard road surfacing and accompanying development would not make matters worse.

12. North Barnes farm track is unsuitable as an access road for construction vehicles. Its use would severely affect residents living on the track, and on Plumpton Lane, as it would walkers, cyclists and horse riders, who all currently use the track.

In addition to my comments made in objection to the above planning application on 13th May (but uploaded onto the planning portal website on 19th May), I would like to raise the additional points in response to the comments from the Planning Policy Team made on 18th May:

1. That the application is assessed directly by the South Downs National Park Authority in terms of the impact of the proposed

development on the landscape, natural beauty, wildlife and cultural heritage of the Park, and for any comment to be reported back. This is made all the more relevant by the fact it is just under 1km from the Park boundary. LDC Planning policy itself states: “Within the setting of the South Downs National Park, an assessment is undertaken to demonstrate that the proposed development will conserve the special qualities of the National Park. This assessment should be informed by the SDNP View Characterisation & Analysis Study 2015, the SDNP Tranquillity Study 2017, and the SDNP Dark Skies Technical Advice Note 2018. Relevant Local Plan Policies: APPENDIX 1 5 · LPP1 Core Policy 10 (Natural Environment & Landscape Character) · LPP1 Core Policy 11 (Built & Historic Environment and High-Quality Design) · LPP2 Policy DM25 (Design)” ;

2. I do not believe the Policy response addresses the point that in February 2019 the District Council refused the application for a development half the size on the basis that it was unplanned, represented an unacceptable incursion of development and urbanisation of open countryside, resulting in harm to the rural and natural character of the landscape around Plumpton village. This crucial point remains valid and nothing has changed in the last 2 years.

3. Use of ‘moderate’ weight for ‘made’ plans in the policy response contradicts assurances LDC planning officers have given both to myself and to Plumpton Parish Council in writing that LPP1/2 and the PPNP will be given ‘high’ weight. Policy DM1 is clearly a very material policy within LPP2, adopted as recently as February 2020, and I ask that the existing Local Plan and Neighbourhood Plan should be given substantial weight accordingly.

4. As well as it not being in line with the existing Local Plan, I do not feel that 4.1.(2) of the Interim Statement for Housing Delivery has been met:

That the scale of the development is manifestly not appropriate and does not take into account the cumulative impact of planned (but not yet built out) development on the Eastern side of the village. As outlined in my previous objection, this cumulative impact would also be felt in terms of pressure on infrastructure, encroachment into open countryside and requires large changes to the rural road serving the village.

Table 2 in LPP1 states that a service village should take 30-100 units. Policy SP2 allocates a minimum of 50 to Plumpton Green, and that number is confirmed in LPP2 where it is acknowledged that the adopted neighbourhood plan more than meets that target at 68 (now 70 with approved applications). When considered against planned growth, this application would therefore exceed the policy maximum significantly over the plan period and would constitute a single development greater than the total of all planned developments over the plan period, and greater than anything ever seen in the village, with overall growth of 25% in the plan period. So it would also be in breach of 4.1 (7) of the Interim Statement. The planning policy team response also excludes consideration of the eastern building boundary. This

would extend the site into open countryside and up to the parish border. LDC planning officers are in active discussion under a Planning Performance Agreement with another developer for a significantly larger site .

5. It will be more car dependent than the developers would have you believe, meaning less ability to tackle climate change. For example, access to the nearest GP surgery will be difficult without a car, (there is no GP surgery in Plumpton Green itself). South Chailey is at least 45-minute walk away with no pavement along much of the route, with no direct public transport provision. And contrary to comments in the application paperwork, there is no regular bus service to Ditchling.

6. And finally I would like to support Plumpton Parish Council's response, in particular to repeat my call for this application to be refused. Should officers recommend supporting the application, I repeat my call as the ward councillor for it to be brought before the planning committee for a decision, where I will call for it to be refused.

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, impacts on the wider countryside, flood risk, ecological impact, 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 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.

8.2 Principle

8.2.1 The site falls outside of the defined settlement boundary where the general principle of residential development is resisted.

8.2.2 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.

8.2.3 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.

- 8.2.4 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.'
- 8.2.5 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 housing need.
- 8.2.6 Plumpton Parish Neighbourhood Plan (PPNP) contains a number of housing policies, allocating four housing sites totalling a minimum of 68 net additional dwellings. The Local Planning Authority (LPA) cannot, as a result of the Government's adoption of the standard methodology, demonstrate a housing land supply position of five years or more. (The Council currently has a supply of deliverable housing land equivalent to 2.9 years outside the South Downs National Park (SDNP)). This means that the local plan policies that are most important for determining an application are out-of-date, and the NPPF's presumption in favour of sustainable development will apply to decision making. The PPNP is over two years old it is not afforded the protection of Paragraph 14 of the NPPF.
- 8.2.7 PPNP Policy 1 (Spatial Plan for the Parish), confirms that new development proposals within the planning boundary will be supported, provided they accord with other provisions of the PPNP. Importantly it goes on to state that developments outside the planning boundary will not be supported if it results in coalescence and the loss of separation between neighbouring settlements and/or alters the spatial character and views of the landscape, notably from the SDNP. The site is centrally located, maintaining the green gaps to the north and south of the village, and within easy walking distance to key services. The application is therefore considered to meet the broad aspiration set out in the PPNP.
- 8.2.8 In 2018 an application for 45 new dwellings on the site was submitted and refused for the following three reasons:

Principle - The proposed development is not acceptable in principle

because the site lies outside of the adopted planning boundary as defined in both the Joint Core Strategy and the adopted Plumpton Parish Neighbourhood Plan, which allocates housing sites to meet identified growth through a democratic and plan-led process. In view of this the proposals are contrary to the Council's key countryside policy CT1, which is up to date and retained within the Lewes District Local Plan Part One: Joint Core Strategy; policy SP2 of the Joint Core Strategy; and policies 1, 5 and 6 of the Plumpton Parish Neighbourhood Plan; along with the National Planning Policy Framework.

Landscape impact - The proposed development will, by reason of the siting and location of the application site, represent an incursion of development and urbanisation of open countryside, resulting in harm to the rural and natural character of the landscape around Plumpton village, contrary to the aims and objectives of retained policy CT1 and policies CP10 and CP11 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

Highway safety - Notwithstanding the revisions and amendments submitted, the proposed development, by reason of the position of the access road, does not provide sufficient visibility splays for vehicles entering and leaving Station Road, thereby increasing the hazards faced by existing highway users and negatively affecting highway safety and adversely affecting the amenity of existing residents. As such the proposed development is contrary to the requirements of policies CP11 and CP13 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

- 8.2.9 In view of the substantially altered policy position due to the lack of the 5 year housing land supply, as outlined above, and with regard to the view of professional officers in relation to highways issues as outlined within the report, it is considered that that two of the three previous reasons for refusal would now be difficult to sustain. The NPPF states that in terms of lack of 5-year housing land supply and status of the adopted Plan, that permission should be granted unless 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. In that regard the previous reason for refusal based on impact on the rural and natural character of the area is considered in detail later in the report.
- 8.2.10 In recognition that Policy DM1 can only carry moderate weight in decision making under such circumstances, the Council has approved an Interim Policy Statement for Housing Delivery. This Statement identifies the factors that the Council considers are critical to achieving 'sustainable development' in relation to the provision of housing outside of the settlement planning boundaries, as defined on the Lewes District Local Plan Policies Map.

- 8.2.11 The Statement does not form part of the development plan and does not alter the statutory planning framework for that part of Lewes District outside of the South Downs National Park. However, the Statement is intended to be used as a material consideration in the determination of planning applications.
- 8.2.12 In terms of the third reason for refusal relating to landscape impact, this is considered in the following section.

8.3 Visual Impact and the Countryside

- 8.3.1 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) have been assessed as the potential form and layout of the development.
- 8.3.2 It is considered that there are three aspects to the potential visual impact associated with the development: the formation of the site access; impact on the surrounding countryside; and the impact on the setting of the South Downs National Park.
- 8.3.3 In terms of the access, it is accepted that the loss of the two houses and the creation of a new access on the eastern side of Station Road would impact on the character of the existing streetscape. The road at this point is narrow with a footpath on the western side of the road. Buildings are generally set back from the street, with front boundary treatments varying from low and high hedges, low timber fences, and dwarf walls. The most significant interruption of this layout in the vicinity of the site is the access at West Gate on the western side of the road, leading to the village hall and small housing development of 34 dwellings. There are other interruptions of a similar form (Chapel Road/Woodgate Meadow/Wells Close for example that extend east and westwards from Station Road itself and therefore lateral expansion is not uncommon. Therefore, the creation of a new access into the street scene is not in itself considered to be an alien feature whose visual impact could not be reduced with careful planting, landscaping, and layout of the access itself. The impact of the access has been reduced through the amended plan which indicates a replacement dwelling onto Station Road, thus reducing the visual gap created by the new access.
- 8.3.4 The impact that the development would have on the wider landscape and surrounding countryside requires careful consideration due to the development extending beyond the established village boundary into the well-defined open and green buffer between the village and wider farmed countryside.
- 8.3.5 The Lewes District Council and South Downs National Park Landscape Capacity Study (September 2012) for Plumpton Green concludes that:
- The south-east edge of the village is relatively open with medium sized fields, however land to the immediate east features several smaller fields bounded by mature trees and hedgerows. These

features contain the landscape and obstruct outside views. This area offers the greatest opportunity for change without impacting on the landscape character. Although other identified landscape character areas, adjacent to the existing development area, are considered to be more visually sensitive due to the larger scale landscape, there is the potential for small scale changes in the landscape within a strong and reinforced landscape.

- 8.3.6 The study identified three broad character areas around the village and the site area is within two of these. The majority of the site area is within character Area B01 which is assessed as having a medium capacity for development. The field within the proposed site development area to the east of Sun Close is in character Area A01 which is assessed as having low to negligible capacity for development. The area which is in the same ownership as the application site to the south and east of the school, Area A03, is assessed as having low to negligible capacity.
- 8.3.7 It is considered that areas of the site could be considered suitable for development without having unacceptable impacts on the wider landscape and views. Notably those fields closest to the village edge that are aligned with the existing development edge. It is accepted that there is scope for small scale development to the east of the village and as an extension to the built-up area boundary. These are proposed to be low density developments with, for example, a maximum of twenty houses on the Oakfield plot. It was considered that low density development in a strong landscape framework would not detract from the character of the village.
- 8.3.8 The development boundary on the eastern edge of the village is currently Sun Close aligned with the school to the south. The development of 20 units currently under construction on the Oakfield site does not extend beyond this edge. The proposed development of 86 units would extend beyond this edge and encroach into the countryside setting of the village.
- 8.3.9 The submitted LVIA identifies some local sensitivities in relation to the site including the intact character of the field systems and strong historic field pattern. Views from public footpaths across the site towards the church also reinforce local character.
- 8.3.10 The LVIA suggests that the proposed development, with appropriate mitigation, would have an overall moderate adverse effect on landscape and visual amenity. The LVIA concludes that these effects will reduce to minor after 15 years, by which time the proposed mitigation planting would have established. The change would be from rural countryside to medium/ high density residential development over several fields the adverse effects would therefore be permanent.
- 8.3.11 In term of the impact on the rural character of the area and the village, the proposed mitigation largely relies on the existing trees and hedgerows on the site. Whilst these could be reinforced, the adverse effects on the setting of the village and loss of fieldscapes would not reduce over time and would remain adversely affecting the wider

setting and character in the long term, changing the character of the village through the scale, location and extent of the development

- 8.3.12 It is acknowledged that the proposed landscape masterplan would retain existing mature trees and hedgerows, however, the historic open green field character within this framework of hedges would be lost. The site currently forms part of the green buffer between the wider countryside and the village. This buffer is important in views to the village from surrounding public rights of way and notably North Barnes Lane, as well as footpaths 8a, 20 and 16. The views across the site area from Sun Close and Barnes Lane towards the church spire are also notable. These would be obscured by the proposed development.
- 8.3.13 The background assessments which have informed the Plumpton Neighbourhood Plan concluded that there would be scope for small scale development to the east of the village and as an extension to the built-up area boundary. These are proposed to be low density developments with, for example, a maximum of twenty houses on the Oakfield plot. It was considered that low density development in a strong landscape framework would not detract from the character of the village.
- 8.3.14 By contrast the application for 86 houses on this site would be of a medium to high density. The scale and massing of this development would conflict with the character of Station Road and the adjacent settlement area which is predominately of low density and characteristically ribbon development. The development boundary on the eastern edge of the village is currently Sun Close aligned with the school to the south. The development of 20 units currently under construction on the Oakfield site does not extend beyond this edge. The proposed development of 86 units would extend beyond this edge and encroach into the countryside setting of the village.
- 8.3.15 There are also views towards the development site from the surrounding footpaths and from these views the roofs of Sun Close are evident. The proposed houses would extend the views of built form deeper into the countryside. From footpath 16 there are clear views north to Sun Close and the school. The proposed development would also be clearly visible in these views. Further east along this path there are much clearer views to the edge of the site and the houses in Sun Close.
- 8.3.16 Whilst these impacts may not seem significant the proposed development would change the rural nature of these views and have a negative impact on local landscape character and visual amenity.
- 8.3.17 Whilst some of these impacts can be mitigated through new and enhanced planting, this would obscure and alter views to the church spire and the village from the surrounding areas.
- 8.3.18 In terms of the potential impact on the setting of and views from the South Downs National Park, the site is 770m from the national park at its nearest point and 3.5Km north of the scarp slope, from which far ranging views of the Western Low Weald are possible. The SDNP

Authority have, in their consultation response, commented that the NPPF paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks. They also mention that the development needs to be fully considered whether this proposal is indeed sensitively located and avoids adverse impacts on the National Park

- 8.3.19 The comments from the SDNPA raise concerns regarding potential impacts on the longer distance views from the Black Cap and Ditchling Beacon. This impact has been assessed and it is considered that the retention of the existing trees and hedgerows and provision of additional planting, would help to ensure that potential visual impacts on long distance views would be negligible. From these longer distance viewpoints, the proposed development would be seen against the background of the existing built up area. Potential impacts from these longer distance views could be further mitigated by the sensitive use of a variety of materials which reflect the local vernacular. These would all be secured at the detailed design stage.
- 8.3.20 The SDNPA also highlight concerns regarding potential impacts on the Western Low Weald character area as the setting of the SDNP. These have been considered above.
- 8.3.21 The Landscape Architect advising the Council has considered all of these aspects of the development and its potential impact, concluding that 'On balance and considering the current policy context, it is recommended that the proposed development could be supported. This would be subject to a robust mitigation strategy, as outlined. A high-quality landscape led development could provide an opportunity to enhance local landscape character and views and establish a defensible boundary to the built development on the eastern edge of the village'.
- 8.3.22 In acknowledging these comments it is important to note that they are 'on balance' and made in view of the current policy position in relation to the 5-year housing land supply, and state that the development 'could be supported'. Taking these comments into account and having due regard to the scale and location of the development, and due to the level of mitigation that would be required to begin to offset the visual harm that would arise, it is considered that the scale and location of the of the proposed development would not be in character with the existing built form and scale of development on the east side of Station Road. The development would extend beyond the established physical village boundary into the well-defined open and green buffer between the village and wider farmed countryside, having a detrimental impact on the visual and physical character of the surrounding countryside.

8.4 Design and Layout

- 8.4.1 Although full details of design, scale, layout and landscaping are reserved matters it is clear from the illustrative plans and documents that the proposed development will involve building over a site that

has not previously been developed. Whilst the overall site area covers approximately 5.2 hectares, the developable area is reduced due to the retention of existing trees and hedgerows, wildlife areas and enhanced margins. The net developable area has altered slightly during the pre-app process, with the inclusion of a new house fronting Station Road, and with the revision of the road pattern being amended to avoid tree screens etc. The site area considered for development is now approximately 3.4 to 3.5 hectares, and includes some areas set aside for attenuation and formal open space. With the number of dwellings proposed this would provide a density of approximately 25 units per hectare.

- 8.4.2 The site comprises a number of parcels of land that are separated by existing hedge and tree screens. Much of the land is classed as Grade 3 agricultural land, although there is an area of deciduous woodland with several ponds located in the south east. There are two residential units located on the western side of the land - abutting Station Road, and several agricultural structures within the site, that will be removed by any application proposals. The majority of the existing site features would be retained and where appropriate enhanced, particularly those related to landscape buffers and ecological margins.
- 8.4.3 The indicative layout indicates that the site is well connected in terms of its road access and footpath links. 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.
- 8.4.4 In terms of design, the indicative plans and Design & Access Statement indicate that the majority of the dwellings would not exceed two-storeys in height. The submitted appraisals of surrounding development have identified key architectural features within the area such as a mix of design features that are found locally and 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, to accord with the Plumpton Parish Neighbourhood Plan Design Statement, including the frequent use of red clay tile hanging, red brick, slate and clay roof tiles, timber weatherboarding and knapped flint. It is stated that these materials would be incorporated throughout the development.
- 8.4.5 It is considered that the indicative layout drawings and architectural appraisals demonstrate that the site could support, in design and layout terms, a residential development of the scale proposed. However, due to the location of the development and its separation from the linear layout of the village, it would fail to sit comfortably into the established and surrounding built environment of Plumpton and detrimentally impact on the wider countryside setting.

8.5 Highways and Site Access

- 8.5.1 The full ESCC Highways comments are included in the report and are supportive of the application and therefore the comments are not repeated here. In summary they conclude that in terms of layout and safety the new access is satisfactory, and that issues/problems raised in the RSA have been addressed by the Designers Response and can be agreed/dealt with through the detailed design of the s278 agreement and Traffic Regulation Order process.
- 8.5.2 Various mitigation measure will need to be secured through a S106 agreement including contribution to school transport, new south bound bus stop, new dropped kerbs on Station Road, reprofiling laybys to provide accessibility compliant bus stops, parking spaces for existing residents along new estate road, pedestrian/cycle link from North Barnes Lane into the site and funding of a TRO to name a few.

8.6 Flooding and Drainage

- 8.6.1 The proposed development would involve the introduction of buildings and new surfacing 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 there have been documented issues concerning foul drainage.
- 8.6.2 The submitted Flood Risk Assessment has been considered by ESCC as the Lead Local Flood Authority (LLFA) who considered that the preliminary proposals for the management of surface water from the development site are acceptable in principle.
- 8.6.3 They requested that, as part of the detailed design, the applicant should determine the invert level of the receiving watercourses in order to confirm the feasibility of a gravity discharge. The applicant should also provide hydraulic calculations for the entire SuDS system and these should take into account the connectivity of the different SuDS features ('Network Model'). These details will be secured by conditions.
- 8.6.4 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.
- 8.6.5 In terms of foul drainage, there have been several reports of capacity issues in the local sewerage system and questions asked about the overall capacity of the system to cope with this number of new homes.
- 8.6.6 Southern Water have been consulted (and further contact made to get an answer to this issue. They have responded that they had completed a capacity check assessment for this site in February 2021 which advised that there is currently adequate capacity in the

local sewerage network to accommodate a foul flow of 0.90 l/s for the above development at manhole reference TQ36163501. Please note that no surface water flows (existing or proposed) can be accommodated within the existing foul sewerage system unless agreed by the Lead Local Flood Authority in consultation with Southern Water, after the hierarchy Part H3 of Building Regulations has been complied with. ‘

- 8.6.7 They also stated that their records indicate that primarily the flooding incidents in this area are attributable to blockages rather than insufficient capacity within the sewer network. The analysis undertaken in relation to the impact of a proposed development on the existing sewer network, focuses on the capacity within the sewer network to accommodate the flows from the development. Sewer blockages do not bear relation to the capacity of the sewer and are caused by obstructions within the network, so they would not be a primary consideration when making the assessments (capacity checks).
- 8.6.8 The Operations team are aware of the issues and have carried out CCTV investigation which show that the issue is not related to capacity, but condition of the pipes – which are pitch fibre. These need to be lined, however they were unable to confirm any timeline on this. They are looking into how to identify and deliver the best long-term solution. It is likely that new linings to the existing pipework will be their preferred solution.
- 8.6.9 Therefore, it is considered that the site can satisfactorily accommodate the proposed level of development without detriment to the existing drainage system, albeit that there is a requirement for Southern Water to undertake their statutory works in the village.

8.7 Ecology & Biodiversity

- 8.7.1 The application is accompanied by an Ecological Impact Assessment (EclA – The Ecology Co-op 11/3/21). The development relates to two plots of land. The northern sector is proposed for development, and the southern sector is proposed for enhancement. Habitats on site (in both sectors) include improved grassland, neutral semi-improved grassland, dense/continuous scrub, ruderal vegetation, scattered scrub, broadleaved woodland, a small orchard and allotments, buildings and bare ground. There are hedges bordering and within the site, the majority of which are species rich and in good condition. The site also includes a dry ditch and a number of log piles. The habitats of greatest importance from an ecological perspective are the hedgerows, scrub and woodland. The woodland is to be retained and enhanced through positive management, and the majority of the hedgerows are to be retained and protected.
- 8.7.2 The proposed development will result in the loss of 3.19ha of improved grassland, 1.12ha of semi-improved grassland, 0.07ha of amenity grassland, 0.33ha of scrub, 0.01ha of bare ground and 0.22ha of ruderal vegetation.

- 8.7.3 The Biodiversity Impact Calculation (BIC) states that habitat creation and enhancement within the developed area in the northern sector, and in the southern sector to be retained, will compensate for the loss of habitat and will provide enhancements. The BIC also states that compensation/enhancement will include tree planting, enhancement to the green buffer areas, thickening and enhancement of species rich thorny planting to existing hedgerows to enhance opportunities for wildlife, new bat and bird boxes, buffers to protect the existing and retained hedgerows, planting of wildflower meadows, and the protection and enhancement of the woodland and pond area. Concerns raised in relation to nesting nightingales has been resolved with the two identified nesting sites being located outside of the development area and the overall enhancement to the vegetation across the site and in particular to the woodland area on the south west corner.
- 8.7.4 The proposed development will result in the loss of approximately 0.052km of hedgerow for access into and through the site. The proposal to mitigate for this impact through the provision of 1.44km of new native species-rich hedgerows is acceptable and will result in a net gain in terms of hedgerow units. This will benefit nesting birds and specifically dormice.
- 8.7.5 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 will provide a minimum of 10% Biodiversity Net Gain as required by the Biodiversity Net Gain Technical Advice Note (TAN). Supplemental information submitted by the applicant shows that there would be a 39.51% net gain in hedgerows and 16.95% in habitats overall.
- 8.7.6 Full details of site landscaping would be secured at the Reserved Matters stage.
- 8.7.7 It is therefore considered that the development would comply with policy CP10 of LLP1, policies, DM24 and DM27 of LLP2 and paras. 170 and 175 of the NPPF.

8.8 Sustainability

- 8.8.1 The application is in outline form and, as such, it is not possible for all sustainability measures to be detailed at this stage. However, the application is supported by an Energy and Sustainability Statement that sets out the aim on achieving at least a 20% reduction in regulated CO₂ emissions against a Building Regulations Part L 2013 compliant scheme. It is also an aim to target a 40% reduction in the dwelling emission rate against a target emission rate. These would be achieved through the use of both passive design and use of new technologies.

8.8.2 The application for Reserved Matters would need to include a sustainability statement that confirms compliance with the aims and objectives Energy Statement and 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 Archaeology

8.9.1 An Archaeological Desk based Assessment of the site has been carried out and a report submitted as part of the suite of documents supporting the application.

8.9.2 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.

8.9.3 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.

8.9.4 It is therefore considered the proposed development complies with policy CP11 of LLP1, DM33 of LLP2 and section 16 of the NPPF.

8.10 Planning Obligations

8.10.1 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 34.4 units. In order to fully comply with the standards set out in the Lewes District Council SPD for affordable housing, 34 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.

8.10.2 The applicant has confirmed that affordable housing would be provided in compliance with the requirements of CP1 and a Section 106 legal agreement would be required to secure the units/payment.

8.10.3 In terms of Highway issues the following will also need to be secured:

- 1) Travel Plan developed in accordance with ESCC Travel Plan Guidance for developers (Feb 2020).
- 2) Travel Plan Audit Fee of £6,000

- 3) Access from the C110 [Station Road] including, closure of existing accesses, new buildouts, visibility splays and road markings etc as shown on plans Nos:- SK2164 – 10 revision B; site indicative layout 1924-PL04 revision P; and SK21614 -25;
- 4) The existing layby to the south of Riddens Lane shall be reprofiled to effectively provide a bus stop build out “pier” of sufficient width and height to be accessibility compliant and/or provide further alterations to the bus layby profile at the northern and southern ends.
- 5) New southbound bus stop on Station Road opposite the northbound stop [or in vicinity of] to be provided. The exact position to be agreed and will need to be accessible to all with provision of DDA compliant kerbing, bus stop pole, flag/timetable.
- 6) Dropped kerbs and/or tactile kerbing across Riddens Lane at its junction with Station Road and across Station Road in the vicinity of the bus stops.
- 7) Footways around access bell mouth and footway links on Station Road together with appropriate crossing points on Station Road.
- 8) Substantial Improvements/alterations to gateway features at both ends of village with a commuted sum sought at the s278 detailed design stage.
- 9) Link through the site to North Barnes Lane [as cycleway/footway] for public use as permissive path [to be secured in case estate roads not adopted]
- 10) School Transport Contribution £108,300 to provide/enhance existing school bus transport services for 3 years.
- 11) Provision of parking spaces on new estate road for existing residents/visitors on Station Road.
- 12) A £5000 contribution towards the administrative costs of a Traffic Regulation Order for implementation of any parking restrictions required and/or extension to the 30mph within the site and/or bus stop cage.
- 13) Prior to commencement of Development Items 3-8 above shall be agreed, secured by a s278 agreement and constructed prior to the occupation of the first dwelling and which will include the need for Road Safety Audits stages 2, 3 and 4 and the implementation of any subsequent remedial measures.

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. Conclusion

- 10.1 In considering the proposed development it is important to assess the application against the sustainability criteria set out in the Interim Policy Statement for Housing Delivery (Cabinet 25 March 2021 Minute 52) and which is a material consideration in the determination of applications.
- 10.2 The proposed development can provide safe and convenient vehicle, pedestrian and cycle access to key community facilities and services within Plumpton Green. It would not result in the actual or perceived coalescence of settlements. The indicative plans suggest that its location within the setting of the South Downs National Park is not likely to have an adverse impact upon the special qualities of the Park.
- 10.3 In terms of the potential impact on buildings of historical significance it is considered that whilst there may be some impact on the wider setting of those buildings, especially Whitehouse Farm, this is judged to result in less than substantial harm to its wider setting. In distant views from outside but towards the settlement the view of the church and Whitehouse Farm would be altered, but any impact would be mitigated through landscaping of the site. The immediate setting of both buildings would not, in the opinion of officers, be so detrimentally impacted upon to justify refusal.
- 10.4 An ecological impact assessment has been submitted and demonstrates at least 10% net gain in biodiversity can be achieved, and that mitigation measured and be conditioned to reduce impact and enhance the site. The proposed layout indicates that the development can be achieved on the site and meet the technical requirements in terms of layout, servicing, amenity, privacy, parking, dwelling and garden sizes.
- 10.5 However, the proposed western boundary of the site does not locate the built form contiguous with the adopted settlement planning boundary for Plumpton Green, projecting as it does into the field system and open countryside located to the east of the village. Through its scale and location it fails to respond sympathetically to the existing linear character and distinctiveness of the adjoining settlement and surrounding rural area.
- 10.6 It is considered that the scale and location of the of the proposed development would not be in character with the existing built form and scale of development on the east side of Station Road. The development would extend beyond the established physical village boundary into the well-defined open and green buffer between the village and wider farmed countryside, having a detrimental impact on

the visual and physical character of the surrounding countryside.

11. Recommendation

11.1 It is recommended that planning permission is refused for the following reason:

It is considered that the scale and location of the of the proposed development would not be in character with the existing built form and scale of development on the east side of Station Road or the village as a whole. The siting of the development would extend beyond the established physical village boundary into the well-defined open and green buffer between the village and wider farmed countryside, having a detrimental impact on views into and over the site to the detriment of both the visual and physical character of the surrounding countryside, and that the adverse impact significantly and demonstrably outweighs the benefits of providing up to 86 residential units, contrary to Policy CP10 (i) of LDLP Part 1 and Policy DM25 (1) of LDLP Part 2, and Para 8 (c) and 11 (d (ii)) of the NPPF.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Proposed Layout Plan	1 September 2021	1924-PL04 Rev P WITH DIMS INDICATIVE SITE LAYOUT
Proposed Layout Plan	14 May 2021	SK21614-22 to 26
General	27 August 2021	Biodiversity Impact Calculation
General	27 August 2021	Landscape and ecology Management Plan
General	27 August 2021	Constraints and opportunities Pan
General	27 August 2021	Ecological Impact Assessment
Additional Documents	31 August 2021	Ecological technical Note
Proposed Layout Plan	31 August 2021	Indica1924-PL04 Rev P site layout
Technical Report	9 April 2021	Flood Risk Assessment _ SuDS report
Landscaping	7 July 2021	Landscaping Designations Plan Rev C
Technical Report	12 October 2021	Supplemental Transport Tech Note
General	9 April 2021	S106 Heads of Terms

General	9 April 2021	Utilities Foul Drainage Statement
General	9 April 2021	Transport Assessment & Travel Plan
General	9 April 2021	Townscape Note
General	9 April 2021	Sustainability Checklist & RES Breakdown
General	9 April 2021	Planning Statement
General	9 April 2021	Phase 1 Environmental Assessment (contamination)
Other Plan(s)	9 April 2021	1:1250 Site Location and Block Plan
General	9 April 2021	Landscape and Visual Impact Assessment
General	9 April 2021	Landscape _ Ecology Management Plan
Other Plan(s)	9 April 2021	Indicative Site Location Plan
Other Plan(s)	9 April 2021	Indicative Opportunities and Constraints
Other Plan(s)	9 April 2021	Indicative Developable Areas Plan
Other Plan(s)	9 April 2021	Indicative Density Plan
General	9 April 2021	Ground Water Level Monitoring
General	9 April 2021	Energy Statement
General	9 April 2021	Ecological Statement
Other Plan(s)	9 April 2021	Design Panels 1
Other Plan(s)	9 April 2021	Design Panels 2
Other Plan(s)	9 April 2021	Design Panels 3
Other Plan(s)	9 April 2021	Design Panels 4
Other Plan(s)	9 April 2021	Design Panels 5
Other Plan(s)	9 April 2021	Design Panels 6
General	9 April 2021	Design and Access Statement
General	27 August 2021	Biodiversity Impact Calculation
General	9 April 2021	Biodiversity Checklist
General	9 April 2021	Archaeological Magnetometer Survey

General	9 April 2021	Archaeological Desk Based Assessment (Heritage Statement)
General	9 April 2021	Arboricultural _ Planning Implementation Report
General	9 April 2021	Appendix M - Approach to Disaggregating Local Housing Need
General	9 April 2021	Appendix L Lewes Local Plan - Briefing Paper Towns and Parishes
General	9 April 2021	Appendix K - Gradwell End Appeal APP.P1425.A.14.2220421
General	9 April 2021	Appendix J - Bishops Lane Appeal APP.P1425.W.14.3001077
General	9 April 2021	Appendix I - Land south of North Common Road Appeal APP.P1425.A.14.2215421
General	9 April 2021	Appendix H - Culpepper Close Appeal APP.C1435.W.17.3178137
General	9 April 2021	Appendix G - Mitchelswood Appeal APP.P1425.W.15.3119171
General	9 April 2021	Appendix F - Hallam Land Management Ltd v Secretary of State for Communities and LG
General	9 April 2021	Appendix E - Suffolk Coastal District Council v Hopkins Homes Ltd and Richborough Estates
General	9 April 2021	Appendix D - List of Supporting Documentation
General	9 April 2021	Appendix C - Public Consultation
General	9 April 2021	Appendix B - Pre-Application Meeting Notes and Key Correspondence
General	9 April 2021	Appendix A - LDC Formal Pre-Application Response and Correspondence
General	14 Oct 2021	HED landscape rebuttal letter 6/7/21