

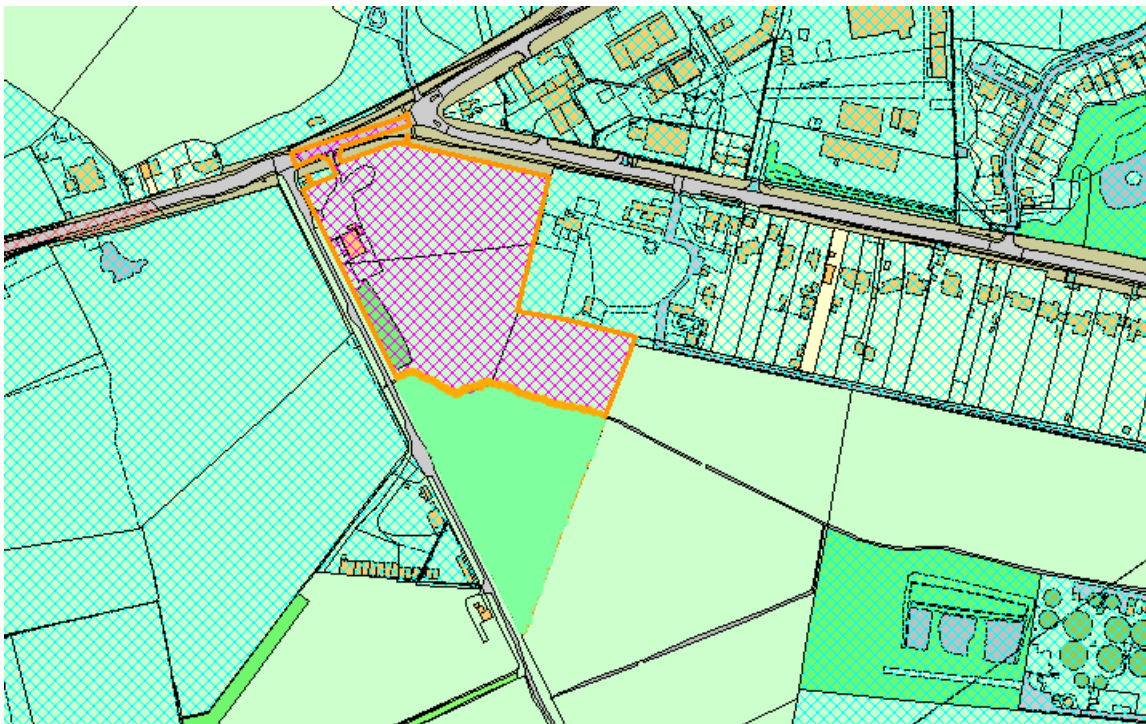
Report to: Planning Applications Committee
Date: 27 April 2022
Application No: LW/22/0104
Location: Land South of Lewes Road and Laughton Road, Chamberlaines Lane, Ringmer, East Sussex
Proposal: Outline planning application with all matters reserved for up to 68 residential units.
Ward: Ouse Valley and Ringmer
Applicant: Bedford Park Developments
Recommendation:

1. Refer to the application to the Secretary of state and
2. If no call in is received from the Secretary of State within 21 days following the referral, then Delegate authority to the Head of Planning to approve subject to conditions and an s106 agreement to secure affordable housing, Highways provisions and the Community Woodland Area.

Contact Officer: **Name:** Tom Bagshaw
E-mail: tom.bagshaw@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL liable.

Site Location Plan



1. Executive Summary

- 1.1 Planning application LW/21/0302 was refused in October for two reasons centred on the lack of the information.
- 1.2 The lack of information related to the potential impact upon the landscape character of the area and the capacity of the Earwig Corner Junction
- 1.3 This application seeks to address these two areas of concern.
- 1.4 County Landscape Officer and County Highways Department have commented that given the updated information with this application that they do now raise no objections to the proposal
- 1.5 The submitted scheme is for all matters reserved.
- 1.6 The proposal is an application for up to 68 residential units development. This is a reduction from 97 units in the refused scheme.
- 1.7 The site could comfortably accommodate up to 68 units whilst also providing a good standard of living space, including residential gardens and communal green spaces. Furthermore, the size of the site and the indicative layout provided with the application, show that the proposal would not have any unacceptable impacts upon the living standards of any nearby properties.
- 1.8 The proposed development is located outside the defined planning boundaries. However, it is considered to represent sustainable development in accordance with the Interim Policy Statement for Housing Delivery on many of the criteria set out within. The only criterion which the scheme would not strictly conform with are Criteria 5 and 7, which stipulate that the scheme should result in no harm to either the South Downs National Park, or the openness of the Countryside.
- 1.9 The proposal complies with all elements of the 'Interim Policy Statement for Housing Delivery' except criteria relating to harm on the surrounding visual environment and landscape. Due to its degree of separation and the context of the development being located amongst existing built areas, the development would result in less than significant harm upon the setting of the SDNP. However, there are significant gains to be made in terms of a net increase in planting and the mitigation offered would significantly soften the impact of the development.
- 1.10 The proposal would result in a number of benefits such as, the social gains of facilitating the provision of up to 68 residential units (including 40% affordable housing units) that would be of good quality and in an accessible and sustainable location. The scheme would provide economic benefits by generating additional custom for nearby shops and services within Ringmer. It would provide environmental gains in terms of a high biodiversity value internal layout; the provision of a high biodiversity value Woodland Community Area; preserving the existing watercourse; and the reinforcement of existing hedgerows. Overall,

Officers consider that the benefits of the scheme outweigh the harms of the proposal and therefore, the scheme is acceptable in principle.

- 1.11 In respect to highways safety and capacity, the proposal would be able to reach a satisfactory internal layout with parking provision and an acceptable access. However, ESCC Highways have concerns with regards to the junction at Earwig Corner and whether the junction has the capacity to deal with the number of trips generated by the development. The applicant has provided junction modelling showing details of proposed trips from this development and in addition has included the trips which would result from nearby extant and proposed planning applications, including at total of 410 dwellings. ESCC are content with the methodology of this modelling and therefore the modelling demonstrates that the junction at Earwig Corner would have ample capacity to accommodate this proposal.
- 1.12 The proposal would be located adjacent to the nearby Huntsman's House (grade II) and The Magazine & Hospital and the former Ringmer Royal Horse Artillery Barracks, now Southdown Hunt Kennels. Officers consider that this would have a less than significant harm to the setting of the heritage assets. LEBC's Conservation Officer has suggested that the reserved matters could lessen this harm by sympathetically designing the scheme. Nonetheless, the fullest extent of the harms would be less than substantial, and in accordance with paragraph 202 of the NPPF this less than substantial harm should be weighed against the public benefits of the scheme (See planning balance).
- 1.13 ESCC Lead Local Flood Authority and the Environment Agency (EA) have reviewed the proposal and have recommended approval subject to conditions. All SUDS matters are resolved and therefore, the SUDS and Drainage layout is acceptable subject to further information.
- 1.14 LEBC Contaminated Land and Air Quality Officers have confirmed that subject to surveys and any required mitigations being submitted prior to development of the site, the proposal would be acceptable.
- 1.15 The proposal seeks to provide, a Community Woodland Area and a 40% affordable housing contribution. All of these benefits will be secured via legal agreement.
- 1.16 The site is located nearby to previously found archaeological remains. As such, a condition requiring further surveys will be required prior to any development at the site.
- 1.17 There are a number of species to note that could be affected by the scheme, including great Crested Newts, Badgers, Bats, Dormice, Reptiles and Hedgehogs. The applicant has supplied an Ecological Appraisal which accompanies the submission. ESCC Ecologist has reviewed the report and has confirmed that the scheme would be acceptable subject to the recommended mitigations within the report.
- 1.18 Overall, subject to all the details and mitigations, the proposed benefits of the scheme would outweigh the harms (see conclusion for more detail regarding planning balance). Therefore, the proposal is considered to be acceptable and is recommended for approval.

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
- 16. Conserving and enhancing the historic environment

2.2 Lewes District Local Plan

- 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
- Affordable Housing SPD July 2018
- Interim Policy Statement for Housing Delivery March 2020
- Five Year Housing Land Supply Position Statement March 2021

2.3 Ringmer Neighbourhood Plan 2010-2030

- 4.1 The countryside in Ringmer
- 4.2 The South Downs National Park
- 4.6 Accessible countryside and natural or semi-natural greenspace
- 4.10 Maintaining and enhancing biodiversity

- 4.11 Avoidance of light pollution
- 6.3 Scale of new residential developments
- 7.5 Outdoor play facilities for children
- 7.6 Outdoor facilities for young people & adults
- 7.9 Community assets
- 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
- 8.4 Provision of cycle ways and safe routes for cycles and mobility scooters
- 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
- 9.10 Development briefs
- 9.11 Avoidance of nuisance to neighbours

3. **Site Description**

- 3.1 The application site lies to the south of Lewes Road and Laughton Road. It is within close proximity to a number of local services in Ringmer, including the Primary and Nursery school, Community College, Local Sports and recreation facilities. It is served well by public transport links.
- 3.2 The site would form an extension to the already built area of Broyleside. It directly adjoins the defined development boundary as identified in both the Lewes Local Plan and the Ringmer Neighbourhood Plan. The site has been identified through successive LAA's and SHELAA's as having potential to be suitable for development, specifically residential development.
- 3.3 The development boundary of Broyleside adjoins the site to the east and north east. South Downs and Eridge Hunt Kennels and the Grade II Listed Huntsman's House directly adjoin the site to the north east.

The western boundary is defined by Chamberlaines Lane. Ringmer Business Park is located to the south west and the Lower Broyleside Commercial Area to the north east.

- 3.4 An important consideration is that access would utilise an existing access directly onto Lewes Road, the main road running through the village rather than a secondary residential street.

4. Proposed Development

- 4.1 The application seeks outline planning permission for the erection of up to 68 new dwellings on the site. All matters are reserved. A new access would function as the main access to the site and would be provided by way of a new crossover formed on the northern boundary and would likely be taken from Lewes Road.
- 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 accompanying Design & Access Statement also sets out design principles and parameters. It is stated that maximum building height would be two-storey and describes how dwellings could be designed to be sympathetic to the local vernacular through the identification of characteristic architectural features and locally used materials.
- 4.3 The application is accompanied by an Affordable Housing Statement that confirms that 40% of the dwellings would be provided as affordable housing and where necessary a commuted sum will be paid where the 40% split does not equate to a whole dwelling. The split of tenures within the affordable housing would be 25% shared ownership and 75% affordable rent.
- 4.4 The proposal includes the provision of an offsite Community Woodland Area and will include the planting of upto 2000 new trees. This will be maintained by the current landowner and its provision along with a maintenance plan, will be secured via an S106 agreement.

5. Relevant Planning History

- 5.1 /55/0573 - Outline Planning Application for six detached dwellings. – [Refused] 29.08.1955
- 5.2 LW/87/1842 - Barn. Restrictive Planning Condition. Temporary Permission Expires 31/01/1989. – [Approved] 19.01.1988
- 5.3 LW/90/0833 - Construction of boarding kennels. – [Refused] 01.05.1990
- 5.4 LW/06/0324 - Outline application for residential development (including minimum of 24 affordable dwellings) & including access [Refused] 05.05.2006
- 5.5 LW/21/0302 - outline application with all matters reserved for a mixed use scheme comprising up to 97 residential units and community/commercial space [Refused] 13.10.2021

Reasons for Refusal

- By reason of the lack of sufficient information in the form of a Landscape Visual Impact Assessment, it is unclear to what extent the development will harm the setting of the South Downs National Park, and the character, setting and appearance of the surrounding countryside. The development would therefore represent an unacceptable risk of unforeseen impacts that would be to the detriment of the character and appearance of the countryside and the setting to the South Downs National Park. The development would therefore be contrary to Policy 4.1 of the Ringmer Neighbourhood Plan, Policies CP11 and DM1 of the Lewes District Local Plan Parts 1 & 2 and Paragraphs 174 and 176 of the National Planning Policy Framework.
 - By reason of the lack of sufficient information and up to date highways modelling, it is unclear whether the highway and specifically the junction at Earwig Corner has the capacity to accommodate a development of this scale. The development would therefore represent an unacceptable risk of unforeseen impacts that would cumulatively be to the detriment of road users and highways capacity. The development would therefore be contrary to Policy 8.5 of the Ringmer Neighbourhood Plan, Policy CP13 of the Lewes District Local Plan Part 1 and Paragraph 111 of the National Planning Policy Framework.
- 5.6 OFFICER COMMENT: It is worth noting that a major difference between this proposal and LW/21/0302 is the removal of the Community Hub. This comes following responses stating that there is no demand for such a facility. Furthermore, the Ringmer Neighbourhood Plan states that, an assessment of demand has not demonstrated that such a facility located in the Broyleside would prove sustainable. As such, this facility has been removed and replaced with flats. The applicant has suggested that these replacement units will contribute towards the affordable housing contribution.

6. Consultations

6.1 ESCC Archaeology.

- 6.1.1 No objection - In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works. This will 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. These recommendations are in line with the requirements given in the NPPF (the Government's planning policies for England):

6.2 Conservation officer

- 6.2.1 LEBC Conservation Officer has reviewed the scheme and recognises that the proposal could have an impact upon heritage assets, namely the Huntsman's House and the locally listed buildings within its curtilage. However, their response states that with suitable landscaping and layout the harms can be mitigated to within Less than substantial or no harm.

6.2.2 See Council website for full comments.

6.2.3 OFFICER COMMENT: It is important to note that in the 2013 case of Bedford BC v SSCLG38, the High Court held that for substantial harm to be attributed to the impacts upon a heritage asset, the loss of the significance of the heritage asset should be very much, if not total loss of significance. As such, categorising it as a high test. Similarly, the PPG for Historic Environment also categorises this as a high test. Therefore, Officers would not attribute substantial harm to the impact upon heritage assets given the relationship of the proposal site with the heritage assets, and the fact that the assets would still retain a high degree of historical significance should the application be approved.

6.3 LEBC Noise Officer

6.3.1 No objections

6.4 ESCC Landscape Officer

6.4.1 Full response is available on the Council's website. In summary it is recommended that the proposed development can be supported as it would have an acceptable impact on local landscape character and views. It is further recommended that any permission should be subject to the imposition of landscape conditions as follows:

- The full implementation of the proposed landscape mitigation measures as outlined in the masterplan.
- A detailed specification for the proposed planting.
- A long-term management plan to ensure the successful establishment of the planting.
- Trees and hedges are protected during construction and reinstated if removed or damaged.

6.5 Sussex Police

6.5.1 Sussex Police would have no objection to the proposed development as submitted from a crime prevention perspective subject to at the detailed design stage address all Secured by Design standards. Their full response is available on the Council's website.

6.6 Waste Services

6.6.1 Waste Services would like to see vehicle tracking data for the proposed development. The tracking should be for a 12m long vehicle. We would also like to see the proposal for waste storage facilities at each property

6.7 ESCC Ecology

6.7.15. The current proposal is a revised application following refusal of LW/21/0302 on the grounds of insufficient information with respect to impacts on landscape and highways. The application is for a reduced quantum of development within a smaller red line boundary. However, the proposed development lies within the same area that was subject to ecological survey and assessment in 2021, and as such, the same

ecological information has been submitted in relation to the current application (Ecological Appraisal (EA), Aspect Ecology, April 2021). It is noted that the current proposals incorporate the range of ecological measures that accompanied the previous application, and include provision of a dedicated ecology area, the size of which remains unchanged from the previous application.

6.7.2 Designated Sites and Habitats

6.7.36. The site 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 any designated sites.

6.7.47. The site currently comprises semi-improved grassland, hedgerows, tree cover, trees/treelines, dense scrub and ruderal vegetation, a watercourse, buildings and hard standing. The habitats of greatest significance are the boundary habitats, hedgerows and tree lines, and the watercourse, the majority of which are to be retained and protected. The recommendations for protection of retained habitats and pollution prevention set out in the EA are supported and should be implemented.

6.7.58. The proposal to enhance the hedgerows is supported; native species-rich hedgerows are recommended. The semi-improved grassland, which forms the majority of the site, and the majority of which would be lost, is assessed as being of relatively low importance on the grounds that it is of relatively low diversity and has been regularly managed for hay/silage in the past. A reduction in management has improved the structure of the grassland such that it now offers greater potential for protected species, most notably amphibians and reptiles. Given the proposal to create and maintain a dedicated ecology area, and to create SuDS features around the central watercourse, the loss of grassland is acceptable.

6.7.6 At the reserved matter stage detailed ecological surveys are required to prove absence/presence of protected species with appropriate mitigation proposed.

6.8 Southern Water

6.8.1 Scheme requires an application to Southern Water for connection purposes.

6.9 ESCC SUDS

6.9.1 The drainage strategy relies predominantly on underground storage to provide the required attenuation to restrict runoff rates to greenfield rates. However, a storage pond has been incorporated into the outline site layout. Given that the application site is currently greenfield, we would prefer to see greener sustainable drainage systems to mimic the current conditions. Nevertheless, the applicant has indicated a willingness to incorporate close to the ground source control SuDS features at the detailed design stage. A reserved matters application which seeks to fix the development layout should demonstrate that source control SuDS features that store surface water runoff close to the ground have been incorporated into the layout.

6.10 ESCC Highways

- 6.10.1 The applicant's submitted traffic surveys suggests that the Earwig Corner junction would operate within capacity with this development. Thus on balance, given the current traffic flow situation this current proposed development is acceptable in principle.
- 6.10.2 However, it should be noted that traffic flows have not yet returned to pre pandemic levels and ESCC will continue to monitor traffic flows at this junction, any future applications [including live applications] will be assessed on a case by case basis and will be required to undertake their own impact assessment of the Earwig Corner junction.
- 6.10.3 I do not object to this application subject to the following s106 obligations and conditions. It is considered that the development is acceptable in principle, subject to conditions and planning obligations.
- 6.10.4 As this application is for outline planning permission with all matters reserved, this response only considers the development in principle, with commentary provided for other submitted information. A detailed summary of the highway comments are below.
- 6.10.5 Ringmer offers both Primary and Secondary schools, employment, local shops and leisure and community services.
- 6.10.6 The site is therefore considered to be in a relatively sustainable location with means of reaching facilities without the need for a private car for all trips.
- 6.10.7 Access
- 6.10.8 Vehicular and Road Safety Audit:
- 6.10.9 The site currently has an existing vehicular access from Lewes Road. While access is a reserved matters the plans show and the TA states that this is to be widened to 7m as part of the proposed development and a Right Turn Lane provided with Lewes Road widened and bus stops relocated to accommodate the new access layout. Two new pedestrian accesses from Lewes Road will be created.
- 6.10.10 A Stage 1 Road Safety Audit has been carried out on the access proposals. Two issues were raised.
- 6.10.11 I note that the designer will include a review of streetlighting as part of the detailed design of the Right Turn Lane but has not agreed in full, with comments made by the auditor in relation to the bus laybys. I have consulted the ESCC Road Safety team who share the auditor's concerns regarding the bus stops and risk of collisions due to vehicles overtaking stationary buses. They comment that the degree of risk will depend on the location of the bus stops and length of Right Turn Lane and hatching. While I accept that this this may not have been raised at the time of the previous application, I feel it necessary to do so now. Careful design of the access at Reserved Matters application/detailed design stage will be required along with a Stage 2 Road Safety Audit.
- 6.10.12 Concern is also raised at the overhanging thick tree line east of the access that will cast a shadow over the access and make it difficult for drivers approaching from the mini roundabout to adequately see

vehicles emerging from the access. This may lead to side impact type collisions. The tree line may need to be cut back/removed.

6.10.13 The TA states that visibility requirements for Manual for Streets 1 and 2 can be met from the access, which is likely, but forward visibility will need to be checked in relation to the overhanging trees

6.10.14 Public Transport and Active Travel:

6.10.15 The site is located within 50m of existing bus stops on Lewes Road. There are regular and frequent bus services to Lewes and Brighton. Footways along Lewes Road connect the site to the village centre, albeit that they are narrow for sections. There are no dedicated cycleways at this end of the village, but a cycleway is available from New Road to Lewes that residents would be able to connect to on lighter traffic/residential routes or the B2192 Lewes Road.

6.10.16 The applicant proposes to improve the footway on Lewes Road. I agree that the footway at the site access and for the length of the Right Turn Lane should be widened to 2m and the pedestrian crossing enhanced. I also welcome the proposed bus stop improvements (poles, flags, raised kerbs) but Real Time Information should also be provided at the Lewes bound stop (on the southern side of Lewes Road). As noted above the provision of laybys or stops is to be agreed.

6.10.17 The Masterplan shows a pedestrian connection from the site to the roundabout (near Unit 1). The route however doesn't appear to connect to an internal footway. This needs to be addressed at Reserved Matters application/detailed design stage. I recommend also that a pedestrian connection onto Laughton Road be provided to the south-east of the site (near Unit 2) to ensure a convenient and direct route to the pedestrian network for residents at this end of the development.

6.10.18 The design for the footway, connections, crossing and bus stop works will need to be agreed at Reserved Matters and detailed design stage and secured by a s278 with ESCC as Highway Authority.

6.10.19 Trip rates and traffic impact

6.10.20 Residential trips rates have been separated out from the TA associated with the previous application which were based on those used at the application for residential development at the football club site. It is acceptable to repeat use of the trip rates.

6.10.21 Earwig Corner:

6.10.22 Further to the submission of the Transport Assessment, the applicant has completed an assessment of the Earwig Corner junction. At the time of application LW/21/0302 the current signalised junction had not been installed and travel patterns were not known or understood, because of the travel restrictions imposed during the pandemic.

6.10.23 The junction is now operational and Covid travel restrictions have been lifted. The signalised junction currently appears to be operating with much more capacity. The applicant has sought to demonstrate

that the development trips can be accommodated at the junction using data which is currently available.

- 6.10.24 The applicant carried out traffic counts in February 2022 and developed a LINSIG model which demonstrates that the trips from 68 dwellings can be accommodated at the junction up to 2032 without a severe impact as required by the NPPF. Also, sensitivity tests were completed showing that trips from a greater number of dwellings (up to 410) and including up to 40 windfall dwellings) would also not have a severe impact on the junction in 2032.
- 6.10.25 It should however be noted that it is based on traffic data collected in February 2022 which is not usually considered to be a representative month and was not long after travel restrictions were lifted. **However, on-balance this proposal and associated assessment is acceptable.**
- 6.10.26 As part of the current application, junction assessments have also been undertaken for other key junctions in the local area. These junction assessments suggest that the operation of the proposed access, and the mini-roundabout junction between Lewes Road, B2192 and Laughton Road would operate within capacity, and are therefore acceptable. ESCC accepts this conclusion.
- 6.10.27 Car Parking
- 6.10.28 In accordance with the County Council's parking guidance, 132 car parking spaces are required to serve the residential development, including 23 unallocated spaces for residents and visitors. The Ringmer Neighbourhood Development Plan seeks slightly more parking per unit. The submitted plans indicate 142 parking spaces are proposed which includes 33 spaces for visitors. This provision is similar to the ESCC requirements and is therefore acceptable in principle, to be reviewed and agreed at Reserved Matters application(s).
- 6.10.29 EV charging points should be provided for each dwelling.
- 6.10.30 Cycle Parking
- 6.10.31 In terms of cycle parking provision, two spaces would need to be provided per house.
- 6.10.32 Further details of the development's cycle parking provision should be provided as part of reserved matters applications/detailed design.
- 6.10.33 Construction
- 6.10.34 A Construction Traffic Management Plan would need to be provided with details to be agreed.
- 6.10.35 Travel Plan
- 6.10.36 A Travel Plan has been submitted as part of the proposal and it is noted that the applicant is prepared to implement measures, set targets and monitor the TP annually over 5 years. If targets are not met further mitigation measures may be required. I consider the operation of a robust site wide Travel Plan to be important to reduce trips on the highway network including at Earwig Corner

6.10.37 Please note that ESCC only require monitoring (to include trip counts) at occupation, (baseline) and at years 1 3 and 5. The results of the monitoring must be shared with ESCC. The Travel Plan and a £6,000 travel plan fee should be secured by s106 agreement.

6.10.38 Delivery & Servicing Statement

6.10.39 Although a delivery and servicing statement has not been submitted, swept path drawings have been submitted that show refuse vehicles can access and service the site without blocking the highway. Further drawings should be provided as part of reserved matters showing vehicles can turn around within the site.

6.11 SDNP

6.11.1 Having assessed the LVIA by Aspect Ecology solely in the context of the special qualities of the National Park, many of the findings are agreed with. It is disappointing that there remains no lighting assessment and accompanying strategy to demonstrate that the development would not adversely affect the South Downs International Dark Skies Reserve. If approved it is strongly suggested that Dark Skies are considered in any future reserved matters applications.

6.11.2 In summary, the SDNPA retains many of its previous concerns regarding the uncertainties of impacts of the proposals upon the SDNP, but welcomes the reduction of the development area to exclude the triangular parcel of land to the south. Since commenting on the earlier application the SDNPA has additional concerns in terms of the potential the coalescence of Ringmer with Broyleside as a result of the submission of two other applications currently under consideration by the LPA. The concerns identified by the SDNPA might be addressed in part if landscaping, biodiversity enhancements, and dark night skies considerations were all adequately covered though through future reserved matters applications, upon which the SDNPA would welcome the opportunity to comment. We would also urge the LPA to ensure the offer of a community woodland on a separate parcel to the south west is delivered via a legal agreement.

6.12 Air Quality

6.12.1 Support Subject to Conditions

6.13 LDC Contamination

6.13.1 support subject to conditions

6.14 Environment Agency

6.14.1 Support subject to conditions.

6.15 Ringmer Parish Council

6.15.1 Outline planning application with all matters reserved for up to 68 residential units. During detailed discussion of the application Cllr John Kay declared that were this application approved he would take it to judicial review.

6.15.2 RESOLVED: object Parish Council Decision – Objects

6.15.3 On the same grounds as before and that the community asset has been removed.

LW/21/0302 Response

6.15.4 Ringmer Parish Council strongly objects to this application as (1) it is contrary to the adopted Ringmer Neighbourhood Plan which forms part of the existing Lewes Local Plan and (2) it proposes the development of new commuter housing at a car-dependent countryside location, contrary to the Lewes DC declaration of a Climate Change Emergency. The proposed scheme would be the wrong development at the wrong place, contributing unnecessarily to climate change, and would have, in combination with other development already approved, an unacceptable impact on infrastructure including primary and nursery schools and healthcare facilities. The additional commuter traffic generated would put unacceptable pressure on Earwig Corner.

6.15.5 The Ringmer Neighbourhood Plan is focused on four key principles (Policies 3.1-3.4 of the Ringmer Neighbourhood Plan). These seek to retain Ringmer's 'village feel'; to improve its sustainability by providing more local employment and thus reduce the need for the excessive existing out-commuting for employment, almost all of which is by private car; to improve the balance, health and inclusivity of the community and to respect the South Downs National Park. This application flies directly in the face of all four key principles.

6.15.6 This application envisages yet another large new commuter housing estate unsustainably located in the countryside, unaccompanied by any provision for additional local employment. Out-commuting from Ringmer by private car is already, according to East Sussex in Figures, higher than in any other town or parish in the District, and there is absolutely no reason to imagine that the new commuters that would be attracted by this development would behave any differently. The location of the proposed development, not contiguous with existing housing and forming a new finger of development pushing out from the edge of the Broyleside settlement into the surrounding countryside, and a long and unpleasant walk along a busy main road to Ringmer's shops and services, means that that new residents here would be even less likely to use sustainable means of transport than other Ringmer residents.

6.15.7 The location of the proposed development expands out from the Broyleside towards the edge of the South Downs National Park, so the new development would be very visible from higher ground within the SDNP. In recommending the dismissal of an appeal for an immediately adjacent site [Broyle Gate Farm, application LW/14/0947, appeal number 3133436] the inspector gave weight to its negative landscape impact, including both its impact on the setting of the SDNP and its erosion of the present sense of clear separation between Ringmer village and the Broyleside, an important contributor to Ringmer's 'village feel', or sense of place. The inspector's view was endorsed by the Secretary of State, who dismissed the called-in

appeal. Both these considerations apply with equal force to the present application.

- 6.15.8 The application is also quite excessive in scale, and thus contrary to policy 6.3 of the Ringmer Neighbourhood Plan, which requires new development to be on a village scale of 10-30 new homes. This policy was also given weight by the inspector in appeal 3133436. There was clear evidence that residents strongly preferred multiple smaller developments of this scale (such as the successful new developments at Clarks Croft and Round House Road) than urban-scale developments as proposed here. The site now proposed is substantially larger than even that submitted to last autumn's "Call for Sites" [04RG] and the number of new homes proposed is almost twice as large. Nevertheless, even with the enlarged site, it is far from evident that the excessive number of homes proposed could actually be accommodated on the site. A stream that qualifies as a 'main river' flows through the site, and the surrounding land lies in Flood Zones 2/3, but the indicative outline for the development shows this land at risk of flooding as the small rear gardens of the new houses.
- 6.15.9 Ringmer Primary School was recently extended from 1 class to 1.5 class entry to accommodate the increasing numbers of children now living in Ringmer. The Primary School and the Nursery School are both full. Currently more than 200 new houses are under construction (but not yet occupied) in Ringmer, at the Bovis Homes site on Bishops Lane; the Riverdale Development site at Caburn Fields; the Optivo site at Lower Lodge; and the Diplocks site on Bishops Lane. Previous experience in Ringmer is that such new housing attracts a disproportionate share of children nursery and primary school age, and assessment by the Neighbourhood Plan suggested that it would be very likely to be necessary to expand the Primary School to 2-class entry to accommodate them. However, no such expansion is currently envisaged, and it remains to be seen how well the new children will be accommodated as they arrive over the next 12-18 months. There is no evidence at all how the children from the large additional development proposed in this application could be accommodated, without travel (inevitably by private car) to village schools elsewhere in the county. There are no spare school places available in Lewes.
- 6.15.10 Other related infrastructure questions not addressed in the application are whether the Ringmer Health Centre can accommodate the extra patients or whether the Ringmer WWTW can accommodate the extra sewage to be created within the time scale proposed.
- 6.15.11 The site lies immediately adjacent to the Southdown Hunt Kennels. The hunt is an important contribution to Ringmer's role as a rural service centre and includes the Historic England-listed Huntsman's House and additional locally-listed buildings within the curtilage [Ringmer Neighbourhood Plan policy 4.7, heritage assets H11]. The site is currently not screened from the Kennels, and forms part of its setting. The application proposes to mitigate the nuisance of the noise produced on regular occasions by the baying hounds by the erection of an acoustic barrier fence along the site boundary. As can be seen

elsewhere in Ringmer, such barrier fences are extremely unattractive. This would have a strongly negative impact on the setting of this listed building and its associated heritage assets. The hounds' kennel is just a few yards from the joint boundary. The proposed development would also have a strongly negative impact on the experience of users of Ringmer public footpath no.20, which runs immediately adjacent to the site.

6.15.12 The Lewes Local Plan allocated 385 new homes to Ringmer, the number being fixed by the inspector at examination after a careful and detailed review of the potential capacity of Earwig Corner, through which almost all commuter traffic from Ringmer must pass. He concluded that this was the maximum number that could reasonably be accommodated, once improvements that were then envisaged and are now under construction had been completed. After hearing detailed evidence, he concluded that no further housing allocation could be made to Ringmer, as no alternative scheme was available that could further increase the capacity of this junction and the subsequent A26 junctions connecting Ringmer to Lewes and the A27 at Southerham. The inspector's statement to this effect is included in the Lewes Local Plan. To date 384 new homes in Ringmer have been built, are currently under construction, or have full planning permission. In addition sites for about 60 further homes are allocated in the Ringmer Neighbourhood Plan, and are still expected to come forward within the plan period (6 are on this week's list). In addition there has been additional unforeseen development at Barcombe and Isfield, and a very large new Uckfield development near the A26/A22 junction, that will put yet more pressure on Earwig Corner. There is no credible evidence accompanying the application to suggest that all the additional commuter traffic created by this development can be accommodated by Earwig Corner and the other critical junctions between there and the A27, without causing further congestion and the consequent unacceptably low air quality in the town of Lewes.

7. Other Representations

7.1 Neighbour Representations

7.1.1 A total of 135 letters of objection had been received at the time of writing this report. A summary of material planning matters raised is provided below. Content of any additional letter received will be summarised in the supplementary report:-

Letters of Objection

Principle

- Conflict with Ringmer Neighbourhood Plan
- Outside development plan boundaries
- Over development of Ringmer

OFFICER COMMENT: The principle has been assessed in the appraisal of this report.

Highway Impact:

- Cumulative increase in traffic with other developments
- Local road infrastructure is capable of coping
- Construction disruption
- Impact upon earwig corner
- Traffic at roundabout
- Proximity to roundabout causes safety issues
- Damage to bridge at Chamberlaines Lane resulting in residents not being able to access their properties
- Parking should meet set standards
- Poor access to Lewes
- Disruption during construction

OFFICER COMMENT: The highway impact has been assessed in the appraisal of this report..

Ecological Impact:

- Unknown impact on biodiversity
- Previous harm to verges on Chamberlaines Lane resulting in an inability to assess ecological impact
- Impact on protected species

OFFICER COMMENT: The ecological impact has been assessed in the appraisal of this report..

Visual Impact:

- Loss of open space
- Erode gap between Ringmer and Broyleside
- Out of character with rural setting
- Loss of countryside
- Impact upon SDNP
- Impact upon the character of the village becoming a town
- Light pollution affecting countryside

OFFICER COMMENT: The visual impact has been assessed in the appraisal of this report.

Flooding & Drainage:

- Area known to flood
- Existing sewers at capacity

OFFICER COMMENT: The drainage details have been assessed by the Lead Local Flood Authority (LLFA) and the Environment Agency

(EA) who are satisfied with the principle of the scheme put forward with additional details being secured by condition.

Sustainability:

- Doesn't reduce carbon emissions

OFFICER COMMENT: The sustainability impact has been assessed in the appraisal of this report.

Amenity

- Generate noise and disturbance
- Loss of open spaces
- Noise from kennels impact residents
- Inability to use existing social infrastructure

OFFICER COMMENT: The residential amenity impact has been assessed in the appraisal of this report.

7.2 Other Representations

Maria Caulfield MP -

- I wish to register my objection to the above planning application. I believe that all of the objections raised by myself and the local Ringmer residents in the earlier application for this site still apply. The fact that this is a slightly smaller application, does not fundamentally change the many negative aspects about this application.
- The proposed development is outside of existing planning boundaries.
- It will have a negative impact on the landscape adjacent to South Downs National Park
- The development closes a significant portion of the settlement gap between Ringmer Village and Broyleside
- There will be a negative impact on the listed Kennels builds, located adjacent to the development – whose site will be surrounded on two sides
- The existing infrastructure in Ringmer simply cannot support this number of additional residents on top of the number from previous application that have been approved
- The Development is larger than the scale required by Ringmer Neighbourhood plan (policy 6.3)
- I hope that you will seriously consider this objection along with those of my constituents in Ringer and will reject this application as with the previous application on this site.

Councillor O'Brien –

- As a ward councillor I strongly object to this development, and all reasons for my objection to the previous development at this location still

stands as they have not been addressed. The development is contradictory to local plan and neighbourhood plan.

- It is unsustainable as it will be car dependent, and the loss of this greenfield site will have deeply negative impact on landscape including the setting of the South Downs National Park. It will affect the green gap between Ringmer and Broyleside which is an important feature upheld previously by inspectors looking at appeals for related development. The access is unsafe.
- I am especially concerned that a development on this scale can only realistically be considered via a local plan process so that the substantial infrastructure constraints can be looked at in the round alongside the cumulative impact of other development. As a ward councillor I know there is inadequate infrastructure to take this scale of development - including roads, public transport, schools and GPs.
- At inspection of the current local plan it was clarified by the inspector that the Earwig corner improvements set out in 6.42 of the local plan would only cover the development already set out via that plan, and they would not provide road capacity for additional development (the residential development would generate greater traffic than the employment use). Further major development would therefore require substantial upgrading of infrastructure. Therefore, on that basis alone this development is unacceptable.
- Additionally the council is legally obliged by the National Planning Policy Framework to consider in planning decisions all forms of pollution including to rivers and seas. As clarified by legal advice (attached) the council is required not only to look on pollution a case-by-case basis but to consider cumulative impact of pollutants. Southern Water discharged sewage into local rivers & seas in Lewes District over 800 times in 2020 totalling over 11,000 hours of sewage discharge in just one year. It is clear that releasing sewage into rivers is no longer an emergency-only situation occurring as a result of severe storms, but an everyday occurrence even in 'normal' rainfall, and that we are in a situation of cumulative overload on the sewage and wastewater system.
- There is no information available to assess the impact of this development on the sewage system i.e. whether or not it will increase the number or duration of sewage discharges into local rivers or seas. I therefore urge that this application is refused or at least delayed whilst this information is sought, or the council will be failing to meet our legal obligations under the NPPF set out above.

7.2.1 OFFICER COMMENT: Connection to the sewers and the sewage processes are not a planning material consideration and would be a matter primarily for Building Control.

CPRE

- These comments are submitted on behalf of the Lewes District Branch, CPRE

- This application is generally very similar to application LW/21/0302, which was refused by the Planning Applications Committee at its December 2021 meeting.
- The current application should also be refused, both for the reasons given and also for additional reasons that were presented to and considered by the committee, but not included in the decision letter.
- A particular concern is that the Officers Report on LW/21/0302 presented to the Planning Applications Committee:
 - failed to consider the strongly negative impact of the proposed development on the adjacent listed and unlisted heritage assets at The Kennels, Laughton Road, Ringmer, and did not seek an expert report on this impact from the District's Conservation Officer or other appropriate expert.
 - failed to take adequately into account Ringmer Neighbourhood Plan policies 4.1 and 6.3 and the impact on the Ringmer-Broyleside settlement gap, all factors that were given weight by the appeal inspector dismissing an appeal for residential development on an adjacent site (Broyle Gate Farm; planning appeal no.3313436) and apply with equal force to this application.
- This application should be refused because
 - The site lies outside the planning boundary for Ringmer, contrary to Lewes Local Plan (LLP) policy DM1 [see note 1]
 - The site lies outside the development boundary for Ringmer, and has an adverse landscape impact, without consideration of whether an alternative site would result in less harm, contrary to Ringmer Neighbourhood Plan (RNP) policy 4.1 [see note 2]
 - Development here would compromise the development gap between Ringmer village and the Broyleside [see note 3]
 - The proposed development is not on a 'village scale' contrary to RNP key policy 3.1 and policy 6.3 [see note 4]
 - The site would be car-dependent, promoting climate change, and inadequate parking is provided, contrary to RNP policy 8.3 [see note 5]
 - The negative landscape impact of the proposal [see note 6]
 - The negative impact on the setting of the SDNP [see note 7]
 - The negative impact on the setting of the adjacent listed building and locally listed heritage assets at Ringmer Kennels [see note 8]
 - The negative impact on the living conditions for existing neighbours [see note 9].
 - The poor living conditions for some residents on the new site [see note 10]
 - The absence of a credible access to the B2192 [see note 11]
 - Notes re above

- Note 1: This application is contrary to LLP policy DM1 in that it proposes new residential development outside any Ringmer planning boundary. The starting point for the consideration of the application must be that it is contrary to LLP policy DM1, and that factor must be included in any legitimate planning balance (albeit with lesser weight than if the balance were untilted). It was established by the 3 Feb 2021 Court of Appeal ruling that even where development plan policies are rendered 'out of date', they remain relevant and decision-makers may still give weight to policies of the development plan when applying the 'tilted balance' under NPPF paragraph 11d) [Citation Number: [2021] EWCA Civ 104. Case No: C1/2020/0542/QBACF]
- Note 2: This application is also contrary to RNP Policy 4.1 which requires that development outside planning boundaries that would have an adverse effect on the countryside or the rural landscape be refused unless (inter alia) it is shown that they could not be located at an alternative site that would cause less harm. The inspector considering appeal no.3313436 included this as a separate item in the planning balance from then-policy CT1 (now replaced by DM1), and the Secretary of State, in dismissing the appeal, concurred.
- Note 3: Housing applications should not result in the actual or perceived coalescence of settlements. This application would reduce the Ringmer village- Broyleside settlement gap by one third (and the other two thirds of the gap would be lost if application LW/21/0937 were also to be approved). The inspector considering appeal no.3313436 for the adjacent site, which occupies the remainder of this same settlement gap, included this impact on the settlement gap as a negative item in the planning balance, and the Secretary of State, in dismissing the appeal, concurred.
- Note 4: RNP policy 6.3 requires new Ringmer development to be on a village scale, preferably of 30 or fewer new homes. This is a key policy for the delivery of RNP Key Principle 3.1, the retention of Ringmer's 'Village Feel', or sense of place. The proposed development far exceeds the village scale. The inspector considering appeal no.3313436, for a development of a similar size at an adjacent site, included the contravention of this RNP policy as a negative item in the planning balance, and the Secretary of State, in dismissing the appeal, concurred.
- Note 5: Ringmer currently offers far too few employment opportunities and thus has far too many residents who need to commute out of the village for employment, causing serious peak-hour congestion at Earwig Corner, Southerham roundabout and the other A26 junctions east of Lewes. This development would provide new residents but no new local jobs, and so would add to that congestion in proportion to the number of new residents of working age. The travel study for application LW/21/0694 (which, unlike the travel study submitted with this application, uses data relevant to Ringmer) correctly identifies that 83% of current commuters leave Ringmer by private motor transport (this number includes those who drive to Lewes to catch the train there), adding to this congestion. The remainder are mainly the minority who do have local employment. All Ringmer new housing development not

accompanied by new local employment generation adds to this problem, and contributes to causing climate change. In recognition of the car-dependence of life in Ringmer RNP policy 8.3 requires adequate off-road parking provision for the vehicles residents will actually bring with them, and applies with equal force to market and affordable housing. In this application the increased number of units crammed into the two fields (here 68, compared to 58 in the same space in application LW/21/0302) is achieved at the expense of the necessary parking provision for the two blocks of flats (presumably intended as affordable units).

- Note 6: The proposed development extends the developed area in an entirely new direction into the countryside from the existing Broyleside settlement, and thus has an adverse landscape impact. While the north-eastern boundary of the site abuts the southwestern corner of the Broyleside settlement (as stated in OR para 7.20), the joint boundary is with employment sites within that boundary. The Broyleside is an L-shaped settlement, with its two arms made up of (1) largely residential development up Broyle Lane and (2) predominantly commercial development between The Broyle and Laughton Road, meeting at Fingerpost Corner. This application would extend the Broyleside in a third, completely different, direction, from Fingerpost Corner, heading deep into the countryside towards the SDNP. Spokes radiating from a hub is an uncommon settlement plan, as it maximises landscape impact for the minimum development.
- Note 7: The SDNP Authority were concerned about the visual impact of LW/21/0302 on the setting of the SDNP. This factor was given significant negative weight by the appeal inspector considering appeal no.3313436 for the immediately adjacent site, and the Secretary of State, in dismissing the appeal, concurred. The significance of such an impact on the setting of a National Park has been strengthened by NPPF changes introduced in 2021 (subsequent to the appeal above), and that this is a factor that retains full weight in a tilted planning balance. The section of the development immediately south of the listed and unlisted heritage assets at The Kennels will have a particular impact.
- Note 8: The officer's report for LW/21/0302 failed to consider the impact of the proposed development on the Historic England-listed grade II Huntsman's House, immediately-adjacent to the application site and appeared unaware that RNP policy 4.7 identifies two additional buildings within the Hunt Kennels curtilage as locally-listed heritage assets. One of these heritage assets (the former Napoleonic barracks armoury) is no more than 10 metres from the application site boundary. The proposal would have a dramatic impact on the setting of these heritage assets, as it proposes to surround their joint boundary with 3-metre-high commercial acoustic fencing. This is stark and ugly, designed for industrial premises, and would have a dramatic impact on the setting of these heritage assets. This fencing is shown in the application as directly on the boundary of the Kennels, but fencing of this height is virtually impossible to screen effectively even if space for such screening had been allowed. Note that this is a factor that retains full weight in a tilted planning balance.

- Note 9: The application claims that it would not have any unacceptable impacts on the living standards of nearby properties. To protect residents at this location from the noise nuisance created by baying hounds at the immediately adjacent Southdown Hunt Kennels the application proposes that acoustic fencing will be installed along the boundary. Nearby residential properties already suffer from this noise. As the acoustic fencing works by reflecting back such noise, the protection of new residents will be at the expense of enhancing the nuisance for the existing residents.
- Note 10: The Lewes Local Plan rightly requires acceptable living conditions for all residents on new developments, and also that the affordable units should be of the same quality and nature as the market units. To cram as many as 68 units into the space available, once the section of the site in flood zones 2 & 3 is excluded, there are two blocks, in total 16 units, of 4-person flats, apparently without private garden space and certainly without adequate parking provision. There are also some tightly packed terraces of very small houses. The great majority of these units are located in the section of the site where it is admitted that even 3 metre acoustic fencing will be inadequate to protect the future occupants against the noise nuisance of the barking pack of hounds 10 metres the other side of the fence. CPRE's apologies to the applicants if it should turn out that these units of a type and in a location in which none of us would like to live turn out to be the units selected as the market element of the site.
- Note 11: The application refers repeatedly to an "existing access" to the B2192 close to the Kennel Corner roundabout. There was once a field gate at this location, but it has not been in use as vehicle access for several decades – it was definitively closed on safety grounds about the time when the commercial unit on the site was built as too close to the roundabout. The existing access is exclusively to Chamberlains Lane. When a previous application was made for development of this site (refused and dismissed at appeal) ESCC Highways required the access to be from a new arm to the Kennel Corner roundabout.

Railfuture

- Railfuture is Britain's leading, longest-established, national independent voluntary organisation campaigning exclusively for a better railway across a bigger network for passenger and freight users, to support economic (housing and productivity) growth, environmental improvement and better-connected communities.
- We seek to influence decision makers at local, regional and national levels to implement
 - pro-rail policies in development and transport planning.
 - Railfuture wishes to register its objection to the application. The reasons for our objection are two-fold:
 - ~ the proposed development is contrary to policy
 - ~ the proposed development is not sustainable

- To elaborate, the proposed development is contrary to established planning policies as the site is not allocated for residential development in the Lewes Local Plan or Ringmer Neighbourhood Plan. Furthermore, the proposal is contrary to sustainable development as it is predominantly car-based

Sussex Ramblers –

- On behalf of the Sussex Rambler, I object to the above Application for the following reasons:
 - A greenfield site, outside the main village development area with no exceptional circumstances for the proposed number of dwelling here
 - Only 500m from the South Downs National Park boundary; therefore, in the setting of this protected landscape
 - Site is in the gap between existing Ringmer village and Broyle Side; Thus extending the village further eastwards.
 - Employment and shopping opportunities for most new residents would be in Lewes, resulting in more car journeys along B2192 through the village causing more congestion and pollution, particularly at the already busy Earwig Corner.
 - It is not clear if access during construction and after the completion would be along Chamberlaines lane which is a public footpath (9Ringmer 20); this would not be acceptable for reason of safety.

8. Appraisal

- 8.1.1 The main considerations relate to the principle of the development; the impact upon the character and appearance of the area and the openness of the countryside; Impacts upon heritage assets; Impact upon the national park; neighbouring amenities; impacts upon highway/pedestrian safety; flood risk; quality of accommodation; archaeology; sustainability; ecology/biodiversity; affordable housing/planning obligations and environmental health 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 for up to 68 units only. 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 Local Plan Parts 1 and 2. Full details of the layout, design, scale and landscaping of the development would be afforded full scrutiny as part of an application for approval of reserved matters, should outline permission be granted.
- 8.1.3 All planning obligations need to be agreed at the outline stage, as this represents the overall planning permission for any such development. As such, a Section 106 legal agreement has been drafted to secure affordable housing contributions, and the provision of a community woodland.

8.2 Principle

8.2.1 Residential

8.2.2 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.

8.2.3 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.

8.2.4 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).

8.2.5 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).

8.2.6 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).

8.2.7 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.

8.2.8 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.

8.2.9 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.

- 8.2.10 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).
- 8.2.11 Given the use of the Government's 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.
- 8.2.12 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.
- 8.2.13 Given the Council's position on housing delivery, in March 2021 the Council published the 'Interim Policy Statement for Housing Delivery' (IPSHD). This sets out a number of criteria which the Council considers developments need to achieve in order to be considered sustainable development. This policy statement simply directs the decision maker to the pertinent parts of Development Plan which should be used to inform and decide the application against.
- 8.2.14 Officers have (for ease of reference) later in this report outlined how the scheme compares against the Interim Policy Statement and goes further to outline how the scheme engages with the Development Plan
- 8.2.15 Listed immediately below are the criteria of the interim Policy Statement:

1. The site boundary is contiguous with an adopted settlement planning boundary, as defined on the Local Plan Policies Map
2. The scale of development is appropriate to the size, character and role of the adjacent settlement, having regard to the settlement hierarchy set out in LPP1 Table 2 (attached as an Appendix). In deciding whether the scale is appropriate, the Council will take account of the cumulative impact of extant unimplemented permissions in the relevant settlement.
3. The proposed development will provide safe and convenient pedestrian and cycle access to key community facilities and services within the adjacent settlement.
4. The proposed development, individually or cumulatively, will not result in the actual or perceived coalescence of settlements. Where appropriate, this should be demonstrated through the submission of a visual and landscape character impact assessment.
5. 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.
6. An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate any potential adverse impacts of the development on biodiversity and secure biodiversity net gain in accordance with the Council's Biodiversity Net Gain Technical Advice Note (February 2021).
7. The proposed development will make the best and most efficient use of the land, whilst responding sympathetically to the existing character and distinctiveness of the adjoining settlement and surrounding rural area. Arbitrarily low density or piecemeal development, including the artificial subdivision of larger land parcels, will not be acceptable.
8. It can be demonstrated that the proposed development is deliverable and viable, having regard to the provision of necessary on-site infrastructure, including affordable housing, green infrastructure and other requirements. Where the proposed development would create the need to provide additional or improved off-site infrastructure, a programme of delivery should be agreed with the relevant infrastructure providers to ensure that these improvements are provided at the time they are needed.

8.2.16 Criteria 1 of the IPSHD

8.2.17 The site is contiguous with the Ringmer settlement boundary at the sub settlement of Broyleside. The north east corner of the site is contiguous with the boundary, albeit separated by Laughton Road. Therefore, the site is considered to be contiguous with the Ringmer

settlement boundary and Officer's consider that the site complies with criteria 1 of the IPSHD in this regard.

8.2.18 Criteria 2 of the IPSHD

8.2.19 The site extends south beyond existing settlement boundary. Criteria 2 of the IPSHD requires that the scale of the development should be an appropriate size to the existing settlement. This is supported by Ringmer Neighbourhood Plan Policy 6.3 which states that all new proposals within or extending the planning boundary should respect the village scale.

8.2.20 The site would be located immediately adjacent to residential properties on the south of Laughton's Lane. It is noted that the residential properties to the south of Laughton's Lane do not fall within the development boundary, however they do represent developed land in the form of residential properties and gardens.

8.2.21 The scheme is also situated in close proximity to the planning boundary at Ringmer Business Park. Therefore, the countryside in this location has been previously developed and the proposal would not be a singular development in the countryside in this regard.

8.2.22 Therefore, the proposal would slot into a plot of land that is situated between the Ringmer Business Park, the properties to the south of Laughton Lane and the Development Plan Boundary at Broyleside. As such, the site would be situated amongst by three separate existing areas of developed land and would sit amongst the built form of the Ringmer settlement rather than be separate from it.

8.2.23 The site would undoubtedly be an addition to the Broyleside settlement however, it is not considered to be an excessive or dominant addition to the settlement. The proposal would be subordinate to the village scale and would be considered to act as an infill development rather than an additional limb in the footprint of the settlement. It is worth noting that this application is a resubmission of a previously refused planning application and has reduced the scheme by rightly one third. The proposed scheme would sit comfortably within the village and would respect its scale. The proposal would therefore comply with criteria 2 of the IPSHD and Ringmer Neighbourhood Plan Policy 6.3.

8.2.24 Criteria 2 states that the Council will take account of the cumulative impact of extant unimplemented permissions in the relevant settlement. Up until March 31st, 2022 Ringmer had the following consents/commitments:

Dwellings approved up until 31st March 2022 = 229 units

Development plan allocations not yet with consent = 48 units

8.2.25 Ringmer Neighbourhood Plan Adopted in 2015 set out that 240 new dwellings would be provided by 2030. Should this application be approved that would result in an approximate maximum figure of 345 new dwellings being committed to since the adoption of the Ringmer Neighbourhood Plan, which would exceed the figure in the Neighbourhood Plan by 105 units (43.75% Increase).

8.2.26 Notwithstanding this however, since the adoption of the Ringmer Neighbourhood Plan, new Government legislation in the form of a revised NPPF has been released that supersedes the previously set housing targets for the district. Given the scale of the housing targets for the area, there is undoubtedly increased potential of Ringmer to accommodate additional dwellings over and above the previously set targets. The provision of approximately 345 new dwellings, would represent 43.75% increase in the housing target set out in the Neighbourhood Plan. This increase in housing delivery given the scale of the housing target would not have a cumulative unacceptable impact upon the village in terms of density or its setting and would offer a valuable contribution to housing land supply.

8.2.27 Criteria 3 of the IPSHD

8.2.28 The application is outline and all matters are reserved. However, the layout shows a connection to the existing footpath on Lewes Road is possible, which would provide pedestrian access to both Ringmer and Broyleside.

8.2.29 The site would be easily accessible via a range of transport options including walking, motor vehicle, cycle and bus stops (Kennel Corner and Roundhouse Road). Therefore, Criteria 3 has been met in this regard.

8.2.30 Criteria 4 of the IPSHD

8.2.31 Criteria 4 states that Officer's should assess whether the site would result in actual or perceived coalescence of settlements. Whilst both demarcated within the Ringmer Neighbourhood Plan Boundary, Broyleside and Ringmer are clearly separate settlements with different histories and circumstances regarding their foundation. Therefore, although argued by the applicant within the planning statement that they are the same settlement, Officer's will consider them as separate entities for purposes of Criteria 4.

8.2.32 The location of the site although reducing separation between Broyleside and Ringmer Village, is located in between Broyleside and Chamberlaines Lane. Officers consider than Chamberlaines Lane forms a defensible development boundary to stop development further progressing from Broyleside towards Ringmer Village.

8.2.33 The current separation between Broyleside and Ringmer is approximately 350 metres, the reduction in separation distance between the two settlements would be approximately 115 metres. Therefore, the proposal would retain of a minimum 235 metres of open countryside between the two settlements.

8.2.34 Given that the reduction in separation distance between the two settlements is less than a third of the existing separation distance, the proposal would retain a clear separation between Ringmer and Broyleside. Due to the retained separation distance, in unison with the presence of a defensible boundary at Chamberlaines Lane, there would not be any unacceptable coalescence of settlements in this case.

8.2.35 Criteria 5 of the IPSHD

8.2.36 The site is located approximately 600 metres from the South Downs National Park. Due to the Proximity of the National Park to the site, it is considered that the proposal will have some impacts upon its setting.

8.2.37 Paragraph 176 of the NPPF sets out that development within the setting of national parks should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

8.2.38 Therefore, the impact upon the setting of the SDNP will be given significant weight when determining this application. Given that the impact upon the SDNP is intrinsically linked to the landscape and visual impact of the scheme, this will be assessed along with Criteria 7, in the 'Design, Character and Impact Upon Landscape' section below.

8.2.39 Criteria 6 of the IPSHD

8.2.40 Criteria 6 relates to the ecological impact of the development. This is assessed in more detail in the 'Ecology and Biodiversity' section of this report. However, no objections were raised from East Sussex County Council's Ecology Officer and conditions have been recommended in order to ensure biodiversity net gain.

8.2.41 Furthermore, the applicant has included the provision of a Community Woodland Area (CWA), which would deliver approximately 2000 new trees and shrubs. This would undoubtedly have a significant benefit in terms of its ecological impact.

8.2.42 Therefore, subject to the successful discharge of the recommended ecology conditions and the provision of a CWA, Criteria 6 of the IPSHD is considered to be satisfied.

8.2.43 Criteria 7 of the IPSHD

8.2.44 Criteria 7 requires that developments should make the most efficient use of land, whilst responding sympathetically to the surrounding rural environment.

8.2.45 The assessment in regard to whether or not the proposal would be sympathetic to the surrounding environment and its impact upon the SDNP is set out below in section 'Design, Character and Impact Upon Landscape'.

8.2.46 Policy CP2 of the Local Plan Part 1 sets out that within village scales density should range between 20-30 units per hectare in order to respect the village context. This proposal seeks a maximum density of 24.28 dwellings per hectare, which would be in accordance with Policy CP2. The proposed density would be considered to respect the village scale whilst realising the potential of the site.

8.2.47 The proposal would be considered to fall within the density expected in this location and would make appropriate and efficient use of the land in accordance with adopted policies. The proposal therefore satisfies Criteria 7 in this regard.

8.2.48 Criteria 8 of the IPSHD

- 8.2.49 Criteria 8 sets out that it should be demonstrated that the scheme is deliverable with regard to elements such as, infrastructure and affordable housing.
- 8.2.50 The proposal seeks to deliver a 40% affordable housing contribution and it will be Liabe for Community Infrastructure Levy Contributions. There is no evidence which suggests that the scheme would not be delivered with these benefits. However, Officers do note that the application is for outline consent and therefore, all reserved matters are required to be discharged, with this in mind it may be sometime before housing completions take place at this site. Nonetheless, this would not be sufficient to demonstrate that the site is not deliverable and Officers consider that the proposal would not be contrary to Criteria 8 of the IPSHD purely on the basis that it is an application for outline planning consent.
- 8.2.51 As an additional note, comments from the public have raised similarities with regards to the adjacent site (Broyle Gate Farm; planning appeal no.3313436). Whilst the site is located nearby, Officers will note that the two schemes and their impacts differ significantly. Furthermore, since the appeal at Broyle Gate Farm, policy has changed in that the council can no longer demonstrate a 5 year housing land supply and are now applying the tilted balance to housing decisions. As such, applications at this site are considered on their own merits.

Community Woodland Area (CWA)

- 8.2.52 Core Policy 8 – ‘Green Infrastructure’ seeks to conserve and enhance the natural beauty, wildlife, and the high quality and character of the district’s towns, villages, and rural environment. The policy sets out that it would achieve this by resisting development that would result in the loss of existing green spaces, unless either mitigation measures are incorporated within the development or alternative and suitable provision is made elsewhere in the locality.
- 8.2.53 Policy 4.6 of the Ringmer Neighbourhood plan states that the development of accessible natural or semi-natural greenspace, including a community-managed woodland, in Ringmer parish will be supported.
- 8.2.54 The proposal includes the provision of an offsite CWA, which the applicant submits would result in the planting of approximately 2000 additional trees. Whilst the proposal as a whole would result in the loss of what is currently greenfield land, a CWA would significantly offset some of the harms of the development and provide a public benefit of the scheme. The full extent of the harm to the landscape caused by the development is assessed in section ‘Design, Character and Impact Upon Landscape’ below and it is clear that the inclusion of the woodland would not completely mitigate the harm resulting from the proposal. However, in principle the provision of the offsite Woodland would undoubtedly be a positive outcome of the proposal and is supported by Policy CP8.

- 8.2.55 The proposed woodland would be secured via S106 agreement, which will include a requirement to produce a long-term maintenance plan for the area in order to secure its long-term benefits.
- 8.2.56 In conclusion, the proposal seeks to deliver up to 68 new dwellings at the site. Given the Council's housing requirement and the lack of a 5-year housing land supply, the Council are applying the presumption in favour of sustainable development. Given the scale of the Council's housing deficit the delivery of up to 68 units would be considered a significant benefit of the scheme.
- 8.2.57 However, the site falls outside of the defined development boundaries. The IPSHD produced by the Council sets out the criteria which it considers to define sustainable development. This document sets out eight criteria which are to be used as a guide to determine what is sustainable development. As set out above, the proposed scheme would satisfy the majority of the criteria set out in the 'IPSHD on an in-principle basis. However, this is subject to the separate assessment of the impacts upon the setting of the South Downs National Park and the wider policies of the development plan that include the visual impact upon the countryside, which is set out in section 'Design and Character and Impact Upon Landscape' below and is required by Criteria 5 and 7 of the IPSHD.
- 8.2.58 The proposal seeks to provide a CWA, with approximately 2000 new trees to be planted. This would provide community amenity facilities and would undoubtedly have ecological benefits for the surrounding area. The CWA would be a significant benefit of the scheme.
- 8.2.59 On balance, the principle of the application is generally acceptable. The proposal would have benefits in the form of 68 new dwellings contributing to housing supply; and, a CWA for the use and enjoyment of the local population. However, Officers recognise that this is to be weighed against the impact upon the surrounding landscape and the impact upon the setting of the SDNP (section 'Design, Character and Impact Upon Landscape' below) in accordance with the IPSHD and the NPPF. Subject to any potential harm of the development not outweighing the benefits, the principle of the development is considered to be acceptable.

8.3 Design, Character and Impact Upon Landscape

- 8.3.1 The proposed development site is comprised of one large and one smaller open agricultural fields, which are divided by hedgerows and a tree belt associated with the stream which bounds the site. These tree belts, hedgerows and the stream are distinctive landscape features of the site. The open character of much of the site makes it visually sensitive, as there are potentially long views across the area towards the site and particularly from the SDNP.
- 8.3.2 Paragraph 131 of the NPPF stresses the importance of trees to the placemaking process. The indicative layout plan shows that green spaces and planting will be integrated throughout the site. However, a detailed landscaping plan will be required as part of the reserved matters. The landscaping plan will be required to retain as much

existing vegetation as possible whilst providing a net gain of high biodiversity value trees and shrubs throughout the site.

- 8.3.3 In terms of design, the indicative plans and Design & Access Statement confirm that dwellings would not exceed two-storeys in height. An appraisal of surrounding development will be required to identify key architectural features and materials within the surrounding area to inform the design of the buildings within the development.
- 8.3.4 The proposed development seeks a maximum density of 24.28 dwellings per hectare and would be in accordance with Policy CP2, which sets out that within village settings the maximum density should be between 20-30 dwellings per hectare.
- 8.3.5 The details of access will form part of the reserved matters submission. The formation of the site access would be via an existing access from Lewes Road. The access would be required to be upgraded as a part of this application. The works may lead to the removal/cutting back of some of the existing tree line/hedgerow flanking Lewes Road, to allow for a wider opening and visibility splays. The loss of hedgerow would likely be minor and this loss can be effectively mitigated by the planting of new native hedgerow to reinforce the existing hedgerows. This new planting could connect with the existing hedgerows. Therefore, Officers consider that the proposal would only result in a minor degree of harm to the surrounding landscape and streetscene due to the presence of the existing access and potential for mitigation.
- 8.3.6 The indicative masterplan proposes to retain the majority of the boundary trees. However, the mature hedge bounding the two fields would likely be lost to the development. It is recommended that the applicant is required to provide an arboriculture survey and impact assessment which outlines proposed tree and hedgerow protection measures where possible.
- 8.3.7 The indicative layout plan shows that the site has capacity for buildings and infrastructure to be set back from the road. This would allow for space for mitigation hedge and tree planting, as well as the creation of open green space that would interact with the wider street scene.
- 8.3.8 It is considered that there is ample opportunity for mitigation in the form of planting that would maintain the verdant nature of this section of Lewes Road passing the site. Any planting would also provide a visually sympathetic screen to the proposed development that would amalgamate effectively with surrounding landscaping from street level. The indicative layout plans show that planting could provide an integral part of the development through additional screening and creation of mixed habitats that could enrich the visual quality of the site margins and soften the visual impact of the development.
- 8.3.9 Notwithstanding site boundary landscaping, the rising topography of the surrounding area means the proposed development would be visible from a significant distance away. In particular, the proposed development lies approximately 600 metres from the SDNP boundary

at its closest point and there is the potential for longer-distance views to and from higher ground within the National Park, such as Mill Plain. The proposal therefore has the potential to have an impact upon the setting of the South Downs National Park (such considerations have recently been strengthened in para 177 of the NPPF).

- 8.3.10 It is noted that existing views on this approach include dwellings and other development at Ringmer Business Park, Laughton's Lane and the Broyleside settlement. It is considered that the proposed development would somewhat integrate with these neighbouring developed areas, marking the edge of the settlement and the transition from the rural environment to the village.
- 8.3.11 Although full details of design, scale, layout and landscaping are reserved matters, it is clear that the proposed development will involve building over a site that has not previously been developed and is currently unmaintained greenfield land. Notwithstanding this, the site is not isolated, being directly adjacent to the established settlement boundary of Broyleside and nearby to Ringmer Business Park.
- 8.3.12 The site has been identified in the most recent LAA as being available and deliverable for housing development. The development site would appear as a more natural extension to the west of the Broyleside settlement and fits comfortably within the confines of Chamberlaines Lane and Broyleside. Notwithstanding this, it is important to note that all development outside of the planning boundary would by definition cause some level of harm to the surrounding landscape. In this case, given its location and context, the level of harm upon the surrounding landscape and the setting of the SDNP attributed to the northern half of the site would be less than significant harm.
- 8.3.13 It is worth noting that in their comments, the South Downs National Park Authority welcomed the reduced scheme size and referenced that in the previous submission LW/21/0302 it was the bottom field (now removed) which represented most significant harm.
- 8.3.14 The SDNP is 600 metres removed from the site but would still be affected by the proposal in terms of its setting. However, these reaching views from the park are set against a backdrop of existing development in the form of the Broyleside settlement which would lessen the impact. The SDNP Authority response does not recommend refusal but reiterates concerns regarding the developments impact upon the setting of the park, with particular mention of a lack of a Lighting Assessment. Officers consider that a development solution could be reached which would not attract an objection from the SDNPA, subject to a Lighting Assessment informing the final design, in accordance with the SDNP Dark Skies TAN. Therefore, Officers consider that the level of harm arising from the proposal upon the SDNP would be minor harm.
- 8.3.15 ESCC Landscape Officer has reviewed the proposal and although references the sensitivity of the site, with regards to outreaching views, has voiced support stating that the scheme would have an 'acceptable impact on local landscape character and views'. As such,

Officers consider the harm to the countryside to be less than significant harm, subject to conditions outlined by the Landscape Officer.

- 8.3.16 The proposal would offer a mitigation in the form of the large CWA to the South West of the site, which would result in the planting of up to 2000 new trees. Whilst this would not be proposed as a mitigation for the impact of the development, it would go some way to improving the visual appearance of this part of the borough in accordance with Ringmer Neighbourhood Plan Policy 4.1. The CWA would be visible from the SDNP and with proper maintenance and management would undoubtedly improve outward views from the national park and local landscape.
- 8.3.17 In conclusion, the proposed site itself would comfortably accommodate a development of 68 units whilst staying within the housing density required by Policy CP2. The reserved matters will require the submission of elevations and layout plans and this will be informed by a character assessment of the surrounding area in order to achieve a vernacular that matches the areas character. The maximum building height will be two stories
- 8.3.18 Trees, shrubs and hedgerows will play a key role in the successful delivery of this proposal. Hedgerows and landscaping have the potential to significantly soften the visual impact of the development. Additional planting as well as reinforcing existing vegetation and planting where possible, will be a key requirement of any detailed plans submission.
- 8.3.19 The site access would be formed by enhancing an existing access. The enhancements will be required to create an opening large enough for two vehicles to pass each other and create sufficient visibility splays. This may lead to a minor loss of hedgerows. However, with mitigation in the form of additional planting, this would only be considered to result in minor harm to the street scene and wider area.
- 8.3.20 The proposal will undoubtedly have visual ramifications for the surrounding landscape. This site sits amongst existing development and as such, the proposal does not represent wholly new development in the countryside.
- 8.3.21 The proposal would include a large CWA to the south west of the site, resulting in the planting of approximately 2000 new trees. This would give a more verdant appearance to the area, especially from southern and western aspects.
- 8.3.22 The appearance of site would have a significantly lesser impact on the surrounding Area than the previous submission (LW/21/0302) by reason of the removal of the southern triangular field. Both ESCC Landscaping Officers and the SDNPA have commented on the proposal however neither have recommended refusal and it is considered that many concerns can be dealt with by way of conditions and at reserved matters stage. Officers consider that the scheme represents a minor harm to the countryside and the SDNP.

8.3.23 Overall, the development would result in a lesser extent of harm to the countryside and to the SDNP than the previous application (LW/21/0302). However, there are significant gains to be made in terms of a net increase in planting. Mitigation offered would significantly soften the impact of the development. Notwithstanding this, the harm to the countryside would still be considered to be less than significant harm.

8.4 Impact Upon Heritage Assets

8.4.1 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a general duty on the Council with respects to Conservation Areas in exercising its planning functions. In considering whether to grant planning permission for development within a Conservation Area, the LPA shall have special regard to the desirability of preserving or enhancing the character or appearance of that area. As such, officers have to give considerable importance and weight to the desirability to preserve the setting of heritage assets, including taking account of archaeological heritage.

8.4.2 Paragraph 185 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.
- The desirability of new development making a positive contribution to local character and distinctiveness.
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

8.4.3 Paragraph 195 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

8.4.4 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

8.4.5 Paragraph 201 further states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is

necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site;
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

8.4.6 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

8.4.7 Core Policy 11 – Built and Historic Environment and High Quality Design

8.4.8 The local planning authority will seek to secure high quality design in all new development in order to assist in creating sustainable places and communities. This will be achieved by ensuring that the design of development:

- Respects and, where appropriate, positively contributes to the character and distinctiveness of the district's unique built and natural heritage;
- Within the South Downs National Park is in accordance with the National Park purposes and outside the SDNP has regard to the setting of the National Park and its purposes;
- Adequately addresses the need to reduce resource and energy consumption;
- Responds sympathetically to the site and its local context and is well-integrated in terms of access and functionality with the surrounding area;
- Is adaptable, safe and accessible to all and, in relation to housing development, is capable of adapting to changing lifestyles and needs;
- Incorporates measures to reduce opportunities for crime or antisocial behaviour, including the provision of active ground floor frontages in town, district and local centres to assist with the informal surveillance of the public realm;
- Makes efficient and effective use of land, avoiding the creation of public space which has no identified use or function;
- Provides a satisfactory environment for existing and future occupants including, in relation to housing development, adequate

provision for daylight, sunlight, privacy, private outdoor space and/or communal amenity areas;

- Minimises flood risk in accordance with Core Policy 12.

8.4.9 There are heritage assets near to the site. NPPF paragraph 194 sets out that heritage assets should be preserved in a manner appropriate with their significance. The assets in question are located at Huntsman's House (grade II) and The Magazine & Hospital, former Ringmer Royal Horse Artillery Barracks (now Southdown Hunt Kennels) which are located in the curtilage of Huntsman's House and set out in Ringmer Neighbourhood Plan Policy 4.7 (non-statutory – locally listed). The three buildings are located in the same site curtilage and officers will assess the heritage impacts upon these buildings from a cumulative perspective.

8.4.10 LEBC's Conservation Officer has reviewed the proposal and has confirmed that the collective harm would be limited to less than substantial harm, or at the lesser end of the scale no harm, subject to the details provided at the detailed plans stage.

8.4.11 Therefore, the impact upon the significance of the heritage assets is considered to be less than substantial harm, (taking account of the fact that landscaping and layout have not yet been agreed) and in accordance with paragraph 202 of the NPPF this will be considered against the public benefits arising from the proposal.

8.5 Transport and parking

8.5.1 The site would be accessed on the northern boundary, directly from Lewes Road. The access includes a footway on both sides, ensuring the needs of cyclists and pedestrians, as well as motorists, are met. It is noted that the application is all matters reserved which includes access and therefore, specific details of the access would be dealt with at the detailed plans stage. However, ESCC highways have reviewed the site of the proposed access and have not objected to its location or potential impacts upon highways safety. Therefore, the siting and location of the access would be acceptable in terms of highways capacity and safety.

8.5.2 The site is located within 50 metres of existing bus stops on Lewes Road. There are regular bus services to Lewes, Uckfield and Brighton. The site is therefore considered to be in a relatively sustainable location with regards to public transport.

8.5.3 The final layout plan would need to be able to demonstrate that adequate turning space for service vehicles would be provided within the site, in order to ensure that they can enter and leave in forward gear. This will specifically include details of how a refuse vehicle could navigate the site, as requested by LDC Waste Services.

8.5.4 The applicant has agreed that the quantum of parking spaces will be informed by ESCC Highways parking standards and the standards set out within the Ringmer Neighbourhood Plan Policy 8.3. ESCC Highways have reviewed the indicative layout and parking arrangement and have agreed the quantum of parking spaces which

exceeds the minimum thresholds within the ESCC Guidance would be acceptable. However, the proposed provision falls short of the Ringmer Neighbourhood Plan standards by 2 spaces (Required 144 spaces, proposed 142 spaces). Given the number of shared spaces proposed a shortfall of 2 spaces is considered acceptable as this would allow for a degree of resilience in the parking allocation. Subject to compliance with parking standards, it is considered that the proposal would result in an acceptable parking arrangement.

- 8.5.5 ESCC parking guidance requires the minimum dimensions of parking bays to be 5 metres in depth by 2.5 metres in width, with an additional 0.5 metres in either/both dimensions if the space is adjacent to a wall or fence. This will be a requirement at the discharge of the reserved matters.
- 8.5.6 In terms of cycle parking provision, two spaces would need to be provided per house. The submitted details propose secure cycle stores to be provided in each garden, which is in line with ESCC parking guidance. The Highways Authority requires cycle stores to be located in a secure, convenient and covered location. Further details should be provided as part of reserved matters.
- 8.5.7 A Construction Traffic Management Plan would need to be provided with details to be agreed. This would need to include management of contractor parking to ensure no on-street parking occurs during the whole of the construction phases. This would be secured via condition to be discharged.
- 8.5.8 A Travel Plan has been submitted as part of the proposal. It is recommended that if the application comes forward, that the applicant provides a Travel Plan Pack for every first occupier of each dwelling, in order to encourage the uptake of sustainable modes of transport.
- 8.5.9 A Transport Assessment has been submitted as part of this application. This illustrates that the proposed upper limit of the development of 68 dwellings has the potential to generate approximately 39 two-way vehicular weekday AM peak trips and 41 two-way vehicular weekday PM peak trips. ESCC Highways have reviewed the assessment and has confirmed that the methodology is acceptable.
- 8.5.10 The transport assessment includes junction assessments of key junctions in the local area. The junction assessments suggest that the operation of the proposed access, and the mini-roundabout junction between Lewes Road, B2192 and Laughton Road would operate within capacity at the expected number of additional trips.
- 8.5.11 A main point of contention in the initial planning application (LW/21/0302) was the impact upon the junction at Earwig Corner. ESCC as Highway Authority, although ultimately accepting of the development, required that any consent be on the condition that traffic counts be undertaken, and an assessment of the junction be carried out prior to commencement of development to determine likely impacts of adding development traffic from this site. The junction is now operational and Covid travel restrictions have been lifted. The

signalised junction currently appears to be operating with much more capacity. The applicant has sought to demonstrate that the development trips can be accommodated at the junction using data which is currently available.

- 8.5.12 The applicant has provided modelling that shows that the proposed development would contribute an expected trip rate towards Earwig Corner of 7 trips in the AM and 8 trips in the PM. The initial issue with the proposal was the resulting impact of these trips upon the capacity of Earwig Corner. The applicant has provided a junction model specific to Earwig Corner, which includes nearby extant permissions, sites allocated for development and also includes traffic flows from live applications that do not have permissions. Overall, this stress testing included up to 410 dwellings, including up to 40 windfall dwellings. This assessment therefore robustly takes account of all trips that may affect the junction. It is important to not at this juncture that this application is not held accountable for these additional trips, these tests are purely as a demonstration of the junctions capacity to cope with increased development.
- 8.5.13 The conclusions find that in the eventuality that all live, extant and allocated sites were to come forward, the junction at Earwig Corner could operate without a severe impact on the junction up until at least the year 2032. ESCC has reviewed this assessment and agrees with its conclusions and has therefore recommended approval of the application on this basis.
- 8.5.14 Comments have been received regarding the impact upon the footpath at Chamberlaines Lane. The proposal would not access directly to Chamberlaines Lane, nor would it have any impact upon the provision of the existing public right of way. Therefore, this is not considered as a material harm of the scheme.
- 8.5.15 In summary, the site would be accessed from the northern boundary, directly from Lewes Road. The site is located in close proximity to bus stops and walking routes and is considered to be a sustainable location in close proximity to nearby amenities and transport links.
- 8.5.16 The proposal would seek parking provision in compliance with ESCC parking standards and the Ringmer Neighbourhood Plan. Concerns were raised relating to the proposed tandem parking spaces and their layout. However, the application is all matters reserved and it is considered that the parking layout can be resolved in a way to make the arrangement acceptable at reserved matters stage. The site layout will be resolved in consultation with ESCC Highways Officers.
- 8.5.17 The issues relating to Earwig Corner are addressed by testing all surrounding development and including this in the junction model of Earwig Corner. The conclusions of the stress testing are agreed by ESCC highways and therefore the proposal is considered to be acceptable.
- 8.5.18 Overall, the proposal is considered to be acceptable subject to conditions and contributions required via S106 agreement. It is on this basis that Officers consider the highways impacts acceptable..

8.6 Residential Amenity

- 8.6.1 This is an outline application where, if permission is granted, the details of the layout will be reserved for further consideration under a subsequent planning application. However, the indicative drawings inform the layout and heights of the proposed development and provide an expectation of what would be delivered. For the most part, the indicative drawings show that the development maintains separation distances between proposed and adjoining existing properties and would not be in close proximity to any existing properties at Laughton's Lane or Chamberlaines Farm.
- 8.6.2 Although the new houses would be clearly visible from surrounding properties and may obstruct existing views across open parts of the site, there is no material right to a view. The separation distances shown in indicative drawings would preclude what would be regarded, in planning terms, significant overlooking, loss of outlook or obtrusiveness that would be considered to materially harm the living conditions for the occupants of existing nearby properties. Nonetheless, the detailed reserved matters will include boundary planting and landscaped buffers, which would help to mitigate noise disturbance and harm to views for the neighbouring properties.
- 8.6.3 The indicative layout submitted with the proposal, in unison with the two storey heights of the proposed structures would not be considered to result in any unacceptable impacts upon any existing neighbouring properties in terms of overbearing, overshadowing, overlooking or daylighting/sunlighting. It is considered that the proposal could accommodate the upper development limit of 68 units within the site, whilst not resulting in any unacceptable internal or external residential amenity issues.
- 8.6.4 The application is considered to be acceptable in terms residential amenity subject to conditions and further details.

8.7 Living Conditions for Future Occupants

- 8.7.1 It is considered that the indicative layout plans demonstrate that the site could accommodate a development of up to 68 dwellings, that would also provide a good sense of place and community. The indicative layout shows that there would be sufficient space to provide soft landscaping and greenery as well as communal open areas. The site would be located adjacent to the existing settlement of Broyleside and would not be isolated and would have good connections to the existing community and services. It is therefore considered that occupants of the proposed dwellings would not feel a sense of detachment from their wider surroundings and would have a good standard of environment within the site itself.
- 8.7.2 It is stated that all housing units would meet the Nationally Described Space Standards and based on measurements of the footprint of each dwelling; it is considered there is ample room for all dwellings to be delivered as meeting or exceeding the space standards. Furthermore, each dwelling would be able to accommodate a good-sized garden, whilst communal green space would also be available.

- 8.7.3 The proposed development would include safe pedestrian links to Lewes Road in the form of raised kerb footways. There is a pedestrian link connecting the site to both Ringmer and Broyleside meaning that residents of the existing settlements and residents of the site can easily access the existing and proposed community facilities and local amenities.
- 8.7.4 An noise survey and report accompany the submission. The survey was undertaken over a number of days and nights to specifically assess levels of noise emanating from the South Downs and Eridge Hunt Kennels to the north of the site. The wider general conclusions are that no other relevant noise sources will detrimentally affect the proposal.
- 8.7.5 The results of the analysis conducted within the report show that for the most exposed facades facing towards the kennels, an acceptable noise level could not be achieved with windows open. The report details that for the remaining dwellings good acoustic design principles that could be used in the detailed plans submission would offer appropriate mitigation. The report concludes that subject to mitigations within the report being implemented, the noise from dogs barking at the kennel should not provide reason for withholding of planning consent. LEBC's Noise Officer has reviewed the document and agrees with its conclusions. Therefore, any submission of reserved matters will be required to be informed by the noise assessment.
- 8.7.6 The site would be a sufficient size and scale to sustain a development of 'up to' 68 units comfortably, whilst providing adequate living standards in terms of local environment and internal and external quality of private accommodation.
- 8.7.7 The site is well connected with existing public services meaning that the residents of the existing settlements can easily access the public realm improvements and the CWA adjacent to the site. The pedestrian and vehicular links to Broyleside and Ringmer would allow residents of the site to easily access the amenities at the existing settlements.
- 8.7.8 It is therefore considered that the proposed development complies with Policy CP2 of LPP1, policy DM15, DM16 and DM25 of LPP2 and Section 8 of the NPPF.

8.8 Flooding and Drainage

- 8.8.1 The proposed development would involve the introduction of buildings and impermeable surfaces (equating to a total area of approx. 2.80 hectares) on what is currently an undeveloped greenfield site. This application is all matters reserved and as such, a drainage strategy will be required at reserved matters stage.
- 8.8.2 The site is bonded by a major stream/river. According to the Environment Agency's Flood Map For Planning, the areas immediately surrounding this river are located within Flood Zones 2 and 3a which puts these areas at risk of fluvial flooding. The remainder of the site falls within Flood Zone 1.

- 8.8.3 It is worth noting that the proposal is an all matters reserved application, so therefore final details of the layout of the site are unconfirmed. However, the applicants indicative site layout has demonstrated that the dwellings would only be located within Flood Zone 1. Only the less sensitive uses such as, roads and footpaths would be permitted to be located within Flood Zones 2 and 3a. Flood Zones 2 and 3a will also feature green spaces, which adds amenity and biodiversity value to the site.
- 8.8.4 The NPPF requires that developments in areas at risk of flooding (Flood Zones 2 and 3) carry out the sequential test. The indicative layout plan sets out that all of the proposed dwellings would be located within Flood Zone 1 and therefore, the proposal is in accordance with the sequential test and the exception test is not a requirement of the proposal.
- 8.8.5 The Flood Risk Assessment (FRA) includes details of how flood risk would be managed. The proposal would include flood protection measures such as, raising the floor levels of the properties by 150mm above finished ground level where practicable.
- 8.8.6 However, ultimately surface water would be managed by runoff being directed via a piped drainage network into either geo-cellular storage ponds or feature SuDS ponds. As the layout has not been agreed at this point the specifics of the storage ponds are to be agreed by condition and reserved matters. However ESCC LLFA have indicated that their preference, given that the application site is currently greenfield, would be to see greener sustainable drainage systems to mimic the current conditions. The applicant has indicated a willingness to incorporate close to the ground source control SuDS features at the detailed design stage.
- 8.8.7 Sensitivity testing undertaken as part of the hydraulic modelling found some the gardens of the proposed properties to be within the 1 in 100 (plus 105%) flood extent (Figure 5.2 of the FRA). The LLFA recommend that any sensitivity testing undertaken at the reserved matters stage ensures that the proposed houses are not at risk of flooding during such an event. This will be a requirement for the discharge of the reserved matters.
- 8.8.8 The applicant is seeking to discharge surface water runoff from the developed site at staged greenfield runoff rates. The LLFA have indicated a preference that runoff is discharged at the mean annual runoff rate, to reduce the impact on receiving watercourses. Therefore, the LLFA has recommended that the long-term storage volume provision should be assessed at the detailed design stage if the applicant still wishes to use a staged discharge rate as part of the drainage strategy.
- 8.8.9 Pollution control measures could be integrated into the drainage scheme to prevent discharge of pollutants into surrounding watercourses or onto surrounding land.

- 8.8.10 The FRA includes details of other sustainable SUDS mechanisms to be incorporated into the scheme such as, swales, permeable paving, rain gardens, tree pits and water butts.
- 8.8.11 In conclusion, the site is bounded by a major stream/river and falls partly in Flood Zones 2 and 3a. Residential properties are only proposed within the Flood Zone 1 areas of the site to minimise the risk to the health and well-being of the future occupants. Surface water would be managed by surface water runoff being directed into geocellular storage ponds, which would then be released back into the watercourse at a controlled rate. However, the LLFA have suggested a preference for natural SuDs ponds at detailed design stage. As such, drainage strategy will be required at details plans stage and the applicant has shown a willingness to incorporate natural SuDs systems in accordance with the LLFA's suggestions.
- 8.8.12 It is considered that the proposed drainage scheme would meet the criteria of sustainable drainage as set out in para. 051 of the Planning Policy Guidance on Flood Risk and Coastal Change in that it would manage run-off, control water quality and maintain amenity space and wildlife areas. Details of the reserved matters will be carried out in consultation with both the EA and ESCC SUDS, who are both content an effective SUDS solution can be achieved.
- 8.8.13 It is therefore considered that surface water run-off generated by the development can be adequately managed without unacceptable risk of flooding. The development is therefore considered to comply with policy CP12 of LPP1 and paras. 161 and 162 of the NPPF.

8.9 Ecology & Biodiversity

- 8.9.1 The application is accompanied by an Ecological Appraisal Report, which sets out the impact of the proposal on a number of protected species. The Ecological Appraisal Report identifies the primary ecological hotspots of the proposed development as being the river, the hedgerows and the trees at the site. Most of which are to be retained in the indicative layout plan. The majority of the grassland is categorised as being of low ecological value, but it is noted that there are areas of priority habitats supporting the potential presence of Great Crested Newt, nesting birds, foraging bats, hazel dormouse and reptiles.
- 8.9.2 The report sets out a range of mitigation measures to minimise the impact upon wildlife during site clearance and construction works. This includes the translocation of reptiles from the construction zone to a suitable receptor site, prior to the site preparation and the commencement of works, to avoid the risk of killing/injuring reptiles. The report also suggests the timing of all vegetation clearance works to avoid hibernating, maternity and nesting seasons for bats, birds, mammals, and reptiles.
- 8.9.3 Further measures will be taken to ensure all retained trees and hedgerow are protected during site clearance and construction works; that external lighting is avoided or minimised where possible; that

excavations and open pipework is covered overnight; and that new boundary fencing includes mammal gates.

8.9.4A number of opportunities for ecological enhancements/biodiversity net gain are identified within the report. These include the creation of a generously sized Community Woodland Area, which will be secured via legal agreement and will provide up to 2000 new trees. Further enhancement measures and recommendations for the site and the Community Woodland Area include: the use of native wildflower and grass seed mix in areas of green space; the creation of roosting opportunities: the installation of bat and bird roost/nest boxes: and the creation of a barn owl box.

8.9.5ESCC Ecology Officer has assessed the appraisal and the details of this response are set out in the consultation section of the report.

8.9.6ESCC Ecology Officer has confirmed that the safeguarding measures set out in the Ecological Appraisal report are supported.

Mitigation Measures and Biodiversity Net Gain

8.9.7In addition to the mitigation and compensation measures, the development should seek to enhance biodiversity and to provide biodiversity net gain, as required by the NERC Act, and national and local planning policy.

8.9.8ESCC Ecology Officer confirms that the recommendations made in the Ecological Appraisal report are broadly acceptable, and it is noted that some of these recommendations have been incorporated into the Design and Access Statement and the site layout.

8.9.9In addition to the recommendations in the Ecology Appraisal, it is recommended that new buildings should incorporate integral features for birds and bats such as, integral bird/bat boxes and bat tiles, and a barn owl box could be provided in the Woodland Community Area.

8.9.10Consideration should also be given to the provision of green (biodiverse rather than sedum) roofs where possible, and to the use of hardy wildflower mixes for amenity grassland areas. The SuDS features should be designed to maximise opportunities for biodiversity. A full application should also be supported by a Landscape and Ecological Management Plan, setting out the long-term management of the new and retained semi-natural habitats.

8.9.11In summary, there are several different species which may be affected by the proposal, but there is also potential for ecological benefits. The proposal includes a Community Woodland Area, which will result in significant biodiversity net gain for the area and will be secured via legal agreement. The Community Woodland Area's longevity will be insured by a requirement within the legal agreement to provide an ongoing management and maintenance plan.

8.9.12ESCC Ecology Officer has confirmed that if the recommended mitigation, compensation and enhancement measures are implemented, the proposed development can be supported from an ecological perspective with regard to protected species. Further mitigation is recommended by ESCC Ecology Officer which can be

secured at the reserved matters stage and detailed in an updated Ecological Impact Assessment.

- 8.9.13 Overall, the proposal seeks adequate mitigation and would result in significant biodiversity enhancement measures. ESCC Ecology Officer has confirmed that they have no objection to the proposal and therefore, the ecological impact of the proposal is acceptable.

8.10 Environmental Health

Air quality

- 8.10.1 LDC's Air Quality Officer has reviewed the proposal and the submitted air quality assessment. The response sets out that the air quality assessment and any required mitigation can be achieved via conditions and at the reserved matters stage. As such, it is considered that a successful resolution in terms of air quality can be achieved for this scheme.

- 8.10.2 Therefore, Officers have no air quality concerns subject to conditions.

Contamination

- 8.10.3 The proposal does not include any Ground Contamination Assessment. However, LDC's Contamination Officer has provided a response which sets out that a Ground Contamination Assessment and any required remediation can be submitted at the reserved matters stage, as it is considered that a successful resolution can be achieved for this scheme.

- 8.10.4 Environmental Health Conclusion

- 8.10.5 The proposal is all matters reserved and both assessments can be effectively dealt with at reserved matters stage. Any recommended reports and subsequent mitigation will be required prior to any development commencing at this site. Therefore, there are no environmental health concerns resulting from the proposal subject to additional details.

8.11 Sustainability

- 8.11.1 The application is in outline form and, as such, it is not possible for all sustainability measures to be detailed at this stage. It is, however, noted that the development would utilise sustainable drainage systems. This includes restricting development surrounding existing watercourses to provide an amenity and habitat asset. This, as well as other open green space within the overall site area is considered to support the delivery of multi-functional green infrastructure as required by LPP2 Policy DM14.

- 8.11.2 The application for Reserved Matters would need to include a sustainability statement that confirms compliance with the aims and objectives of the recently adopted TANs for Circular Economy, Sustainability in Development and Biodiversity Net Gain. This would include, but not be limited to, details on how water consumption would be kept to 100-110 litres per person per day, renewable energy and carbon reduction measures, building layouts that maximise access to natural light, support for sustainable modes of transport, provision of

electric vehicle charging points (minimum of one per dwelling), and facilities to support working from home.

8.11.3A Site Waste Management Plan (SWMP) should be submitted at the reserved matters stage in full accordance with the Site Waste Management Plan Regulations 2008.

8.12 Archaeology

8.12.1 An Archaeological Desk Based Assessment (DBA) of the site has been carried out and a report submitted as part of the suite of documents supporting the application.

8.12.2 The DBA places the proposed development site within an archaeological and historic context and confirms that the application site lies in an area of known prehistoric, Romano-British, medieval and post-medieval exploitation and settlement.

8.12.3 ESCC Archaeological Officer has reviewed the report and generally agrees with its conclusions. In light of the potential for impacts to heritage assets with archaeological interest, it is recommended that the area affected by the proposals should be the subject of a programme of archaeological works, in order to determine the impact of the proposal.

8.12.4 This programme of works would 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. This schedule of works will be required at the reserved matters stage.

8.12.5 Due to the archaeological potential of the site, a schedule of archaeological works will be required to be carried out at the reserved matters stage at the advice of ESCC Archaeological Officer.

8.12.6 Therefore, subject to additional details being received at reserved matters stage, the proposed development complies with Policy CP11 of LPP1, DM33 of LPP2 and section 16 of the NPPF.

8.13 Planning Obligations

8.13.1 The proposed scheme represents major development and, as such, there is a requirement for affordable housing to be provided. At a rate of 40% of the total number of units being provided as affordable housing, the proposal is in accordance with Policy CP1 of the Lewes District Core Strategy. With an upper limit of 68 units, the maximum number of affordable housing units would be 27.2 units.

8.13.2 In order to fully comply with the standards set out in the Lewes District Council SPD for affordable housing, all the whole units would need to be incorporated into the development with any remaining decimal points 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. Any commuted sum will be calculated using the Affordable Housing Commuted Sum Table provided in the Affordable Housing SPD.

- 8.13.3 The applicant has confirmed that affordable housing would be provided in compliance with the requirements of CP1 and a Section 106 legal agreement has been drafted to secure this. A provisional dwelling mix with a tenure split of 75% affordable rent and 25% intermediate has been agreed.
- 8.13.4 The applicant has agreed to provide a Community Woodland Area to the south west of the site which is demarcated in plan 2103-F-022. The applicant has indicated that the landowner will be responsible for the ongoing maintenance of the woodland area. The provision of the Community Woodland Area will be secured by S106 Agreement. A planting plan along with a woodland maintenance plan will be required by the S106.
- 8.13.5 Officers seek to resolve Highways issues where appropriate by S106 agreement. The highways S106 requirements are as follows:
- A Travel Plan and Travel Plan Audit Fee of £6,000 to include targets for reduced car use and a monitoring programme to ensure these targets are met.
 - S278 agreement for the highway related off-site works for access provision, bus stops and lay-bys, footway enhancements and crossing points.
 - A £5,000 contribution for alterations to the existing Traffic Regulation Order and/or bus consultations for the alterations to the existing bus stop markings and/ or bus stop clearways.
- 8.13.6 Subject to the above provisions, the application is considered to be acceptable.

8.14 Human Rights Implications

- 8.14.1 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.

8.15 Conclusions

- 8.15.1 The provision of up to 68 units given the scale of the Councils housing requirement would play a role in reaching the target of 602 homes per year. Therefore, Officers consider that the provision up to 68 homes would carry significant positive weight in the planning balance.
- 8.15.2 At a rate of 40% of the total number of units being provided as affordable housing, the proposal is in accordance with Policy CP1 of the Lewes District Core Strategy. With an upper limit of 68 units, the maximum number of affordable housing units would be 27.2. The policy compliant affordable housing would be a significant benefit of the scheme and would carry significant positive weight in the planning balance.
- 8.15.3 Overall, due to its degree of separation and the context of the development being located amongst existing built areas, the

development would result in less than significant harm upon the setting of the SDNP and the surrounding rural landscape. Mitigations are offered which would go some way to softening the visual appearance of the development. However, notwithstanding this, the harm to the openness of the site and the SDNP, which is an asset of significant importance, would still be noticeable. Therefore, it is attributed minor negative weight in the planning balance.

- 8.15.4 The proposal includes the provision of a Community Woodland Area to the south west of the site (demarcated in plan 2103-F-022) which would provide approximately 2000 new trees. The proposed CWA would be accessible to the public and would provide a host of benefits including, improving the visual aesthetic of the area; providing outdoor amenity space; and contributing to biodiversity net gain. The provision of the CWA is supported by neighbourhood, local and national planning policy and it would undoubtedly result in benefits. Due to the range of benefits resulting from the provision of the CWA this would carry significant positive weight in the planning balance.
- 8.15.5 The proposal seeks adequate mitigation and would result in significant biodiversity enhancement measures. ESCC Ecology Officer has confirmed that they have no objection to the proposal subject to conditions. Overall, the proposal would result in the loss of a low biodiversity value greenfield and some established hedgerows. However, it would offer enhancements in the form of an internal landscaping scheme, the CWA, and retention of the remaining hedgerows. On balance, the proposed biodiversity enhancements would be positive but limited to some degree by the residential nature of the site. On this basis the biodiversity enhancements would carry minor positive weight in the planning balance.
- 8.15.6 The highways issues can be resolved by S106 and Conditions. Subject to the successful resolution of impacts upon the highway and the signing of an S106 Agreement, this would carry neutral weight in the planning balance.
- 8.15.7 The proposed development is located in close proximity to the Grade II Listed Huntsman's House and the locally listed Magazine & Hospital, former Ringmer Royal Horse Artillery Barracks, now Southdown Hunt Kennels. Paragraph 202 of the NPPF sets out that where less than substantial harm is caused upon a heritage asset this should be weighed against the public benefits of the scheme. The proposed development by reason of its location in proximity to these buildings would result in a less than substantial harm to their setting.
- 8.15.8 The site is situated within an area with archaeological interest. Due to the archaeological potential of the site, a schedule of archaeological works will be required to be carried out at the reserved matters stage at the advice of ESCC Archaeological Officer. Subject to conditions, the archaeological impacts can be acceptably resolved, and this therefore bears neutral weight in the planning balance.
- 8.15.9 It is considered that surface water run-off generated by the development can be adequately managed without unacceptable risk of flooding, subject to the reserved matters submission limiting the

locations of dwellings and residential gardens to flood zone 1. Subject to conditions the flooding and SUDS impacts can be acceptably resolved, and this therefore bears neutral weight in the planning balance.

- 8.15.10 The proposal is all matters reserved and both air quality and contaminated land, and noise can be effectively dealt with by condition at reserved matters stage. Subject to conditions, the environmental health impacts can be acceptably resolved, and this therefore bears neutral weight in the planning balance.
- 8.15.11 The site would be a sufficient size and scale to sustain a development of up to 68 units comfortably, providing adequate living standards in terms of local environment and internal and external quality of private accommodation, whilst not harming the amenity of existing properties nearby. Subject to details at reserved matter stage the living standards and residential amenity impacts can be acceptably resolved, and this therefore bears neutral weight in the planning balance.
- 8.15.12 Overall, Officers consider that the significant public benefits in terms of the provision of up to 68 Units and a policy compliant affordable housing provision, and the provision of a Community Woodland Area, would outweigh the minor harms resulting upon the setting of the Visual Landscape and SDNP respectively and the less than substantial harm to the Grade II Listed Huntsman's House and The locally listed Magazine & Hospital, former Ringmer Royal Horse Artillery Barracks, now Southdown Hunt Kennels. Therefore, Officers consider that the scheme would be acceptable and is therefore recommended for approval.

9. Recommendation

1. Referral to the Secretary of State (SoS) for a minimum of 21 days following the resolution to approve planning permission
2. In the circumstances that the that the SoS does not wish to exercise call in powers and subject to the successful completion of an S106 agreement under the following Heads of Terms:
 - Provision of 40% of the residential units as Affordable Housing
 - Provision of Community Woodland
 - Tree Planting and Hard and Soft Landscaping Plan
 - Woodland Maintenance Plan
 - A Travel Plan and Travel Plan Audit Fee of £6,000 to include targets for reduced car use and a monitoring programme to ensure these targets are met.
 - S278 agreement for the highway related off-site works for access provision, bus stops and lay-bys, footway enhancements and crossing points.

- A £5,000 contribution for alterations to the existing Traffic Regulation Order and/or bus consultations for the alterations to the existing bus stop markings and/ or bus stop clearways.

The Planning Applications Committee grant the Head of Planning delegated authority to **APPROVE** the permission subject to conditions listed below.

Part B) Subject to the LPA and the applicant failing to successfully complete an S106 agreement to secure necessary legal requirements (referred to in Part A) by the 27th of July 2022 or a time frame agreed with the LPA, the Planning Applications Committee grant the Head of Planning delegated authority to **REFUSE** the application for the following reason(s):

- The application fails to provide the necessary Affordable Housing for the proposed development, contrary to policy CP1 of LPP1, DM25 of LPP2, 7.1 of the Ringmer Neighbourhood Plan and the National Planning Policy Framework.
- The application fails to provide the necessary highways mitigations by reason of failure to successfully complete a Section 106 Agreement, which would be to the detriment of road users and highways capacity. The development would therefore be contrary to Policy 8.5 of the Ringmer Neighbourhood Plan, Policy CP13 of the Lewes District Local Plan Part 1 and Paragraph 111 of the National Planning Policy Framework..

Conditions

1. **Approved Plans** This decision relates solely to the following plan(s):

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Other Plan(s) Plan	15 February 2022	2013-P-099 Site Location

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

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

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

3. **Reserved Matters** No development shall commence until details of the:

- a) Layout (including site levels)
- b) scale
- c) design
- d) landscaping
- e) access

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

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

4. **Main Access Delivery** No development shall commence, including any ground works or works of demolition, until details of the layout of the new and the specification for the construction of the access, which shall include details of drainage and visibility splays have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the use hereby permitted shall not commence until the construction of the access has been completed in accordance with the approved details.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with LPP2 policy DM25 and para 110, 111 and 112 of the NPPF.

5. **Lighting Design Strategy** No development shall commence until, a "lighting design strategy" has been submitted to and approved in writing by the local planning authority. The strategy shall:

(a) identify those areas/features on site that are particularly sensitive for badgers, bats and hazel dormice and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

(b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

(c) The lighting strategy shall minimise light spill from the site affecting the setting or openness of the countryside

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the planning authority.

Reason 1: Many species active at night (e.g. bats and badgers) are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and /or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.

Reason 2 : to ensure a satisfactory design and appearance of the proposal and to minimise the impact upon the openness of the countryside in accordance with DM25 and para 177 of the NPPF.

6. **Provision of Sustainability Statement** No development shall commence, including any works of demolition, until a Sustainability Statement has been submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character in accordance with LPP1 policies CP10 and CP08, CP09, CP14 and LPP2 policy DM24 and Section 15 of the NPPF

7. Tree Survey No development shall commence until an arboriculture survey and impact assessment has been submitted to and approved in writing by the Local Planning Authority. The scheme as submitted shall be in accordance with British Standard 5837 (2005).

Any mitigations proposed and agreed in writing will be implemented prior to any development on site and shall be retained until the completion of the development.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies CP8 and CP10 of LPP1 DM24 and DM25 of LPP2, and the NPPF.

8. Implications of recommendation for Road Safety Audit No development shall take place, including any ground works or works of demolition, until such time as a technically accepted highway scheme [layout of the new access, pedestrian facilities, bus stop relocation, details incorporating the recommendations given in a Stage 2 Road Safety Audit and accepted in the Designers Response] has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved highway scheme shall be completed prior to first occupation of the development hereby permitted.

Reason: In the interests of road safety.

9. Construction Management Plan No development shall commence, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the LPA. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- o Compliance with Air Quality Management guidance documents and BS 5228 Parts 1 & 2
- o the anticipated number, frequency and types of vehicles used during construction,
- o means of reusing any existing materials present on site for construction works,
- o the method of access, egress and routing of vehicles during construction,
- o the parking of vehicles by site operatives and visitors,
- o the loading and unloading of plant, materials and waste,
- o the storage of plant and materials used in construction of the development,
- o detail measures to manage flood risk during construction (both on and off the site)
- o the erection and maintenance of security hoarding,
- o the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),

- o details of public engagement both prior to and during construction works.
- o address noise impacts arising out of the construction;
- o address vibration impacts arising out of the construction;
- o dust mitigation measures,
- o demonstrate that best practicable means have been adopted to mitigate the impact of noise and vibration from construction activities;
- o include details of the use of protective fences, exclusion barriers and warning signs;
- o provide details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils and fuel;
- o details of any external lighting.

Reason: In order to safeguard environmental and residential amenity and in the interests of highway safety and the wider amenities of the area having regard to Policy CP11 of the LPP1, policies DM20 and DM23 of the LPP2 and the Circular Economy Technical Advice Note.

10. **SuDs** No development shall commence, including any works of demolition, until a detailed surface water drainage system has been submitted in support to and approved in writing by the LPA. The proposed drainage strategy should incorporate source control sustainable drainage systems which manage surface water runoff close to the ground as much as possible.

The surface water drainage system shall incorporate the following:

- a) Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to the greenfield runoff rates for all rainfall events including those with a 1 in 100 (plus 40% for climate change). The calculation should incorporate a 10% allowance for urban creep.
- b) The details of the outfall of the proposed drainage system and how it connects into the watercourse shall be submitted as part of a detailed design including cross sections and invert levels.
- c) The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
- d) The detailed design of the surface water drainage features (attenuation tank and pond) shall be informed by findings of groundwater monitoring between autumn and spring at the location of the proposed drainage structures as minimum. The design should leave at least 1m unsaturated zone between the base of the drainage structures and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system should be provided

Reason: In order to ensure surface water is managed effectively in accordance with LPP1 policy CP12, LPP2 policy DM22 and para 166 and 168 of the NPPF.

11. **Maintenance of Drainage System** No development shall commence, including any works of demolition, until a maintenance and management plan for the entire drainage system has been submitted to the planning authority, to

ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall 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.
- b) Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development

These details shall be submitted to and approved in writing by the LPA and shall thereafter remain in place for the lifetime of the development.

Reason: In order to ensure surface water is managed effectively in accordance with LPP1 policy CP12, LPP2 policy DM22 and para 166 and 168 of the NPPF.

12. Tree Protection No development shall commence, including any works of demolition or site clearance, until details of the protection of the trees to be retained has been submitted to and approved in writing by the LPA. The measures of protection should be in accordance with BS5837:2012 and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the Root Protection zones.

Reason: In the interests of the amenity and the landscape character of the area in accordance with LPP1 policy CP10, LPP2 policy DM27 and section 15 of the NPPF.

13. Details of grading of land No development shall commence, including any works of demolition, until details of earthworks have been submitted to and approved in writing by the LPA. These details shall include the proposed grading of land area including the levels and contours to be formed and showing the relationship to existing vegetation and neighbouring development. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character in accordance with LPP1 policies CP10 and CP11, LPP2 policies DM25 and DM27 and section 15 of the NPPF.

14. Environment Management Plan No development shall commence, including any works of demolition, until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the LPA. The CEMP (Biodiversity) shall include the following:

- o risk assessment of potentially damaging construction activities;
- o identification of "biodiversity protection zones";
- o practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- o the location and timing of sensitive works to avoid harm to biodiversity features;
- o the times during construction when specialist ecologists need to be present on site to oversee works;
- o responsible persons and lines of communication;
- o the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- o use of protective fences, exclusion barriers and warning signs.

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

Reason: To ensure that any adverse environmental impacts of development activities are mitigated, to avoid an offence under the Wildlife and Countryside Act 1981, as amended, The Conservation of Habitats and Species Regulations 2017, as amended, and the Protection of Badgers Act, 1992, and to address Core Policy CP10 of LPP1.

15. Reptile collection details No development shall commence, including any demolition, ground works, site clearance, until a method statement for the rescue and translocation of reptiles has been submitted to and approved in writing by the LPA. The content of the method statement shall include the:

- o purpose and objectives for the proposed works;
- o detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- o extent and location of proposed works shown on appropriate scale maps and plans;
- o timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- o persons responsible for implementing the works;
- o initial aftercare and long-term maintenance (where relevant);
- o disposal of any wastes arising from the works.
- o The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

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

16. Ecological Enhancement Details No development shall commence, including any ground works or works of demolition, until an ecological design strategy (EDS) addressing enhancement of the site for biodiversity, in line with the recommendations in the Ecological Addendum Report, Aspect Ecology, dated June 2021, has been submitted to and approved in writing by the LPA. The EDS shall include the following:

- o purpose and conservation objectives for the proposed works;
- o review of site potential and constraints;
- o detailed design(s) and/or working method(s) to achieve stated objectives;
- o extent and location /area of proposed works on appropriate scale maps and plans;
- o type and source of materials to be used where appropriate, e.g. native species of local provenance;
- o timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- o persons responsible for implementing the works;
- o details of initial aftercare and long-term maintenance;
- o details for monitoring and remedial measures;
- o details for disposal of any wastes arising from works.
- o The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, para 170 and 175 of the NPPF, and CP10 of LPP1.

17. Air Quality Assessment and mitigation details No development shall take place, including any demolition, ground works, site clearance, until an Air Quality Assessment (AQA) and an Emissions Mitigation Assessment (EMA), prepared in accordance with Institute of Air Quality Management (IAQM) best practice guidance and the Sussex-air guidance document <https://sussex-air.net/Reports/SussexAQGuidanceV.12020.pdf> has been submitted to and approved in writing by the LPA.

Reason: Reason: Reduce harmful emissions and minimising the impact of the development on air quality, in accordance with policies CP9, CP13 and CP14 of the LPP1 and LPP2 and having regard to the NPPF.

18. Contamination report No development shall take place, including any demolition, ground works, site clearance, until (or such other date or stage in development as may be agreed in writing with the LPA), the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved, in writing, by the LPA:

- a. A preliminary risk assessment which has identified:
 - i) all previous uses
 - ii) potential contaminants associated with those uses
 - iii) a conceptual model of the site indicating contaminants, pathways and receptors
 - iv) potentially unacceptable risks arising from contamination at the site.
- b. A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c. The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: To ensure that risks from any 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 NPPF, para 174, 183 and 184].

19. Children's Play Space No development shall take place, including any demolition, ground works, site clearance, until details have been submitted showing that development shall incorporate an appropriately sized children's play area that is integral to the overall design and layout of the development, is sited in a safe, open and welcoming location which are overlooked by

dwellings and well used pedestrian routes, is provided with seating for accompanying adults, is additional to any incidental amenity space; and is properly drained, laid out, landscaped and equipped for use at an agreed stage or stages no later than the occupation of the 5th unit of the development.

The details shall thereafter remain in place for the lifetime of the development unless otherwise agreed by the LPA.

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

Reason: To provide a healthy living environment in accordance with policies DM15 and DM16 of LPP2 and section 8 of the NPPF.

20. Archaeology No development shall take place, including any demolition, ground works, site clearance, until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the LPA.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with Policy CP11 LPP1 and the NPPF

21. Archaeological findings report No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the LPA. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition 21.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with Policy CP11 LPP1 and the NPPF.

22. Refuse and Recycling Prior to occupation of the development hereby approved, full details of storage for refuse and recycling bins shall have been submitted to and approved in writing by the LPA. These areas shall thereafter be retained.

Reason: In the interests of the amenities of the area, having regard to policy DM26 and guidance within the National Planning Policy Framework.

23. Sustainability Boilers Prior occupation of the development, details shall be submitted to and approved in writing by the LPA for the installation of Ultra-Low NOx boilers with maximum NOX Emissions less than 40 mg/kWh. The details as approved shall be implemented prior to the first occupation of the development and shall thereafter be permanently retained.

Reason: To reduce harmful emissions and minimising the impact of the development on air quality, in accordance with policies CP9, CP13 and CP14 of the LPP1, LPP2 and having regard to the NPPF.

24. Turning Areas Prior to occupation of the development hereby approved, turning area/s for vehicles will have been provided and constructed

in accordance with the details which have been submitted to and approved in writing by the Planning Authority and the turning space shall thereafter be retained for that use and shall not be obstructed

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

25. **Car Parking** Prior to occupation of the development hereby approved, car parking areas shall have been provided in accordance with details which have been submitted to and approved in writing by the LPA in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with LPP2 policy DM25 and para 108, 109 and 110 of the NPPF.

26. **Cycle Parking** Prior to occupation of the development hereby approved, cycle parking areas shall have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development in accordance with policy CP13 of LPP1 and para 104 of the NPPF.

27. **Evidence of drainage installation** Prior to occupation of the development hereby approved, evidence (including photographs and as built drawings) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

Reason: In order to ensure surface water is managed effectively in accordance with LPP1 policy CP12, LPP2 policy DM22 and para 166 and 168 of the NPPF.

28. **Contamination remediation report** Prior to occupation of the development hereby approved, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the LPA.

Reason: To ensure that risks from any 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 NPPF, para 174, 183 and 184].

29. **Flood Risk** The development shall be carried out in accordance with the submitted Flood Risk Assessment (Flood Risk and Drainage Strategy, ref: 3042, dated July 2021, by Herrington Consulting Ltd) and the following mitigation measures it details:

o All buildings shall be located within Flood Zone 1 and outside of the flood extents for the Upper End climate change scenario (105%) (Section 6.1).

o No land raising or gardens of the proposed properties shall be located within the design flood extents (for the 1:100 45%cc event) (Section 6.2). These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with LPP1 policy CP12, LPP2 policy DM22 and para 166 and 168 of the NPPF.

The condition is in line with the Planning Practice Guidance to the NPPF for Flood Risk and Coastal Change.

30. **Buffer Zone to drainage areas** On each side of the watercourse (i.e. the designated main river called 'the Bulldog Sewer and Green Man Spur') there shall be a minimum 8 metre wide buffer zone (ref: see indicative plan 2103-P-100) (measured from the top of the riverbank). The buffer zone shall be kept free from any built development including lighting, domestic gardens and formal landscaping.

The buffer zone shall be kept free from any built development for the lifetime of the development.

Reason: A buffer zone is required to ensure there is the ability for riparian owners and/or the Environment Agency to access the watercourse to carry out essential or emergency maintenance activities to reduce and/or manage any flood risk. In addition, a buffer zone allows the river to be more naturalised which creates benefits for reducing flood risk, increasing resilience to climate change and creating valuable habitats for aquatic and semi-aquatic flora and fauna.

31. **Electric Charging** An external power point shall be supplied to each property, with an independent 32amp radial circuit and must comply with BS7671 for the purpose of future proofing the installation of an electric vehicle charging point.

Reason: Reason: To encourage the uptake of electric vehicles in the interests of reducing harmful emissions and minimising the impact of the development on air quality, in accordance with policies CP9, CP13 and CP14 of the LPP1 and having regard to LPP2 and the NPPF.

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

Reason: In the interest of highway safety and for this benefit and convenience of the public at large in accordance with LPP2 policy DM25 and para 110, 111 and 112 of the NPPF.

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

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with LPP2 policy DM25 and para 110, 111 and 112 of the NPPF.

34. **Size of Parking Spaces** The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).

Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with policy DM25 and para 108, 109 and 110 of the NPPF.

35. **Height of new building restrictions** No buildings or structures within the development shall exceed two storeys in height.

Reason: In order to control the scale of the development in the interest of visual amenity and landscape impact in accordance with LPP1 policies CP10 and CP11, LPP2 policies DM25, DM27 and DM33 and sections 15 and 16 of the NPPF.

36. **Ecological improvements implementation** All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (Aspect Ecology, April 2021) as already submitted with the planning application and agreed in principle with the LPA prior to determination.

Reason: To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, and to provide a net gain for biodiversity as required by para 174 and 180 of the NPPF, Section 40 of the Natural Environment and Rural Communities Act 2006, and CP10 of LPP1

37. **Construction Times** Construction work shall be restricted to the hours of 0800 to 1800 Monday to Fridays and 0900 to 1300 on Saturdays and works shall not be carried out at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interest of residential amenities of the neighbours having regard to Policy DM25 of LPP2.

38. **Potential Contamination** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the LPA for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from any 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 NPPF, para 174, 183 and 184].

Informative(s)

10. All waste material arising from any site clearance, demolition, preparation and construction activities should be stored and removed from the site and disposed of in an appropriate manner. It is offence to burn trade waste. So, there should be no bonfire onsite
11. The proposed detailed plans stage should be informed by the following recommendations:
 - development should be designed in accordance with the National Design Code.
 - Natural materials and traditional details such as subdivided sashes or casements that reinforce local character will be encouraged (unless an entirely contemporary scheme is proposed where different design issues are considered). Side opening and top hung windows will be discouraged.
 - The development should have access from more than one road in order to avoid a cul-de-sac development.
 - Bricks shall ideally be handmade or machine made to look hand made.
 - Rooftiles should be clay tiles
 - It is very difficult to replicate the red brick of the existing buildings as such other colours may be suggested as long as the brick quality is high.
 - The use of sustainable materials such as Cross Laminated Timber, in the construction of the building is encouraged
 - The use of uPVC is heavily discouraged
 - If traditional buildings are replicated, the design should not alter the wall to window proportions as this is a characteristic that reinforces local character.
 - Charettes with local residents associations, heritage societies and the Local Planning Authority are encouraged prior to the submission of the final layout/building mix/home design.
 - The planting of street trees should be in keeping

10. **Background Papers**

10.1 None.