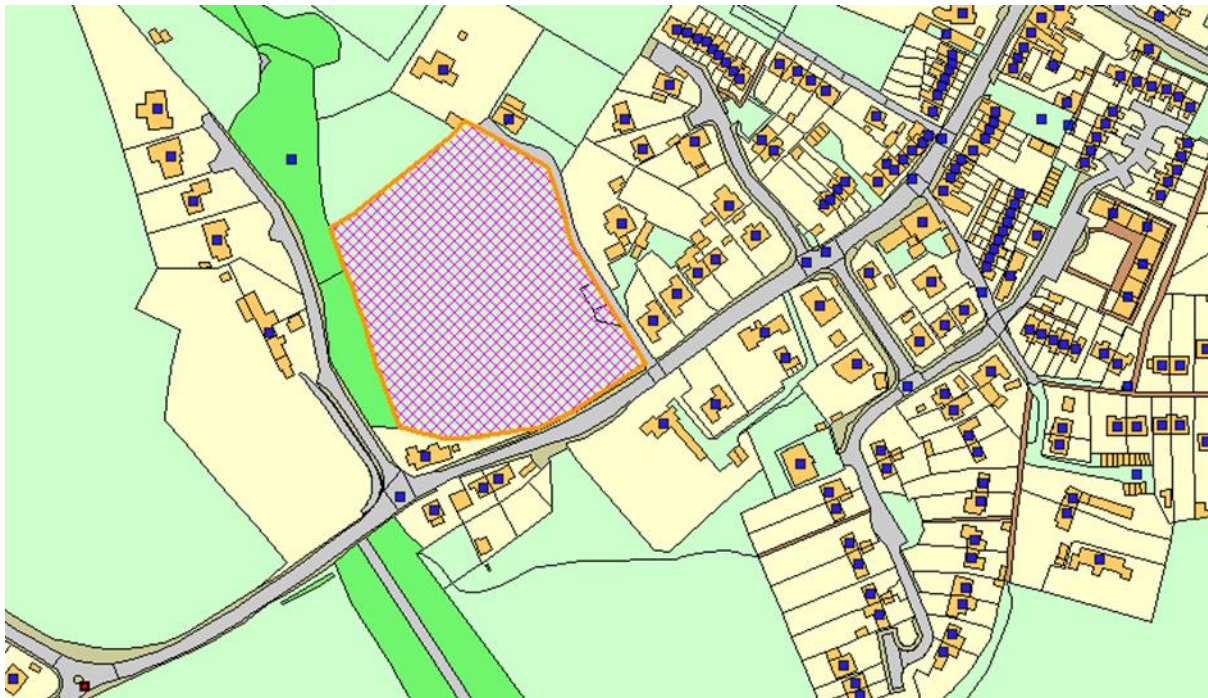


Report to: Planning Applications Committee
Date: 9 August 2023
Application No: LW/23/0090
Location: Land North of High Street, Barcombe, East Sussex
Proposal: Approval of reserved matters application for details of appearance, landscaping, layout, and scale relating to outline approval LW/21/0530, for the erection of 26 dwellings.
Applicant: Rydon Homes Ltd
Ward: Chailey, Barcombe & Hamsey
Recommendation: Approve subject to conditions. Section 106 agreement securing affordable housing already signed as part of approved outline permission LW/21/0530.
Contact Officer: **Name:** James Smith
E-mail: james.smith@lewes-eastbourne.gov.uk

Site Location Plan



1.	Executive Summary
1.1	<p>The principle of the development of the site, as well as the arrangements for the new site access from the High Street, has already been accepted following the approval of Outline Application LW/21/0530. The current application relates to reserved matters, these being the appearance, layout, and scale of the development as well as landscaping arrangements.</p>
1.3	<p>The submitted details provide a scheme that would deliver a social and economic benefit in addressing the Council's lack of housing supply, delivery of affordable housing, creation of an integrated and interactive environment in terms of the layout of the development itself and the way it would engage with the village, delivery of new and/or improved infrastructure and increase and likeliness that future residents would support local shops and services. An environmental benefit would be provided through the landscaping scheme which would introduce a significant level of biodiversity net gain.</p> <p>It is considered that the changes to the layout to that submitted, and refused, under a previous application for approval of reserved matters (LW/22/0153), most notably the setting back of the development frontage from the street and provision of a green buffer along the frontage, address the design objections raised by members of the committee in the refusal of that scheme.</p> <p>It is therefore considered that the scheme, as submitted, represents sustainable development.</p>
1.4	<p>Housing Delivery</p> <p>The provision of a net gain of 26 residential dwellings would contribute to the housing land supply for the District.</p> <p>This would carry <u>significant positive weight</u> in the planning balance.</p>
1.5	<p>Affordable Housing</p> <p>The development would deliver a policy compliant 40% affordable housing contribution, with a mix of units being provided. The standards of the affordable accommodation would be consistent with the market housing within the scheme and the units provided would be indistinguishable from the wider development.</p> <p>The provision is policy complaint and would carry <u>significant positive weight</u> in the planning balance.</p>
1.6	<p>Economic Benefits</p> <p>The proposal offers economic benefits in the form of job creation during construction and an increase in population that would result in additional use of local businesses and services.</p>

	<p>This would carry <u>moderate positive weight</u> in the planning balance.</p>
1.7	<p>Social benefits</p> <p>The proposed development would introduce new housing that would integrate well with the existing settlement of Barcombe and its community. It would deliver areas of greenspace that would be accessible to the wider public and would generate Community Infrastructure Levy (CIL) payments that may be used to provide enhancements and improvements within the settlement.</p> <p>This would carry <u>moderate positive weight</u> in the planning balance.</p>
1.8	<p>Landscape impact</p> <p>The development would significantly alter the appearance of the existing greenfield site. However, the development does incorporate significant landscaping works that would maintain a semi-rural appearance to the site and would strengthen boundary planting, particularly on the western edge of the site, thereby helping to limit the landscape impact of the scheme to the immediate site area.</p> <p>This harm to landscape is therefore considered to be well mitigated and, for that reason, carries a <u>limited negative weight</u> in the planning balance.</p>
1.9	<p>Biodiversity Net Gain</p> <p>The landscaping incorporated into the development would strengthen and enrich existing hedgerow, introduce new habitat, and would create secure habitat areas for the existing reptile population supported by the site. The biodiversity net gain delivered by the scheme would exceed the 10% target set by the Council for all major development.</p> <p>This would carry <u>moderate positive weight</u> in the planning balance.</p>
1.10	<p><u>Highways</u></p> <p>The access arrangements for the development have already been agreed. The layout of the proposed development provides suitable parking facilities for cars and cycles, is pedestrian friendly, accessible to service vehicles and provides connectivity with the centre of the village. ESCC Highways had originally raised concerns that having dwellings set back from the road would make them less visible to drivers and, as a consequence, drivers would not reduce their speed and raise their awareness on the approach to the access from the west. However, 3D imaging showing the approach to the site has since been submitted by the applicant to ESCC Highways who have confirmed their concerns have been addressed.</p> <p>This would carry <u>neutral weight</u> in the planning balance.</p>

1.11	<p><u>Heritage Impacts</u></p> <p>The site is adjacent to a Conservation Area. It is considered that the site plays a role in the semi-rural setting of the Conservation Area, and the village as a whole and that its development would therefore have an impact upon its setting. However, it is considered that the relatively low density of the scheme allows for the incorporation of a good level of landscaping that would help preserve a sense of rurality and it is also considered that there is a degree of informality in the layout of the development that reflects the spatial characteristics of the wider village, including the Conservation Area.</p> <p>This should be given <u>limited negative weight</u> in the planning balance.</p>
1.12	<p><u>Water Issues</u></p> <p>The principle of the drainage system was agreed by the Lead Local Flood Authority (LLFA) as part of the outline approval. Although further technical details are required in relation to the drainage scheme, the infrastructure provided is required to manage discharge of surface water at existing greenfield levels, with an additional allowance made for storm events/rainfall as a consequence of climate change.</p> <p>This should be given <u>neutral weight</u> in the planning balance.</p>
1.13	<p><u>Air Quality & Contaminated Land</u></p> <p>Both air quality and contaminated land can be effectively dealt with by condition. Subject to conditions, the environmental health impacts can be resolved.</p> <p>This should be given <u>neutral weight</u> in the planning balance.</p>
1.14	<p><u>Quality Living Environment</u></p> <p>The scheme would provide 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. Residents would have access to informal green space and play facilities in the form of the 'trim trail' positioned on the western side of the site.</p> <p>This should be given <u>moderate positive weight</u> in the planning balance.</p>
1.16	<p>It is therefore recommended that the application is approved subject to relevant conditions and noting existing conditions and the section 106 legal agreement attached to the outline approval LW/21/0530.</p>

2.	Relevant Planning Policies
2.1	<u>National Planning Policy Framework</u> 2. Achieving sustainable development 4. Decision making 5. Delivering a sufficient supply of homes 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	<u>Lewes Local Plan Part 1 (LLP1):</u> CP2 – Housing Type, Mix and Density CP7 – Infrastructure CP8 – Green Infrastructure CP9 – Air Quality CP10 – Natural Environment and Landscape. CP11 – Built and Historic Environment & Design CP12 – Flood Risk, Coastal Erosion and Drainage CP13 – Sustainable Travel CP14 – Renewable and Low Carbon Energy
2.3	<u>Lewes Local Plan Part 2 (LLP2)</u> BA02 – Land Adjacent to the High Street DM1 – Planning Boundary DM14 – Multi-functional Green Infrastructure DM15 – Provision for Outdoor Playing Space DM16 – Children’s Play Space in New Housing Development DM20 – Pollution Management DM22 – Water Resources and Water Quality DM23 – Noise DM24 – Protection of Biodiversity and Geodiversity DM25 – Design DM27 – Landscape Design DM33 – Heritage Assets

3.	Site Description
3.1	<p>The site comprises a single enclosed field that has most recently been in use as a paddock. It is positioned on the western edge of Barcombe Cross, falling within the planning boundary. The site topography includes a rise of approx. 5.5 metres from west to east. The field is open in nature with any significant trees and hedgerow distributed around site boundaries only. Archaeological investigations were conducted on the site last year, in accordance with conditions attached to the outline approval, with the land restored following trenching.</p>
3.2	<p>The south-eastern boundary of the field flanks Barcombe High Street and is marked by a mature hedgerow and tree line that follows the course of a raised bank running parallel to the highway. The hedge is trimmed to approx. 2-3 metres in most places. The south-western boundary is bordered by a belt of trees on the eastern side of Bridgelands, a private road which provides access to a group of detached dwellings built on the former site of Barcombe Cross train station. The north-eastern boundary is flanked by a private access track serving a dwelling at Vine Slead and Hillside as well as a group of derelict buildings that formerly accommodated Hillside Nursery's. This track is also currently used as vehicular access to the site itself. There is a line of mature leylandii trees marking the north-western boundary of the site immediately behind which is a lawn belonging to the residential dwelling 'Hillside.' The south-western corner of the site is recessed from the High Street, with the wedge-shaped plot at Willow Cottage forming a buffer.</p>
3.3	<p>The village of Barcombe Cross extends to the north-east and south-east of the site. The historic core of the village is designated as a Conservation Area and incorporates a number of Listed Buildings, the closest of which to the site is The Olde Forge House, a Grade II Listed dwelling occupying a converted 17th Century building that originally housed the village forge. This building is approx. 40 metres to the east of the site. The historic part of the village clusters around the High Street and comprises buildings of mixed design, scale, and provenance. Flint walling, red brick and tile hanging are common materials and steeply sloped gable roofing is frequently seen. Buildings are arranged in terraces or groups of detached and semi-detached buildings that are positioned closely together. A number of former shop buildings have been converted to residential use over time. The overall character is of an intimate village setting with buildings positioned close to the road and small landscaped areas maintained to frontages in many places.</p>
3.4	<p>Tertiary roads branch off from the High Street, particularly to the north and south-east and these provide access to more modern, high-density residential development. There are also a number of twittens and footpath that provide access to buildings set back from the High Street as well as connections with the wider public footpath network which criss-crosses the</p>

	fields surrounding the village and connects with the Ouse Valley Way and South Downs National Park to the east and south.
3.5	The centre of the village, where there is a public house, and a village shop is approx. 150 metres to the north-east of the site. Barcombe Primary School is approx. 375 metres walking distance from the site as is the adjacent recreation ground. The village as a whole is tightly nucleated with minimal sprawl into the fields and woodland surrounding it. The rural character of the village is enhanced by this surrounding countryside and the buffer it provides between the nearest neighbouring significant settlements, these being Isfield (approx. 3.5 km to the north-east), South Chailey (approx. 3.5 km to the north-west), Lewes (approx. 3.5 km to the south) and Ringmer (approx. 3.5 km to the south-east).
3.6	The site is allocated within Lewes District Local Plan Part 2 for residential development of approx. 25 new dwellings under policy BA02. Neighbouring land to the north-east at Hillside Nursery's and to the north-west at Bridgelands is also allocated for residential development but as distinct sites. The site lies on the edge of the Conservation Area. The south-eastern corner of the site falls within an Archaeological Notification Area. There are no other specific planning designations or constraints attached to the site.

4	Proposed Development
4.1	Outline permission for the construction of up to 26 dwellings on the site was granted under application LW/21/0530. The permission included details of site access, which takes the form of a new junction with the High Street to be positioned on the southern site boundary. All other matters (layout, scale, appearance, and landscaping) were reserved matters, and it is these details that will therefore be considered under the current application.
4.2	The layout of the development steps buildings in from the southern and western edges of the site, allowing for a continuous L-shaped green buffer to be maintained along these boundaries. Dwellings at the southern end of the development would face out towards the High Street. The main access road would traverse the site south to north, with dwellings lining it positioned perpendicular to the southern buildings and instead engaging with the access road. In order to make use of the width of the site, a cul-de-sac branching off from the access road is included towards the western side of the site whilst a courtyard area is formed towards the eastern side. The access road terminates in a turning head at the north of the site where access to the proposed foul water pumping station would also be provided.
4.3	All buildings, including the flatted elements, would be two-storeys in height and would have traditional hipped, barn hipped, and gable ended roofing.

	<p>There would be no dormer windows or rooflights. External finishes would be primarily brick, with a number of properties also having tile hanging or white weatherboarding in place at first floor level. There would be variations in design in terms of scale, orientation, and configuration but all would comply with the overarching design attributes referenced above.</p>
4.4	<p>The dwelling mix comprises.</p> <ul style="list-style-type: none"> • 2 x 1 bed flats (8%) (both flats would be affordable units) • 2 x 2 bed flat (8%) (both flats would be affordable units) • 8 x 2 bed dwellings (31%) (3 dwellings would be affordable units) • 9 x 3 bed dwellings (35%) (3 dwellings would be affordable units) • 5 x 4 bed dwellings (19%) <p>Of these dwellings, 10 would be allocated as affordable housing, representing 38.5% of the overall housing provision. The delivery of the affordable housing component is secured by the section 106 agreement signed as part of the outline permission granted under LW/21/0530. The agreement also secures an additional commuted sum contribution for 0.4 of a unit in order to bring the total affordable housing contribution provided by the scheme as a policy complaint 40% of the overall number of units provided.</p>
4.5	<p>Each dwelling would be provided with 2 x allocated parking bays and each flat would be allocated 1 x parking bay. In some cases, these would be partially covered by car ports. Parking is set back from the road with the only dwellings having parking areas along their frontage being the courtyard plots 21 and 22.</p>
4.6	<p>The green space area along the western And southern edges of the site would serve mixed purposes including habitat creation/biodiversity net gain, informal recreation (including provision of a 'trim trail' and would also accommodate the attenuation pond that would be used to regulate surface water discharge from the site. An adoptable type 2 foul water pumping station and associated compound and access would be accommodated towards the northwestern corner of the site.</p>

5.	Relevant Planning History:
5.1	<p>E/53/0430 - Outline Application for permission to carry out residential development – Refused 21st December 1953</p> <p>E/68/0382 - Outline Application for erection of dwellings – Refused 27th May 1968</p>

E/72/1935 - Outline Application for erection of fifty-five dwellings with garages – Refused 1st January 1973

E/73/1025 - Outline Application for fifty-two dwellings with garages at Barcombe Railway Station and part O.P. 8373 – Refused 22nd October 1973

LW/86/0823 - Outline Application for eleven detached dwellings with new cul-de-sac – Refused 10th July 1986

LW/20/0633 - Outline Planning Application for Erection of up to 26 dwellings together with associated development and site access with all other matters reserved – Refused 11th May 2021

LW/21/0530 - Outline permission for the erection of up to 26 dwellings together with associated development and site access whilst all other matters are reserved for future consideration – Approved conditionally and subject to s106 – 12th August 2021

LW/21/0768/CD - Approval of Condition 23 (Archaeological Evaluation) relating to application LW/21/0530 – Approved.

LW/21/0958/CD - Discharge of Condition 24 (Archaeological Evaluation Report) in relation to application LW/21/0530 - Approved

LW/22/0153 - Approval of reserved matters application for details of appearance, landscaping, layout, and scale relating to outline approval LW/21/0530, for the erection of 26 dwellings – Refused 8th December 2022

The application was refused for two reasons, the first being as follows: -

The development, as a consequence of the layout, siting, and proximity of dwellings to the High Street, would appear as an incongruous and disruptive feature within the street scene and would detract from the rural setting of Barcombe Cross, contrary to LLP1 policies CP2, CP10 and CP11, LLP2 policies BA02 and DM25 and para. 130 of the NPPF.

An additional reason for refusal relating to the submission of a suitable drainage strategy for foul and surface water was also attached.

However, this reason for refusal was not defended at the recent public inquiry held in relation to an appeal against the refusal by the applicant due to it not being supported by the Lead Local Flood Authority.

The Lead Local Flood Authority who had raised no objections to the scheme, subject to further details being submitted by condition. The outcome of the public inquiry is awaited at this time. Any update will be reported in the supplementary report for this committee.

6.	Consultations:
6.1	<p><u>ESCC Archaeology:</u></p> <p>I can confirm that we have no archaeological recommendations to make in association with this Reserved Matters application.</p> <p>OFFICER COMMENT: Please note that investigative archaeological works have been carried out in accordance with conditions attached to then outline permission, with those works being approved by ESCC under LW/21/0768/CD and LW/21/0958/CD.</p>
6.2	<p><u>ESCC Landscape Officer:</u></p> <p>No formal comments received.</p>
6.3	<p><u>Southern Water:</u></p> <p>Southern Water would have no objections to the reserved matters application for appearance, landscaping, layout, and scale.</p> <p>The submitted drainage layout (BAR-HSP-00-XX-DR-C-2110 Rev-P01) is acceptable to Southern Water. An approval for the connection to the public sewer should be submitted under Section 106 of the Water Industry Act.</p>
6.4	<p><u>Lead Local Flood Authority:</u></p> <p>ESCC as LLFA provided an initial objection due to insufficient information on 29 March 2023 with details regarding required amendments to the proposed attenuation basin and an increase in climate change allowances in the hydraulic calculations.</p> <p>The applicant has since submitted an amended Surface & Foul Drainage Strategy Drawing, Drainage Areas Plan & Updated Hydraulic Calculations.</p> <p>While we are happy the amended attenuation basin layout meets our requirements, the hydraulic calculations still only allow 40% for climate change. As of May 2022, the climate change allowance for this management catchment was increased to 45%. However, as the FRA submitted as part of the approved outline application indicated an allowance of 40% and was approved prior to the increase in climate change, we are accepting of the proposed climate change allowance for this development.</p> <p>On this basis, we remove our objection to the approval of reserved matters application.</p> <p>We wish to note that Conditions 20, 21 and 22 are still applicable in ensuring surface water is managed effectively as part of the development. There is no need to add further conditions while these are retained.</p>

	<p>OFFICER COMMENT: The conditions referred to are attached to the outline permission granted under LW/21/0530 and require further drainage details to be provided prior to the commencement of any development.</p> <p>The initial response from the LLFA also suggested issues regarding access to the attenuation pond due to its proximity of some of the proposed dwellings but it is understood the amended attenuation basin layout has addressed this.</p>
6.5	<p><u>East Sussex Highways:</u></p> <p>No objection subject to additional conditions.</p> <p>Overall, I have no major concerns regarding the site layout as indicated on the site plan (Drawing no. 22080/P102 Rev C). It was previously requested that the development contribute to the street scene, so that the road is not used as a connection but feels like you have arrived in a place, which in turn will help reduce speeds. This revised layout has removed the frontage development; however, the visuals supplied have shown that due to the gradient of the site even with the lack of frontage development the development can be seen as you approach. Although it would be preferable to have the houses situated nearer to the southern boundary it is considered the houses would be easily seen subject to some of the trees adjacent to plot 1 being removed or relocated. This is for the Local Planning Authority to consider in relation to the landscape impact. The amended plans do not show the alterations to the footway as previously recommended. A taper is required where the development footway joins the existing footway at the access. At present there is an abrupt change in width.</p> <p>The extent of the adopted area has been revised. Although the Transport Statement suggests that an 11.2m refuse vehicle can turn within the proposed adopted highway limits this is not in accordance with the 12m vehicle that has been used previously on plans associated with this site. The refuse vehicle will need to get within 25m of each collection point within the adopted limits. The adoption plan shows that the main spine road will form part of the public highway with 2m footway alongside and the remaining areas will operate as shared surface. All roads within the development should however be constructed to an adoptable standard. Some of the material choices on the proposed adopted section (block paving) may need to be amended but this can work out at the S278 stage.</p>
6.6	<p><u>LDC Air Quality Officer:</u></p> <p>No Air Quality Assessment has accompanied the Outline application and the proposed development is classified as Major and should therefore be accompanied by an Air Quality Assessment and an emissions mitigation statement, as per Sussex Air guidance. The emissions mitigation statement should detail the measures that are being undertaken to control emissions during the construction and operational phases.</p>

	<p>OFFICER COMMENT: This would already have been considered during the examination of LLP2, in which the site is allocated for housing development. The provision construction management plan and provision of electric vehicle charging points are addressed in conditions attached to the outline permission (LW/21/0530) and details of other measures to reduce air emissions would be sought as part of a sustainability condition attached to any approval.</p>
6.7	<p><u>LDC Contaminated Land Officer</u></p> <p>The officer referred to their comments submitted to the previous reserved matters scheme (LW/22/0153) which were as follows: -</p> <p>Submitted detail is a site investigation report prepared by Southern Test (dated 11 January 2022). I agree with report para 6.10 (need for UXO risk assessment) and para 34 (conclusion) of the report.</p> <p>This means, I have no objection to the above-mentioned reserved matter application (subject to conditions to a secure a UXO (unexploded ordnance) report and remediation strategy to be adhered to if any unexpected contaminants are discovered during construction works).</p>
6.8	<p><u>Sussex Police (Secured by Design)</u></p> <p>Concerns are raised regarding levels of natural surveillance over parking areas and the trim trail on the western side of the site along with other recommendations on planting, boundary treatment and general security arrangements.</p> <p>OFFICER COMMENT: A condition can be used to gain further information on site security arrangements. The trim trail is shown in an indicative position, and this could be revised, again with final details to be secured by condition. The positioning of parking requires a balance between natural surveillance of parking areas and the impact parking further to the front of dwellings would have upon the character of the development and the wider surrounding landscape. In this instance, it is considered that the balance is appropriate.</p>
6.9	<p><u>LDC Tree Officer</u></p> <p>Comments on Broad Oak Tree Consultants Limited (referred to as Broad Oak within remainder of this report) REVISED ARBORICULTURAL IMPLICATIONS ASSESSMENT ref: J58.67 dated 14 February 2023</p> <ul style="list-style-type: none"> • The report is considered sound arboricultural advice. • No objection from an arboricultural perspective. <p>The proposed pruning back of G11 by 3 metres set out in the OSP report is considered excessive and detrimental to tree health and condition. New growth will not appear from bare wood when cutting hard back into older leafless growth and result in significantly reduce amenity. Broad Oak</p>

report recommendations consider “maintaining the integrity of the screen and without causing significant harm to the trees.”

T8 Ash has not been identified as being necessary to remove by Broad Oak and clearly indicates how the tree can be retained and protected within their report.

It is advised that the applicant seeks advice from their arboriculturist in relation to G11 situated upon third party land regarding management options and potential constraints upon the proposed development.

Recommend rejecting those tree work recommendations within the OSP Tree Works Plan that are in addition to the Broad Oak report.

Comments on proposed Planting scheme

No objection to proposed tree species or numbers within document. Advise requirement for planting specification, aftercare, and maintenance plan.

OFFICER COMMENT: Tree works shall be controlled by the conditions recommended by the officer. Full landscape planting and management details are secured by the package of biodiversity conditions attached to the outline permission granted under LW/21/0530.

6.10

NatureSpace

Further information has since been provided of two great crested newt records within 250m of the site. As the ponds have not been surveyed since 2018, and the last attempt to survey was 2020, efforts should be made to attempt to survey ponds within 250m. Validity of ecological reports and surveys can become compromised overtime due to being out-of-date. CIEEM Guidelines for Ecological Report Writing (CIEEM, 2017) states, if the age of data is between 12-18 months, “the report authors should highlight whether they consider it likely to be necessary to update surveys”. If the age of the data is between 18 months to 3 years an updated survey and report will be required and anything more than 3 years old “The report is unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated”.

In line with the guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, March 2021), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must either:

Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through the Council’s District Licence. This method of licencing often removes the need for survey work and onsite mitigation for great crested newts as it provides compensation habitats off site. This would provide certainty to the

	<p>applicant, as their licensing route can be determined within 10 working days at any time of the year (more details can be found at www.naturespaceuk.com).; or</p> <p>Provide further information on ponds within 250m, in line with Natural England's Standing Advice, to rule out impacts to great crested newts*, or demonstrate how any impacts can be addressed through appropriate mitigation/compensation proposals.</p> <p>If it is determined that there is no suitable habitat impacted on site and the likelihood of GCN is very low, then a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist may be acceptable for the development.</p> <p>OFFICER COMMENT: There is overlap in the advice provided and the raft of biodiversity and ecological conditions attached to the outline permission at the recommendation of the ESCC ecologist. However, an informative will be attached to remind the developer of their statutory responsibilities in relation to Great Crested Newts and the potential need to utilise the district licensing scheme.</p>
6.11	<p><u>East Sussex Fire and Rescue Service</u></p> <p>If this application receives approval the Developer is required to ensure there is sufficient water for firefighting in accordance with the Water UK National Guidance Document. This is usually achieved by the provision of Fire Hydrant(s) attached to a suitable water main. Early consultation with East Sussex Fire & Rescue Service is recommended to ensure that all needs are met.</p>
6.12	<p><u>Barcombe Parish Council (full response below)</u></p> <p>Barcombe Parish Council (BPC) welcome the changes to the layout and design defined in the revised reserved matters application and a majority are positive toward this application.</p> <p>However, BPC remain concerned that outstanding issues, particularly drainage and sewage, do not yet have robust solutions defined which have been signed off by the relevant parties. The Parish Council would like to see evidence of a future proofed maintenance plan for the drainage elements and the sewage pumping station. We understand that any changes to the drainage and sewage plans may have an impact on the layout of the site and therefore would ask that they be agreed before approval is given to the reserved matters application.</p> <p>BPC would also like to take this opportunity to remind the LDC planning department that Barcombe operates a dark sky policy. We note that County council highways team and the ecology expert have not yet commented on this application.</p>

We believe it is particularly important that the county ecologist comment on the BNG measures proposed by the applicant.

OFFICER COMMENT: There is a robust selection of ecological conditions attached to the outline permission as recommended by the ESCC ecologist. It is noted that the indicative layout for the development submitted at the outline stage is similar to the scheme presented now. Similarly, there are conditions in place relating to drainage matters including ongoing maintenance and management.

7. Other Representations:

7.1 Neighbour Representations:

A total of 13 letters of objection had been received at the time of writing this report. A summary of material planning matters raised is provided below. Objections to the principle of the scheme have been omitted as the grant of outline permission means this has already been agreed.

- Impact of surface water discharge onto neighbouring land, which is vulnerable to flooding, is not taken into account in the Flood Risk Assessment;
- Management and maintenance of drainage system and landscaping would be a burden on future occupants;
- Concern about the capacity of the sewage pumping station and the consequences of a power failure, particularly if the village is cut off by flooding, as would result in discharge of effluent into watercourses;
- Submitted layout conflicts with requirement for frontage development requested by ESCC Highways;
- The existing track could be used for access to the development;
- A significant amount of hedging would need to be removed to provide visibility splays, more than the 18.4 metres permitted under LW/21/0153;
- There is no additional ecological information or updated surveys;
- Pedestrian and cycle linkage is poor;
- The children's play area is poorly sited close to the pumping station;
- No details provided of the translocation areas for reptiles;
- Only 50% of dwellings provided with electric vehicle charging points;
- There would be no solar panels installed;
- Would result in overlooking and overshadowing of neighbouring properties;

	<ul style="list-style-type: none"> • Would put more pressure on roads and infrastructure; • Will compromise the hillside setting of the village; • The site access would be concealed and dangerous; • The density of the development is too high; • Many people in the community object but are not aware of how to lodge their objection; • There is little information on how biodiversity net gain will be achieved; <p>OFFICER COMMENT: The pumping station is provided with 24-hour emergency storage capacity to account for any failure. Access arrangements for the development were approved as part of the outline scheme, with the support of ESCC Highways and details are not under consideration as part of this reserved matters application. There are conditions attached to the existing outline approval as well as recommended to be attached to this application to account for ecological protection, biodiversity enhancements, siting of a suitable play area and delivery of sustainability enhancements/renewable energy generation.</p>
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8.	Appraisal:
8.1	<p><u>Key Considerations:</u></p> <p>The main considerations relate to the principle of the development; the impact upon the character and appearance of the area and neighbour amenities, impacts upon highway/pedestrian safety and flood risk and the overall merits of the scheme in terms of the balance of economic, environmental, and social objectives that comprise sustainable development. As will be expanded upon in section 8.2, the ‘tilted balance’ must be applied in the determination of this application, meaning that it should only be refused if any harm caused would significantly outweigh the benefits of the scheme.</p> <p>It is important to note that the principle of the residential development of the site, as well as the provision of the new site access has been established following allocation of the site within the development plan and the granting of outline planning permission under LW/21/0530. <u>As such, these matters will not be reassessed.</u></p> <p>The application will therefore be determined on the basis of how the appearance, layout, scale, and landscaping arrangements of the proposed development respond to relevant local and national planning policy. This includes direct policies relating to the above matters as well as indirect considerations, such as how the layout and landscaping of the scheme impact upon surface water drainage.</p>
8.2	<u>Principle:</u>

As stated in section 8.1, the principle of development has been accepted following the approval of LW/21/0530. This is consistent with para. 005 of the Planning Practice Guidance for Making an Application which states that 'an application for outline planning permission allows for a decision on the general principles of how a site can be developed.'

Therefore, the current application must be determined within the remit of assessing the reserved matters only, these being the layout, scale and appearance of the development and the landscaping arrangements.

It is also of significant weight that the site is allocated for residential development and, as such, the scheme is development plan led.

Para. 8 of the Revised National Planning Policy Framework (NPPF) defines sustainable development as comprising three overarching objectives, these being to respond positively to economic, environmental, and social needs. Para. 10 goes on to state that there should be a presumption in favour of sustainable development.

As LLP1 is now over 5 years old, the housing delivery target set out in policy SP1 (approx. 275 net dwellings per annum) is obsolete and the target now worked towards is therefore based on local housing need calculated using the standard method set out in national planning guidance as per para. 74 of the National Planning Policy Framework (NPPF). This has resulted in the delivery target rising to 782 dwellings per annum. This has been disaggregated taking account of the National Park development to an annual figure of 602.

Due to this increase in housing delivery targets, Lewes District Council is no longer able to identify a 5-year supply of specific deliverable sites for housing. Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This approach effectively adopts a 'tilted balance' in favour of development.

It has been established through case law, comprehensively summarised in *Gladman Developments Ltd v SSHCLG & Corby BC & Uttlesford DC* [2020] EWHC 518 (Admin) that para. 11 does not remove development plan policies from the decision-making process and that, instead, it is for the decision maker to analyse policies and attribute suitable weight as part overall assessment of the benefits of any scheme versus the harm caused.

It is considered that significant weight should be attached to impact of development upon the established character and appearance of the area surrounding it, particularly in view of the 2021 revisions to the NPPF and the strengthening of section 12, in which para. 134 states 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design'. It is noted that policy BA 02 includes a general design brief for the

development of the site, and it is therefore important that the submitted scheme accords with it.

The details covered by reserved matters also clearly have the potential environmental implications in how the layout and landscaping of the development would respond in relation to surface water management, sustainability, carbon reduction and biodiversity and social implications in how the layout, scale, appearance, and landscaping of the scheme would impact upon the amenities of existing and future residents as well as the general character of the surrounding area.

The merits of the scheme will therefore be assessed on this basis, with reference to the tilted balance.

8.3

Design & Character:

Para. 126 of the NPPF states that ‘the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.’ Para. 127 states that design policies should be ‘grounded in an understanding and evaluation of each area’s defining characteristics.’ Area-wide, neighbourhood or site-specific design codes or guides are identified as a means to fulfil these objectives. There are general design criteria included for development of the site incorporated into LLP2 policy BA02 and these will also be referred to in the assessment of the application.

The current scheme follows the refusal of the reserved matters application submitted under LW/22/0153, where committee members expressed an objection to the design and layout of the development, as follows: -

The development, as a consequence of the layout, siting, and proximity of dwellings to the High Street, would appear as an incongruous and disruptive feature within the street scene and would detract from the rural setting of Barcombe Cross, contrary to LLP1 policies CP2, CP10 and CP11, LLP2 policies BA02 and DM25 and para. 130 of the NPPF.

The proposed scheme presents a layout similar to that provided for indicative purposes at the outline stage. In this scheme, there is a clear set back of development from the High Street, allowing for the formation of a green buffer along the southern boundary of the site. Although there had been concerns raised by officers that the setting back of development from the High Street would impede on the ability for the development to engage and interact with the existing settlement, something that is important in fostering a strong sense of community, it is considered that the proposed layout achieves an appropriate balance, with dwellings facing out towards the road and engaging with it whilst also having visual impact softened by the green buffer which, it is considered, takes cues from the character of roadside verges common on rural roads and helps create a sympathetic transition from the built-up, at some points relatively dense levels, environment of the settlement of Barcombe to the east and the open countryside to the west.

It is noted that para. 2.72 of LLP2, which provides context to policy BA02 states ‘as part of any development, new properties should be set back from the High Street, be no more than two storeys and ‘blocks’ of

development avoided to help retain a sense of transition into the village from the surrounding rural area. Whilst this is not included within the actual criteria of the policy it is accorded some weight and it is considered that the submitted layout responds positively to this statement through the set back of development from the road and also the articulation, distribution, and orientation of development within the site.

The layout within the site interior is considered to replicate the broadly informal pattern of development exhibited on nearby residential roads branching off from the High Street such as Weald View, Muster Green, and The Grange. The density of the submitted scheme is also similar to, and marginally lower than, the density of residential development on the aforementioned roads. The mix of designs and dwelling sizes that are incorporated into the proposed development are also considered to be reflective of the informal nature of existing development in the village, both historic and more contemporary.

Within the site, it is considered that dwellings would engage well with one another, and the formation of secluded area is avoided. There is a degree of trade off in regard to natural surveillance offered over car parking areas and the need to parked vehicles appearing overly dominant within the development. Communal areas are well overlooked although the concerns of Sussex Police in relation to the positioning of the Trim Trail are noted and consideration should be given to locating this facility elsewhere. The relocation of the trail can be secured by condition 26 attached to the outline permission which requires the submission of full details of then location and specification of play equipment to be provided.

All dwellings within the development are two-storey, with no accommodation being provided within any roof space. This accords with LLP2 policy BA 02 b) which states that buildings should be no more than two storeys high. An appropriate range of external materials has been agreed, with an emphasis on red brickwork and tile hanging which are typical of traditional dwellings nearby as well as the wider surrounding area. A small amount of weatherboarding would also be provided which, again, is consistent with materiality in the village. Well defined roof forms have been incorporated in order to assist engagement as well as to break up the mass of terraced blocks and provide visual definition to individual dwellings. Other architectural features found within the village such as bay windows and porches are also represented.

It is considered that the use of car ports and courtyard parking would help reduce the suburbanising visual impact of parked cars. Space would also be retained for good levels of landscaping to the front of properties which, again, would help mitigate any unacceptable impact of suburbanisation. Landscaped buffers would also be maintained, enhanced, and enriched allowing for views towards and from the development to be filtered by vegetation, reinforcing the semi-rural setting of the development. Other than where openings are made for site access and cutting back is required to maintain visibility splays the existing hedgerow and tree line on the field boundaries will be reinforced and enhanced in terms of species mix and biodiversity value.

Notwithstanding site boundary landscaping, the rising topography of the site means the proposed development would be visible, in part, from surrounding streets and open space, particularly when approaching Barcombe over the former railway bridge to the west. However, it is noted that existing views on this approach include dwellings on The Grange and it is considered that the proposed development would integrate with these neighbouring buildings, marking the edge of the settlement and the transition from the rural environment to the village. It is also noted that the topography of the site would remain consistent with the existing contours, with artificial looking terraces being avoided, although it is noted that some of the rear gardens would have split levels, the height differential would be minimal and large expanses of flat surface would be avoided. When factoring in the amount of planting that would be carried out, particular the strengthening of planting on the western boundary, and the provision of verdant areas within the development, it is considered that, whilst the hillside setting of Barcombe would be altered by the development, the degree of change would not be excessively harmful to the setting of the village.

From further afield, the site is well screened by mature trees that follow the course of the former railway line and any views from surrounding public footpaths would be infrequent and confined to roof tops which would be seen in context with the roofscape of the rest of the village. The development would be more apparent when seen from PROW Barcombe23 to the south of the site although this would be restricted to views through the gap between the hedge/tree line and existing dwellings on the southern side of the High Street where the footpath meets the road and in which the development would be viewed in context with existing development within the village.

Overall, it is considered that the proposed development would assimilate with the visual and spatial characteristics of the existing village which is situated to the east whilst retaining suitable green buffers and interior planting to maintain the transition between the urban and rural environment and to preserve the semi-rural character of the village.

It is therefore considered that the application complies with policy CP10 of LLP1, policies BA02(c), DM25 and DM27 of LLP2 and paras. 127 and 170 of the NPPF as far as the outline details of the scheme are concerned.

8.4

Impact upon amenities of neighbouring residents

There is existing residential development adjacent to all boundaries of the application site, the nearest neighbouring properties being at Willow Cottage not the southwest and at Wheelwrights House, Vine Sled and Hillside to the east.

The layout of the site allows for green buffers on all site boundaries, and this serves two purposes in regard to the protection of neighbouring amenities by providing a sympathetic screen to the development whilst also allowing suitable separation distances between buildings to be maintained. There is a level of uncertainty regarding the retention of the

leylandii currently present on the northern site boundary, but this can be addressed through a landscaping condition that would seek their retention or replacement with a suitable sympathetic green screen.

It is noted that Willow Cottage is particularly sensitive to the impact of the development given that it is a bungalow dwelling positioned on a low-lying plot of land. Development on the application site would therefore have the potential to appear overbearing towards this site as well as to introduce intrusive levels of overlooking. However, it is considered that the layout of the development addresses these concerns, with all dwellings orientated so as to not face directly towards Willow Cottage and the minimum distance maintained between new development and the existing dwelling being approx. 19.8 metres, with the relationship being broadly 'side on.'

The height of all buildings is limited to two-storeys, the degree of separation between the new development and Willow Cottage and all development being to the north-east of Willow Cottage, it is considered that the development would not result in any level of overshadowing that would be detrimental to amenity and living conditions.

Turning to properties to the east, dwellings towards the site boundary would face broadly side-on to existing the existing property at Wheelwrights House and a side to front relationship with the property at Vine Sled. It is noted that plot 14 includes side facing first floor bedroom windows that would allow for some views towards the far end of the rear garden area at Vine Sled but it is considered that these views would be partially screened by boundary treatment and landscaping and that any views towards the dwelling at Vine Sled would be from a distance of approx. 25 metres and at a fairly acute angle, preventing the views offered from being unacceptable invasive.

There would be no side facing first floor windows at plot 22 which is opposite the front of Vine Sled. This elevation would not contain any first-floor windows. There would be a first-floor side facing window in the block of flats positioned to the west of Wheelwrights House. This window would serve a kitchen which is part of an open plan room and could be required to be obscure glazed without unacceptable detriment to the living conditions of the occupants of the flat.

Regarding access to natural light, it is considered that the orientation, spacing and separation distances incorporated into the layout of the scheme would prevent dwellings within the new development from having an unacceptable impact upon the amenities of occupants of properties to the east as a result of overshadowing or overbearing.

The residential use of the site, as well as its intensity, is considered to be consistent with the character of surrounding residential development and would therefore not bring about activities of an intensity and nature that would be unacceptably disruptive to existing residential amenity at nearby properties. The roads and parking areas are positioned away from site boundaries so as to minimise impact of noise produced by moving

	<p>vehicles whilst boundary treatment would help control light spill from headlights. It is noted that there is a car parking area positioned close to the eastern site boundary broadly opposite the front of Vine Slead. However, this is positioned adjacent to an access track which provides a buffer between neighbouring dwellings and there is also landscaping provided to the side of the parking area to soften impact. It should also be noted that, had the existing access to the site been practical to serve the needs of the development, all traffic associated with it would have passed dwellings to the east.</p>
8.5	<p><u>Living Conditions for Future Occupants & Affordable Housing:</u></p> <p>Para. 134 of the NPPF states that ‘development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.</p> <p>Para. 126 of the National Design Guide (2019) states that ‘well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight, and ventilation.’</p> <p>The Technical housing standards – nationally described space standard (2015) defines minimum levels of Gross Internal Area (GIA) that should be provided for new residential development, based on the number of bedrooms provided and level of occupancy. Floor plan drawings and measurements confirm that all units would meet or exceed minimum GIA.</p> <p>Each dwelling and flat is considered to have a clear and easily navigable layout, with awkwardly sized rooms and overly large or long circulation areas being avoided. All primary habitable rooms would be served by clear glazed windows that would not have any immediate obstructions to outlook. These windows would allow for access to good levels of natural light as well as providing effective natural ventilation. All dwellings and flats would be multiple aspect, increasing the effectiveness of natural ventilation and also prolonging exposure and access to natural light throughout the course of the day.</p> <p>LLP2 policy DM25 states that developments of 10 or more dwellings should demonstrate how the ‘Building for Life 12’ criteria have been considered and would be delivered by the development. One of the recommendations made in Building for Life 12 is that rear gardens are at least equal to the ground floor footprint of the dwelling. The occupants of each dwelling would have direct access to a suitable sized private garden area. The garden area is equal to, or in excess of the footprint of the dwelling.</p> <p>Although the flatted element of the scheme would not be allocated any private amenity space there would be communal green areas directly adjacent to the flats.</p> <p>Para. 3.7 of the LDC Affordable Housing SPD maintains that ‘it is expected that affordable housing provided onsite will be subject to the same standards and be indistinguishable from the open market housing. The provision of onsite affordable housing should be integrated into the layout of the development through ‘pepper-potting’ within market housing, in</p>

order to fully reflect the distribution of property types and sizes in the overall development.'

Whilst the affordable housing provision within the scheme would be concentrated towards the eastern side of the site rather than 'pepper potted' it is considered to be compliant with this statement in all other regards in that the design and scale of the dwellings would be indistinguishable from the market housing as would space standards. Furthermore, the orientation of the dwellings would allow them to engage fully with the market housing and the affordable element would therefore not appear disconnected or divorced from the wider development.

It should also be noted that para. 3.7 goes on to state that 'the Council recognises that pepper-potting may not be possible on development sites consisting of 25 dwellings or less'. This is primarily due to viability and practicality issues associated with the registered providers who would take on the affordable housing. Whilst the proposed scheme is for 26 dwellings, it is considered that it would experience similar issues in this regard as would a development of 25 or less dwellings.

It is therefore considered that the proposed development complies with policy CP2 of LLP1, policy DM15, DM16 and DM25 of LLP2 and section 8 of the NPPF.

8.6 Flooding and Drainage:

The proposed development would involve the introduction of buildings and impermeable surfaces (equating to a total area of approx. 0.42 hectares) on what is currently an undeveloped greenfield site. The site is located in Flood Zone 1 and, as such, is at minimal risk from tidal and fluvial flooding. There are no records of any significant issues with surface water drainage within the site itself although land to the south, particularly on the adjoining site at Willow Cottage as well as land to the west at Bridgelands is identified by the Environment Agency as being at high risk of surface water flooding and given surface water from the development would ultimately be discharged into the existing watercourse adjacent to Bridgelands, it is vital that existing surface water issues are not exacerbated and, ideally, are improved as a result of drainage infrastructure installed as part of the development.

The proposed development would utilise surface water attenuation facilities, including a sizeable pond in the southwestern corner of the site and a swale in the biodiversity protection area in the north-eastern corner. These features would allow for the discharge of surface water into the watercourse to be controlled at an appropriate rate, noting that the site topography results in the surface water generated on the site as it currently is discharging towards the same watercourse. This would be via an attenuation pond formed in the south-western corner of the site which would allow discharge to be managed as close as practicable to existing greenfield run-off rates, this being 5.4 litres per second. Contingencies are required in order to ensure that rates are controlled at appropriate levels including an allowance for a 1 in 100-year weather event with an additional 40% allowance to account for the predicted impacts of climate change.

The principle of the SUDs scheme was agreed with the Lead Local Flood Authority (LLFA) at the outline stage. As a result, although the climate change allowance for storm events has been raised to 45%, the outline permission effectively provides 'grandfathering' rights for the drainage scheme for the development to be based on the 40% figure that was in place at the time the outline permission was granted. Notwithstanding this, should the application be approved, the Council will seek to secure details of additional drainage capacity to meet 45% allowance if it is possible to achieve without altering the layout of the development.

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

8.7

Water Quality

Foul water would be disposed of by way of connecting with the existing public foul water network. A pumping station would be installed in order to facilitate disposal.

The applicant intends to utilise a type 2 adoptable pumping station to pump foul sewage to the existing sewer network. Whilst type 2 stations are typically designed for 6-20 dwelling the developer intends to have the pumping station, and all other foul drainage infrastructure, adopted by Southern Water through an application to them for a relaxation.

If the relaxation is declined then there is scope to segregate six units onto a private package pump station to bring the site within the notional 20-unit, Type 2 station limit. In this instance, the private pumping station would be located within the parking area to the rear of Unit 21 and would be indistinct except for a maintenance hole covers and small kiosk.

If the private package pump is required, then it is stated that its management would be provided via management company funded solely and in perpetuity by the development. In doing so, private individuals will not be directly responsible for maintenance of any additional drainage assets regardless of adoption or otherwise.

It should be noted that any private foul drainage apparatus would be subject to Building Regulations compliance as well as relevant environmental legislation.

LLP2 policy BA 02 g) states that occupation of the development should be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Southern Water has a statutory duty under section 94 of the Water Industry Act (WIA) (1991) to plan and implement any works that are necessary to ensure the network of sewers (and sewage treatment facilities) continue to operate satisfactorily once they have received notification that a developer intends to exercise their right to connect under section 106 (1) WIA 1991.

Sewer infrastructure improvements would be secured by way of Southern Water infrastructure charges that would contribute towards the maintenance and improvement of the public sewer network. The development would require a connection agreement to be issued by Southern Water, who would also stipulate that completion is phased to align with improvement works to the network, in order to ensure existing infrastructure is not overloaded. A condition will be used to ensure a phasing agreement is secured, if required.

Pollution control measures could be integrated into the drainage scheme to prevent discharge of pollutants into surrounding watercourses or onto surrounding land. It is therefore considered that the proposed drainage scheme would meet the criteria of sustainable drainage as set out in para. 051 of the Planning Policy Guidance on Flood Risk and Coastal Change in that it would manage run-off, control water quality, provide amenity (in the form of the attenuation pond) and would enhance biodiversity by creating habitat not currently present on the site. The Lead Local Flood Authority (LLFA) have stated that they are satisfied that the surface water generated by the proposed development can be managed effectively.

Southern Water have confirmed that they have no objection to the proposals.

Notwithstanding SW comments LDC officers are recommending a controlling condition that limits occupation until such time as SW have agreed sufficient headroom within their local network.

• Landscape, Ecology & Biodiversity

The outline application was accompanied by an Ecological Appraisal Report, as required by BA20 (e). The appraisal was reviewed by the ESCC Ecologist who was satisfied that a development of up to 26 dwellings could be accommodated on the site without resulting in unacceptable harm to habitat and ecology.

At this stage, the new site access, which requires a gap to be formed in the young primarily beech hedge on the southern site boundary, was accepted and was approved. The length of hedging removed to facilitate the development would be 18.4 metres of the species poor hedgerow on the southern boundary. Overall, the development of the approx. 1.22-hectare site would result in the loss of 0.85ha of land (made up of 0.2374ha of vegetated gardens, and 0.5099ha of developed land and sealed surfaces, with an additional 0.0072ha of land forming a proposed play area.

The proposed development includes additional planting to strengthen and enrich the existing hedgerow and tree lines on site boundaries, including the hedge flanking the High Street. There is a focus on native species that would provide a habitat and food source for wildlife. Not including planting which would be positioned on land under private ownership, the proposal would incorporate a 141% increase in hedgerow units, strengthening existing hedgerow and incorporating new hedgerow with connectivity to the wider hedgerow network. A considerable number of trees would also

be planted and all grassland outside of private garden and formally landscaped would be overseeded with native wild grasses and flowers.

It is noted that ESCC Highways have requested the removal of some trees adjacent to plot 1 in order to make the development more visible to motorists approaching from the west. It is considered that suitable hedge species could be substituted in place of these trees and that the loss of the trees could be compensated for by additional tree planting elsewhere within the development, to be confirmed in the final landscaping scheme which is to be secured by condition.

The applicant has used the DEFRA metric (v3.0) to quantify the existing biodiversity value of the site as well as the value of the developed site, including the submitted landscaping strategy. The assessment establishes that the habitat unit score within the site would increase by 12.11%.

A reptile survey, carried out as part of the ecological appraisal of the site, identified colonies of slow worm, primarily concentrated to the rank grassland around the edge of the site. The County Ecologist required arrangements to be made for new habitat to be created within the site and for slow worm to be captured and translocated to these habitat sites prior to construction works beginning. There is a condition attached to the outline permission for Reptile Method Statement to be submitted and approved prior to any works commencing to ensure translocation is carried out to sites that are appropriate and secure.

It is therefore considered that the development complies with policy CP10 of LLP1, policies BA02(e), DM24 and DM27 of LLP2 and paras. 170 and 175 of the NPPF.

8.8

Highways:

It is important to note that the access arrangements for the scheme have already been approved under LW/21/0530.

Initial concerns raised by highways in relation to the visibility of the development on approach from the west have been addressed through the submission of 3D visualisations presented by the applicant as well as revisions to site landscaping.

ESCC Highways have noted that the road access road is narrow and that this would preclude on street parking within the development. However, laybys are provided for use by visitors and the overall provision of parking within the scheme is considered by ESCC to be acceptable. The officer noted that tracking diagrams for the turning of a refuse vehicle within the site modelled for an 11.2-metre-long vehicle rather than 12 metres, which is the length of the largest refuse vehicle currently operating in the district. It is noted that the nature of development in Barcombe and surrounding settings is likely to prevent the use of a 12-metre-long truck in a number of areas and, as such, smaller vehicles would be used.

	<p>ESCC also refer to additional works to the footway adjacent to the site which would be secured as part of the section 278 works associated with the development.</p>
<p>8.9</p>	<p><u>Sustainability:</u></p> <p>The application is accompanied by an Energy Strategy which sets out measures incorporated at the design level to improve the sustainability of the development and to reduce carbon emissions, energy, and water consumption.</p> <p>The strategy follows the be lean, be clean, be green methodology and quantifies the benefits of the measures in terms of emissions taken against a baseline level. The strategy responds to the requirement set out in the LDC Technical Advice Note (TAN) on sustainability in development which required new dwellings forming major development to achieve a minimum 20% improvement over the baseline. The strategy confirms that through the use of energy efficient materials, construction methods to achieve air tightness and the provision of air source heat pumps, the required improvement over baseline emissions would be achieved. A condition will be used to ensure that the development is carried out and maintained in accordance with the details provided within the statement. Overall, the measures set out would limit achieve a 57% reduction in CO² emissions generated by the development in relation to the baseline level.</p> <p>Further sustainability measures are secured by condition 30, attached to the outline planning permission, which requires details of ways in which water efficiency will be improved, the provision of functioning electric vehicle charging point for all dwellings and a minimum of 10% energy use being supplied by renewables.</p> <p>It is noted that the development incorporates sustainable drainage infrastructure which would provide additional habitat and amenity value and would also help control the release of any pollutants from the site into neighbouring watercourses. The development would be linked to the village centre by footpath, allowing for easy access to the shop and services provided within the village by foot. A travel plan, secured by a condition attached to the outline approval, would be expected to focus on encouraging and promoting the use of more sustainable modes of transport.</p> <p>During the construction stage, the applicant would be required to adhere to a Site Waste Management Plan (SWMP) that will detail how wastage of materials would be reduced as far as practicable and that surplus materials would be re-used or recycled wherever possible.</p>
<p>8.10</p>	<p><u>Archaeology</u></p> <p>Archaeological fieldworks were secured by way of a condition attached to the outline planning permission granted under LW/21/0530. These works were carried out in accordance with methodology and scope agreed with ESCC Archaeology between 26th and 28th October 2021. The County Archaeologist was provided with a report on the findings of the fieldwork</p>

	<p>and was satisfied that no further works or information was required. The report has been added to the Historic Environment Record.</p> <p>It is therefore considered the proposed development complies with policy CP11 of LLP1, DM33 of LLP2 and section 16 of the NPPF.</p>
8.11	<p><u>Planning Obligations:</u></p> <p>A section 106 agreement to secure policy compliant affordable housing provision was signed at the outline stage. Highway improvement works would be secured through a section 278 agreement.</p>
8.12	<p><u>Human Rights Implications:</u></p> <p>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.</p>

9.	Recommendations
9.1	<p>It is recommended that permission is granted subject to the conditions listed below. Please note that these conditions supplement the extensive schedule already attached to the scheme as per the outline approval granted under LW/21/0530.</p>

10.	Conditions:
10.1	<p>Time limit</p> <p>The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date on which this permission is granted.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
10.2	<p>Wastewater reinforcement</p> <p>Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development.</p> <p>Reason: In order to ensure suitable arrangements for foul water disposal are in place in accordance with LLP1 policies CP7 and CP10, LLP2</p>

	<p>policies BA02, DM20 and DM22 and para. 174 of the NPP</p>
10.3	<p>Materials</p> <p>Prior to the application of any external finishing (including window and door frames), a full schedule of external materials finishes and samples to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved schedule and samples.</p> <p>Reason: In the interest of visual amenity and the setting of the adjacent Conservation Area in accordance with LLP1 policies CP10 and CP11, LLP2 policies BA02, DM25 and DM33 and para. 130 and 197 of the NPPF.</p>
10.4	<p>Parking</p> <p>The development shall not be occupied until parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.</p> <p>A minimum of 1 x dedicated electric vehicle charging point shall be provided for each unit of accommodation in accordance with details to be submitted to and approved by the Local Planning Authority. The charging points shall thereafter be installed prior to the first occupation of each unit and maintained in an operable condition throughout the lifetime of the development.</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to encourage alternative, more sustainable modes of transport and to reduce local contributing causes of climate change in accordance with LLP1 policies CP11 and CP13, LLP2 policy DM25 and para. 110 and 112 of the NPPF.</p>
10.5	<p>Size of Parking Spaces</p> <p>The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).</p> <p>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 LLP1 policies CP11 and CP13, LLP2 policy DM25 and para. 110 and 112 of the NPPF.</p>
10.6	<p>Cycle Parking</p> <p>The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.</p>

	<p>Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development in accordance with LLP1 policies CP11 and CP13, LLP2 policy DM25 and para. 106 and 112 of the NPPF.</p>
10.7	<p>Contamination</p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.</p> <p>Reason: In order to prevent damage to the environment and the exposure of existing and future occupants to contaminants in accordance with LLP1 policies CP10 and CP11, LLP2 policies DM20, DM21 and DM22 and para. 174 and 183 of the NPPF.</p>
10.8	<p>Unexploded Ordnance Report</p> <p>Prior to the commencement of development an Unexploded Ordnance (UXO) risk assessment must be submitted to and approved by the Local Planning Authority and construction works carried out in adherence to any recommendations made within the assessment.</p> <p>Reason: In the interest of public safety in accordance with LLP1 policy CP11, LLP2 policy DM20 and para. 119 of the NPPF</p>
10.9	<p>Obscure Glazing</p> <p>The first-floor windows on the eastern (side) elevation of plots 23-26 shall be obscurely glazed and fixed shut at all times, other than any parts that are over 1.7 metres above the finished floor level of the rooms that they serve.</p> <p>Reason: In order to protect the amenities of neighbouring residents in accordance with LLP1 policy CP11, LLP2 policy DM25 and para. 130 of the NPPF.</p>
10.10	<p>Tree Planting:</p> <p>Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of nursery stock type, supplier, and defect period.</p> <p>All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building</p>

	<p>works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.</p> <p>Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with LLP1 policy CP10, LLP2 policy DM27 and section 15 of the NPPF.</p>
10.11	<p>Tree Protection</p> <p>No retained tree shall be cut down, uprooted, destroyed, pruned, cut, or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.</p> <p>Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the locality.</p>
10.12	<p>Tree Works Procedures:</p> <p>A pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, manager/foreman and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and agree the precise position of the approved that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details, or any variation as may subsequently be agreed in writing by the LPA.</p> <p>Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990.</p>
10.13	<p>Arboricultural Implications Assessment</p> <p>The details within the REVISED ARBORICULTURAL IMPLICATIONS ASSESSMENT ref: J58.67 dated 14 February 2023 and Tree Protection Plan TPP shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision.</p>

	<p>Reason: Required to safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990.</p>
10.14	<p>Evidence of Supervision and Monitoring Works</p> <p>The completed schedule of site supervision and monitoring of the arboricultural protection measures shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.</p> <p>Reason: In order to ensure compliance with the tree protection and arboricultural supervision details submitted.</p>
10.15	<p>Sewage Pumping Station</p> <p>Prior to the first occupation of any part of the development hereby approved, the full specification of all sewage pumping apparatus together with management, maintenance and monitoring procedures and contingencies in place for if the pump(s) fails shall be submitted to and approved by the local planning authority. Details of an adoption agreement for the type 2 sewage pump and other in site foul drainage infrastructure shall also be included.</p> <p>Reason: In order to ensure foul drainage is appropriately managed in order to prevent discharge over neighbouring land and into surrounding watercourses in accordance with LLP1 policy CP10 and LLP2 policies DM20 and DM22.</p>
10.16	<p>Informatives:</p> <p>ESCC's requirements associated with this development proposal will need to be secured through a Section 278 Legal Agreement between the applicant and East Sussex County Council. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.</p> <p>The applicant is advised to enter into a Section 38 legal agreement with East Sussex County Council, as Highway Authority, for the proposed adoptable on-site highway works. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that any works commenced prior to the Sec 38 agreement being in place are undertaken at their own risk.</p>

11.	Plans:
11.1	This decision relates solely to the following plans:

	<u>Plan Type</u>	<u>Date Received</u>	<u>Reference:</u>
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12.	Appendices
12.1	None.

13.	Background Papers
13.1	None.