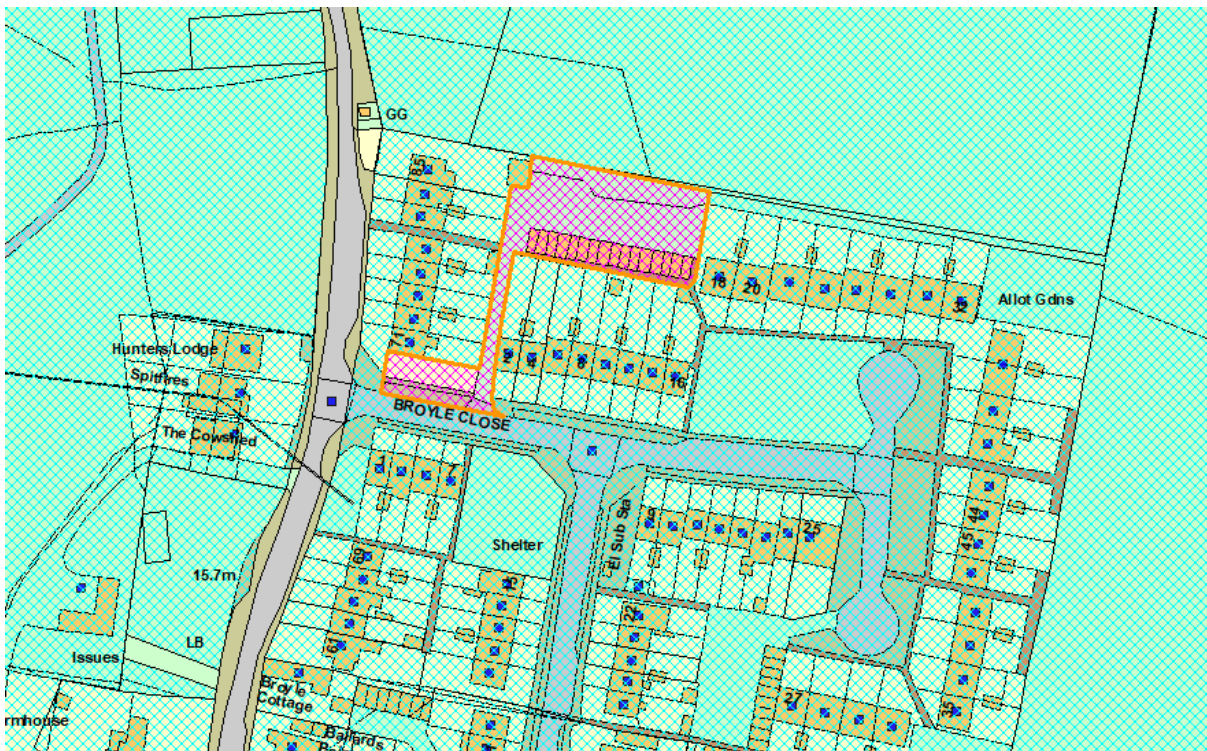


Report to: Planning Applications Committee
Date: 8 December 2021
Application No: LW/21/0351
Location: Site to the rear of 2 - 16 Broyle Close, Ringmer, East Sussex BN8 5PL
Proposal: Redevelopment of vacant garage site to provide 3-No. three bed affordable homes including associated vehicle parking, Hard and Soft Landscaping.
Applicant: Lewes District Council
Ward: Ringmer
Recommendation: Grant Planning Permission.
Contact Officer: **Name:** Tom Bagshaw
E-mail: tom.bagshaw@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL Liable.

Map Location:



1. Executive Summary

- 1.1 This application is before planning committee as the applicant is Lewes District Council, who also own the land.
- 1.2 The proposed development is considered to meet all relevant local and national planning policies.
- 1.3 Approval is recommended, subject to conditions.

2. Relevant Planning Policies

2.1 National Planning Policy Framework

- 2: Achieving sustainable development.
- 5: Delivering a sufficient supply of homes.
- 8: Promoting healthy and safe communities.
- 9: Promoting sustainable transport.
- 11: Making effective use of land.
- 12: Achieving well designed places;
- 15: Conserving and enhancing the natural environment

Lewes District Local Plan

- LDLP: – CP2 – Housing Type, Mix and Density
- LDLP: - CP10 – Natural Environment and Landscape Character
- LDLP: – CP11 – Built and Historic Environment & Design
- LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage
- LDLP: – CP13 – Sustainable Travel
- LDLP: – CP14 – Renewable and Low Carbon
- LDLP: – DM1 – Planning Boundary
- LDLP: – DM20 – Pollution Management
- LDLP: – DM22 – Water Resources and Water Quality
- LDLP: – DM23 – Noise DM24: Protection of Biodiversity and Geodiversity
- LDLP: – DM24 – Protection of Biodiversity and Geodiversity
- LDLP: – DM25 – Design

2.2 Ringmer Neighbourhood Plan

RES10

- 4.1 The countryside in Ringmer
- 4.2 The South Downs National Park
- 4.10 Maintaining and enhancing biodiversity
- 4.11 Avoidance of light pollution
- 8.1 Access to the local road system
- 8.2 The local road network within Ringmer parish
- 8.3 Provision of adequate off-road parking
- 8.5 Road safety
- 8.6 Public transport
- 8.11 Drainage & sewerage
- 8.12 Waste disposal & recycling

- 9.1 Design, massing and height of buildings
- 9.2 Making good use of available land
- 9.3 Materials
- 9.4 Housing space standards
- 9.5 Pedestrian movement
- 9.6 Hard & soft landscaping
- 9.7 Types of residential development
- 9.8 Housing for the elderly & disabled
- 9.9 Housing for supported living
- 9.11 Avoidance of nuisance to neighbours

3. Site Description

- 3.1 The site is located within the Broyle side habitation of Ringmer on an old garage site off Kiln Road. The site itself is 0.117Ha (1,173sqm).
- 3.2 The site is currently vacant garages with hardstanding within the existing residential suburban development of Broyle Side. The garages are vacant not being suitably sized for modern cars and when in use were mainly used for storage.
- 3.3 The predominant building style of the area is of no particular architectural merit, consisting mainly of 70's / 80's mass terraces with mixed brick, tile or plastic cladding and shallow pitch concrete tiled roofs.
- 3.4 There is a mix of materials, however brick features heavily, both buff brick and red brick which this proposal seeks to marry together into a more modern aesthetic. Immediately adjacent the site on Broyle lane a new development at 'The Cowshed' which introduces a modern agricultural aesthetic using timber cladding and zinc.

4. Proposed Development

- 4.1 The application seeks full planning permission for the construction of a three new, three-bedroom houses with rear gardens and would be accessed from Broyle Close. The proposed properties will be affordable units.
- 4.2 Each dwelling would have a Gross Internal Area of approximately 103sqm. The development is located to the rear of properties on Broyle Close and would not be visible in the wider street scene.
- 4.3 This Site is identified in the Ringmer Neighbourhood plan for residential development, section 6.4 RES10
- 4.4 The buildings comprise of two semi-detached properties and one detached property. The dwellings would be orientated to face to the north. The houses have been designed in a contemporary building style and fenestration pattern. The proposal features oriel windows which will prevent overlooking of neighbouring properties.
- 4.5 The final facing materials will be conditioned with the submission of physical samples, however the following examples are the likely materials;

- Good quality Buff Brick with buff mortar such as Marziale brick by Weinereberger with Light Yellow Buff mortar by Tarmac,
- Good quality Red Brick with red mortar such as Olde woodford Red Multi brick by Weinerberger with a medium red-brown mortar by Tarmac,
- Anthracite coloured frame doors and windows,
- Anthracite coloured soffit, eaves and barge boards,
- Standing seam Anthracite Zinc feature panels and roof.

4.6 The site is set out with car parking at the front and side of the properties comprising six allocated parking spaces and 4 visitor parking spaces to offset the loss of the garages. The properties will be accessed via an access road from Broyle Close.

4.7 The proposal includes some light landscaping with light coverage of trees and shrubbery.

5. **Relevant Planning History**

5.1 N/A

6. **Consultations**

6.1 ESCC SUDS – no comments received.

6.2 ESCC Highways – No Comments.

6.3 Southern Water - The attached plan shows that the proposed development will close to an existing public foul sewer, which will not be acceptable to Southern Water. The exact position of the public apparatus must be determined on site by the applicant before the layout of the proposed development is finalised.

It might be possible to divert the sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

Please note:

The 150 mm public foul sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future access for maintenance. No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water. No new soakaways should be located within 5 metres of a public sewer. All existing infrastructure should be protected during the course of construction works.

Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment of the site layout. If the applicant would prefer to advance these options, items above also apply.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission; for example, the developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

6.4 Ringmer Parish Council – Ringmer Parish Council strongly objects on the grounds of over-development and loss of parking.

7. Neighbour Representations

7.1 We consulted 48 properties and 7 objections have been received:

- Overdevelopment
- Out of character
- loss of parking
- Loss of garages
- Noise from traffic
- Loss of trees
- Harm to habitat
- Reduce visibility at the junction
- Obstruct the highway and bus routes
- Disruption during construction
- Not enough infrastructure to support new housing

8. Appraisal

Key Considerations

8.1 The main considerations in relation to this application are principle of development; design and character; neighbouring residential amenity; highways; refuse and recycling; quality of accommodation; sustainability; biodiversity and ecology and drainage.

Principle

8.2 National Planning Policy Framework Paragraphs 7 and 8 state that there are three dimensions to sustainable development: economic, social and environmental. The social role of the planning system should support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high-quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.

8.3 The Economic objective helping to build a strong, responsive economy and ensuring that the right types of sufficient land are available in the right places, and the environmental objective making efficient and effective use of land to improve the environment.

8.4 Development proposals that accord with an up-to-date Development Plan should be approved and where a planning application conflicts with an up-to-

date Development Plan, permission should not usually be granted (Paragraph 12).

- 8.5 Section 5 of the Framework sets out policies aimed at delivering a sufficient supply of houses and maintaining the supply to a minimum of five years' worth (Paragraph 73).
- 8.6 Spatial Policy 1 (Provision of housing and employment land) states that in the period between 2010 and 2030, a minimum of 6,900 net additional dwellings will be provided in the plan area (this is the equivalent of approximately 345 net additional dwellings per annum).
- 8.7 Since its introduction through the NPPF in 2018, local housing need is calculated using a standard method contained within Planning Practice Guidance¹. As such this is a Government initiative that sets the framework within which local housing need is assessed. The standard method uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply. Under the Government's standard method, the local housing need for the whole of Lewes District at 11th May 2021 is 782 homes per year.
- 8.8 However, approximately half of the area of Lewes District is in the South Downs National Park, which is not under the planning jurisdiction of Lewes District Council. Planning Practice Guidance states that where strategic policy-making authorities do not align with local authority boundaries, an alternative approach to identifying local housing need will have to be used, and such authorities may identify a housing need figure using a method determined locally. In these situations, Planning Practice Guidance also confirms that this locally derived housing requirement figure may be used for the purposes of the five-year housing land supply calculation where the local plan is more than 5 years old.
- 8.9 The Council has published its Approach to Local Housing Need for Lewes district outside the South Downs National Park for the purposes of the Five-Year Housing Land Supply (May 2021). This sets out a locally derived method for calculating local housing need for the plan area (i.e. Lewes district outside of the SDNP) on the basis of how the total number of dwellings in the District is split between inside and outside the National Park. This results in a locally derived housing requirement figure of 602 homes per year, which will be the housing requirement against which the housing supply will be assessed.
- 8.10 The Joint Core Strategy pre-dates the NPPF and in accordance with para 13 of the Framework, the policies of the core strategy should be given due weight according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). In the case of the old housing targets within SP1 and SP2 limited weight should be given, and housing targets which will be given substantial weight in the decision making process are those targets set out in the 'locally derived method for calculating local housing need' (602 dwelling per year).
- 8.11 Given the use of the Governments standard method for calculating housing need has derived a figure significantly greater than the previous position

then this will have a direct impact upon the land available to meet this inflated need. 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 carry less weight, and the NPPF's presumption in favour of sustainable development will apply to decision making.

- 8.12 In terms of housing delivery, the Council was found to be delivering 86% of the figure required by the Housing Delivery Test (HDT). The NPPF sets out certain 'actions' that must be implemented depending on the HDT result with less than 95% delivery triggering the requirement of the LPA to produce an Action Plan. The Action Plan produced in 2019 sets out a number of positive actions for the Council to implement in order to increase housing supply, one of the measures being the imminent adoption of the Lewes District Local Plan (part two) 2020.
- 8.13 Overall, the proposal seeks to deliver new housing replacing an area of previously developed private garages. The site is identified in the Ringmer Neighbourhood Plan RES10 for development.
- 8.14 The Ringmer Neighbourhood Plan seeks adequate off-street parking provision for residential dwellings. However, the parking spaces to be lost are of a poor standard and not fit for modern cars and are used in a storage capacity. The loss of the garages would not be considered to have an unacceptable impact upon the area in terms of principle.
- 8.15 There are no local or national policies that resist the creation of such units on a principle basis and the development is supported by RNHP policy RES10, given that the garages do not represent good standard of parking spaces. As such, the delivery of an additional three units is considered to have positive weight in the planning balance.
- 8.16 Therefore, there are no objections to the principle of the scheme subject to the proposal being acceptable in terms of design and character; neighbouring residential amenity; highways; refuse and recycling; quality of accommodation; sustainability; biodiversity and ecology; and drainage.

Design & Appearance

- 8.17 Chapter 12 of the NPPF refers to design. Paragraph 127 sets out that planning decisions should ensure that developments (inter alia) function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Development should also create places that are safe, inclusive and accessible.
- 8.18 Paragraph 130 of the NPPF sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should

not be used by the decision-maker as a valid reason to object to development.

- 8.19 Paragraph 131 of the NPPF stipulates that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 8.20 The proposed development should comply with the provisions of Policy DM25 of the Lewes District Local Plan (part 2) sets out that development which contributes towards local character and distinctiveness through high quality design will be permitted where the following criteria are met:
- 8.21 Its siting, layout, density, orientation and landscape treatment respond sympathetically to the characteristics of the development site, its relationship with its immediate surroundings and, where appropriate, views into, over or out of the site;
- its scale, form, height, massing, and proportions are compatible with existing buildings, building lines, roofscapes and skylines;
 - it incorporates high quality, durable and sustainable materials of an appropriate texture, colour, pattern and appearance that will contribute positively to the character of the area;
 - existing individual trees or tree groups that contribute positively to the area are retained;
 - adequate consideration has been given to the spaces between and around buildings to ensure that they are appropriate to their function, character, capacity and local climatic conditions;
 - any car parking or other servicing areas are appropriate to the context and sensitively located and designed so as not to dominate the public realm.
- 8.22 The proposed development would need to be compatible with the surrounding environment in terms of scale, form, height and massing. It is noted that the overall height of the building is broadly consistent with the ridge height of the existing building.
- 8.23 The surrounding area is of a mixed character and appearance with terrace, semi-detached and detached properties of mixed architectural styles and materials. The development is located at the rear of Broyle Close and would be outside of the view of the street scene due to its obscure location. The proposal is not considered to be at odds with the character or appearance of the surrounding area or the street scene.
- 8.24 The dwellings would have a contemporary fenestration style whilst generally conforming to the surrounding area in terms of scale and massing. The proposal would replace existing garages that are of a poor quality of architecture and would not be considered to be of any architectural merit nor do they contribute positively towards the character of the area.
- 8.25 The contemporary design and appearance of the properties adds visual interest to the area with a mix of architectural character between traditional 1980s and 70s properties and contemporary architecture (Cow Shed). Given

visually interesting architecture of the properties the slight deviation from the general fenestration style of the older properties would not harm the character or appearance of the street scene. These properties are considered to be acceptable in terms of design and appearance.

- 8.26 The existing site is currently laid to parking and garages. The proposed landscaping would result in a softening of the appearance of the site. As such, the proposed landscaping would not result in unacceptable harm to the character or appearance of the area. Any external lighting scheme would be required to be submitted to the council prior to occupation of the development to avoid light spill that impacts upon the setting of the open countryside.
- 8.27 The proposal would be located adjacent to the development boundary. The site would be set amongst the existing built form of the Broyleside settlement and would not be considered to have any detrimental impacts to the setting openness of the countryside.
- 8.28 Therefore, the proposal would be acceptable in terms of design and character.

Impact on Neighbouring Residents

- 8.29 Policy DM25 of the Lewes District Local Plan (part 2) sets out that proposals seeking new development will not be approved unless it can be shown that there will be no unacceptable adverse impact on the amenities of neighbouring properties in terms of privacy, outlook, daylight, sunlight, noise, odour, light intrusion, or activity levels.
- 8.30 The proposed dwellings would be modest sizes and scales and would be in keeping with the massing of the existing properties in the area. The properties would be set away from the neighbouring properties on Broyle close which would not give rise to unacceptable overlooking of habitable windows. The separation distance to neighbouring properties in unison with would not result in any unacceptable impacts upon neighbouring amenity in terms of overbearing, overshadowing or daylighting/sunlighting to any properties on Broyle Close.
- 8.31 The properties include only one side facing window that would give rise to any overlooking of neighbouring properties. This window is located on the detached property and serves as a light source for the stairwell. A condition will be attached to any permission requiring side facing windows above ground floor level to be obscurely glazed.
- 8.32 Internally within the site the properties would not breach BRE 45 Degree daylighting/sunlighting guidance to any habitable room windows, nor would the orientation or the properties unacceptably overbear, overshadow or overlook other properties within the site. Overall, the proposed development would not be considered to result in any unacceptable impacts upon the

amenity of any nearby residential properties or the properties proposed within the site.

Living Condition for Future Occupants

- 8.33 The Nationally Described Space Standards, introduced by DCLG in March 2015, sets clear internal minimum space standards for bedrooms within new dwellings of 7.5 m² for single bedroom and 11.5 m² for a double bedroom.
- 8.34 Each of the properties would meet the minimum standards set out within the National Described Space Standards and would provide an acceptable standard of living space in this regard. All habitable rooms would be provided with outward looking windows and would provide a good standard of natural daylight/sunlight.
- 8.35 The proposal would provide private amenity space for the properties in the form of a private garden area at the rear of the properties. The provided gardens are considered to be of a size that would provide a good standard of amenity space for the proposed properties and would be acceptable in this regard.

Highways

- 8.36 Chapter 9 of the NPPF relates to the promotion of sustainable transport Paragraph 108 sets out that in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up and that safe and suitable access to the Site can be achieved for all users.
- 8.37 Paragraph 109 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.38 The site is located within an urban area and as such, public transport options are available with the nearest bus stop at Kiln Road (1 minutes' walk). Nonetheless, the owners of the property are likely to be reliant on private motor vehicles. The ESCC guidance recommends that for a three-bedroom house, two car parking spaces should be provided meaning the requirement for this site should be six parking spaces. The site plan shows a total of ten parking spaces at the front of the properties and therefore the proposal is in accordance with ESCC guidance. Six spaces would be allocated for occupants of the properties and four would be for visitor parking.
- 8.39 The site access would be required to have visibility splays showing 43 metres in either direct, or in the case of roads that are less than 43 metres to a junction, they should enable drivers to see vehicles turning at the junction. The proposal would be able to accommodate this, and it is therefore acceptable.
- 8.40 Objections have been raised regarding the closing of the bus route. Construction disruption is not a material consideration for planning application that can result in refusal. However, a construction management plan will be required by condition to limit disruption.
- 8.41 Objections have been raised with regards to the loss of the sixteen garages which according to ESCC highways parking would be classed as

approximately five parking spaces (garages are attributed 1/3 of a parking space) and the loss of six off street parking spaces. The garages are not fit for modern car parking and officers do not consider that the loss of spaces would result in a significant loss of off-street parking. Nonetheless, the highways statement set out that in unison with the four visitor spaces proposed, there is ample on street parking to accommodate any displacement of the maximum number of eleven parking spaces. The methodology of the parking assessment is considered acceptable and therefore, officers have no objection to the parking provision.

- 8.42 Overall, the highways impact of the proposal is considered to be acceptable subject to mitigation and conditions.

Refuse and Recycling

- 8.43 The proposal includes details of refuse recycling locations and storage. These details are considered to be acceptable and would not harm the visual amenity or highways capacity and safety of the area. A condition will be included to secure their provision.

Ecology/Biodiversity

- 8.44 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the local environment by (inter alia) recognising the intrinsic character and beauty of the countryside and the wider benefits from ecosystem services, including trees and woodland.
- 8.45 Policy DM24 (Protection of Biodiversity and Geodiversity) states that where development is permitted, the Council will use conditions and/or legal agreements in order to minimise the damage, ensure adequate mitigation and site management measures and, where appropriate, compensatory and enhancement measures in terms of biodiversity and ecology.
- 8.46 Policy DM27: (Landscape Design) states that where appropriate, development proposals should demonstrate a high quality of landscape design, implementation and management as an integral part of the new development. Landscape schemes will be expected to:
- 8.47 The proposal will not result in the loss trees on site. The site is located in an urban environment and does not host and substantial green space or habitats. The site is not considered to be of any significant biodiversity value.
- 8.48 Nonetheless, there is clearly an opportunity for biodiversity net gain resulting from the proposal. The applicant has provided an ecology report which sets out that the scheme would result in long term gains in the form of high biodiversity planting. Conditions will be attached to any planning permission requiring details of ecological enhancement features such as, bird and bat

boxes, and hedgehog house/holes to be submitted to the LPA prior to occupation of the development.

- 8.49 Furthermore, a landscaping plan will be required which will seek to utilise native plant species with a high bio-diversity value to achieve net biodiversity gain,
- 8.50 Therefore, the proposed development would be considered to represent a biodiversity net gain on the site and would be acceptable in this regard.

Sustainability

- 8.51 Paragraph 8 of the NPPF sets out that there are three strands to achieving sustainable development, including an environmental objective. This is for development to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.52 Paragraph's 10 and 11 of the NPPF state that at the heart of the Framework is a presumption in favour of sustainable development.
- 8.53 Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; and support renewable and low carbon energy and associated infrastructure.
- 8.54 Paragraph 149 of the NPPF states that plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.
- 8.55 Any new dwellings would need to incorporate the maximum feasible amount of renewable energy, and water and energy efficiency measures and equipment and any such features will be welcomed. A condition will be attached to any decision notice which details of sustainability measures on site to be submitted to the Council and approved in writing.
- 8.56 The proposal shows solar panels on the southern facing roof slopes of all Type A properties, which will be a significant benefit to the scheme in regard to achieving a high level of sustainability for the scheme.
- 8.57 Subject to the implementation of appropriate conditions the proposal is considered to be acceptable in terms of sustainability.

Drainage

- 8.58 Any submitted application should include details of how surface water generated by the development would be managed. It is recommended that rainwater harvesting infrastructure is incorporated as a means to reduce/control discharge.
- 8.59 The applicant submits that this scheme seeks reduce surface water run off rates by 50% as far as reasonably achievable. This will be achieved by the

implementation of a SUDS management system which includes but is not limited to permeable paving, soakaways, and a water attenuation tank.

- 8.60 ESCC SUDS Officer has not commented on the scheme however it is not situated within a flood zone and is not considered to be at risk of flooding. Therefore, a condition requiring these details be submitted and approved by the LPA in consultation with ESCC SUDS Officer will be attached to any approval. Subject to the receipt of these details the SUDS would be acceptable in this regard.
- 8.61 Southern Water have commented on the scheme regarding issues relating to access to the sewers. However, in order to remove all doubt an informative will be included with any permission which recommends the applicant seek advice directly from Southern Water relating connection to the existing sewer network.
- 8.62 Southern Water has commented on the proposal stating that there may be a public sewer under the site. A condition will be attached to any permission which requires works to stop and Southern Water to be notified in the event that any unidentified sewers are discovered at the application site.
- 8.63 Subject to the implementation of appropriate conditions the drainage layout of the site is considered to be acceptable.

Conclusion

- 8.64 The proposed development seeks the erection of three new dwellings. Given the Councils position on housing delivery and the lack of a 5-year housing land supply, the provision of three units is considered to be a significant benefit of the scheme.
- 8.65 The proposal would result in the loss of sixteen private garages. The site would be landscaped to improve green linkages for wildlife and improve the visual appearance of the site. From a design perspective the loss of the garages would improve the appearance of the area and their replacement with landscaped dwelling would be a minor benefit of the scheme.
- 8.66 The design of the proposed development, although contemporary, would enhance the character and appearance of the surrounding area which has a fairly standard type of architecture other than newer contemporary buildings such as the Cow Shed.
- 8.67 The proposed development would be an appropriate standard of accommodation and would not result in any detrimental impacts to the amenities of any neighbouring residential properties.
- 8.68 The lead local flood authority have not commented on the scheme. However, it is not located in an area prone to flooding and the implementation of a condition which requires details of SUDS to be submitted to the LPA prior to commencement of the development would be considered sufficient to mitigate any increase in surface run off resulting from the proposal
- 8.69 The site currently has a low bio-diversity value. Conditions requiring a high biodiversity landscaping plan and other biodiversity enhancement measures will be attached to any permission in order to achieve bio-diversity net gain.
- 8.70 The garages lost would not be considered to be fit for modern car parking. Notwithstanding, including the loss of garage parking spaces, the proposal

would result in a displacement of a maximum of seven cars. There is considered to be sufficient on street capacity to accommodate the displaced cars. The highways are therefore acceptable.

- 8.71 The inclusion of conditions and sustainability measures shown in the plan would result a development with a high level of sustainability.
- 8.72 On balance it is considered that the proposed development is acceptable, meets all relevant national and local plan policies and will make a small but valuable contribution to the District Council's housing target. Approval is recommended, subject to conditions.

9. **Human Rights Implications**

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

10. **Recommendation**

The proposal meets local and national planning policy and is therefore considered to be acceptable.

10.1 Conditions

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Other Plan(s)	13 June 2021	9095 P 206 Rev 07 Proposed Site Elevations
Other Plan(s)	13 June 2021	9095 P 204 Rev 07 Proposed Ground Floor Plan
Other Plan(s)	13 June 2021	9095 P 208 Rev 06 3D Site Visuals
Other Plan(s)	13 June 2021	9095 P 207 Rev 07 Proposed Section Plans
Other Plan(s)	13 June 2021	9095 P 203 08 Proposed Site Plan
Other Plan(s)	13 June 2021	9095 P 202 03 Existing Elevations
Other Plan(s)	13 June 2021	9095 P 200 Rev 07 Site Location Plan

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

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

2. No development shall commence, until details/samples of all external materials, including paving, and boundary treatment have been

submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policies CP11 and DM25 of the Lewes District Local Plan and to the National Planning Policy Framework.

3. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:
- the anticipated number, frequency and types of vehicles used during construction
 - the method of access and egress and routeing of vehicles during construction
 - the parking of vehicles by site operatives and visitors
 - the loading and unloading of plant, materials, and waste
 - the storage of plant and materials used in construction of the development
 - the erection and maintenance of security hoarding
 - the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders)
 - details of public engagement both prior to and during construction works.
 - Details of measures to manage flood risk, both on and off the site, during the construction phase.

Reason: In the interests of highway safety and the amenities of the area.

4. Prior to commencement of the scheme hereby approved a SUDS scheme shall be submitted to and approved in writing by the LPA. The approved details should thereafter be retained.

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

5. No development above ground floor slab level of any part of the development hereby permitted shall commence until a report has been submitted to, and approved in writing by, the Local Planning Authority, to include details and drawings to demonstrate how a minimum of 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage

The report shall identify how renewable energy, passive energy and energy efficiency measures will be generated and utilised for each of the proposed buildings to collectively meet the requirement for the development. The approved details shall be implemented with the construction of each dwelling and thereafter retained.

Reason: To secure a proper standard of development having regard to policy CP14 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

6. The access shall not be used until visibility splays of 2.4m by 43m are provided to the site accesses unless the road is less than 43 metres in length. In this circumstance the visibility splay should be as far as possible. The visibility splays shall be maintained thereafter. The height of the boundary wall and all vegetation should be retained at 1 metre in height towards the north in order to optimise the driver sightline.

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

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

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

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

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

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

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

10. No part of the development shall be occupied until details for the provision of electric car charging points have been submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with that approval prior to occupation.

Reason: To promote sustainable ways of transport in accordance with policies CP13 and CP14 of the Lewes District Joint Core Strategy National Policy Guidance contained in the National Planning Policy Framework.

11. No part of the development shall be occupied until the refuse and recycling storage facilities detailed in 9095-P-204-07 have been installed and made permanently available for that use.

Reason: To secure a proper standard of development having regard to policy DM26 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

12. No site clearance or construction works shall take place outside 0800 hours to 1800 hours Mondays to Fridays and 0830 hours to 1300 hours on Saturdays and works shall not be carried out at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interests of the amenities of the area, having regard to guidance within the National Planning Policy Framework

13. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Policy 11 of the Lewes District Local Plan and the National Planning Policy Framework.

14. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 1 and Part 2 of Schedule 2, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.

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

15. No windows other than those shown in the approved plans shall be formed in the side walls of any of the extensions hereby approved unless approved in writing by the LPA.

Reason: To protect the amenities of neighbouring residential properties in accordance with Policies DM25 and DM28 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

16. A detailed scheme of soft and hard landscape works, including tree/hedge and shrub planting, shall be submitted to and approved in

writing by the Council and shall be implemented in accordance with the approved details.

This landscaping plan should be design with the site relation to Lorraine Road in mind and the plants/shrubs should be set back from the street to allow unimpeded visibility spays for vehicles exiting Lorraine Road. The submitted landscaping plan will be required to demonstrate this relation and continuously maintain this unimpeded sight line.

If within a period of five years from the date of the planting, any tree, or any tree planted in replacement for it, is removed, uprooted destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To enhance the general appearance of the development and to protect residential amenity and highways safety having regard to Policy ST3 and policies CP10 and CP11 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

17. No development shall take place until Tree Protection measures have been implemented, in line with the recommendations in the LLD2088-ARB-DWG-002. These details shall thereafter be retained.

Reason: To enhance the general appearance of the development and to protect residential amenity and highways safety having regard to Policy ST3 and policies CP10 and CP11 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

18. Should any sewers be discovered during construction of the development hereby approved works shall cease immediately and Southern Water shall be notified. Works will not be permitted commence from this point until an investigation of the sewers has been undertaken, the sewers ownership has been established and clearance to commence the development has been confirmed in writing by Southern Water.

Reason: in order to protect drainage apparatus.

19. No development shall take place until ecological enhancement measures have been implemented, in line with the recommendations in the ECOLOGICAL IMPACT ASSESSMENT - LLD2088, LIZARD, dated January 2021. These details shall thereafter be retained.

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

20. Before occupation of the dwellings any side facing windows above ground floor level shall be obscurely glazed and non-opening below 1.7 metres from finished floor level. These details shall thereafter be retained.

Reason: to protect the amenities of current and future neighbouring properties in accordance with Policy DM25.

21. Prior to the occupation of the development hereby approved, details of all external lighting shall be submitted to an approved in writing by the Council. External lighting should be limited to lights used only for security and safety purposes.

Reason: To avoid unacceptable impacts upon the countryside in accordance with DM25.

22. Prior to occupation of the development hereby approved details of the type and locations of Bird and Bat boxes and mammal gates shall be submitted to an approved in writing by the LPA. The approved details shall thereafter be retained.

Reason: To enhance the biodiversity value of the site in accordance with DM24 and National Planning Policy Framework Paragraphs 170 and 175

10.2 Informative(s):

1. All waste material arising from any site clearance, demolition, preparation and construction activities at the site should be stored, removed from the site and disposed of in an appropriate manner
2. It is strongly recommended that the applicant/developer seeks advice from Southern Water in relation to the connection to public sewers. furthermore, formal consent from Southern Water will be required for any formal connection to a public sewer.

11. **Background Papers**

- 11.1 None.