

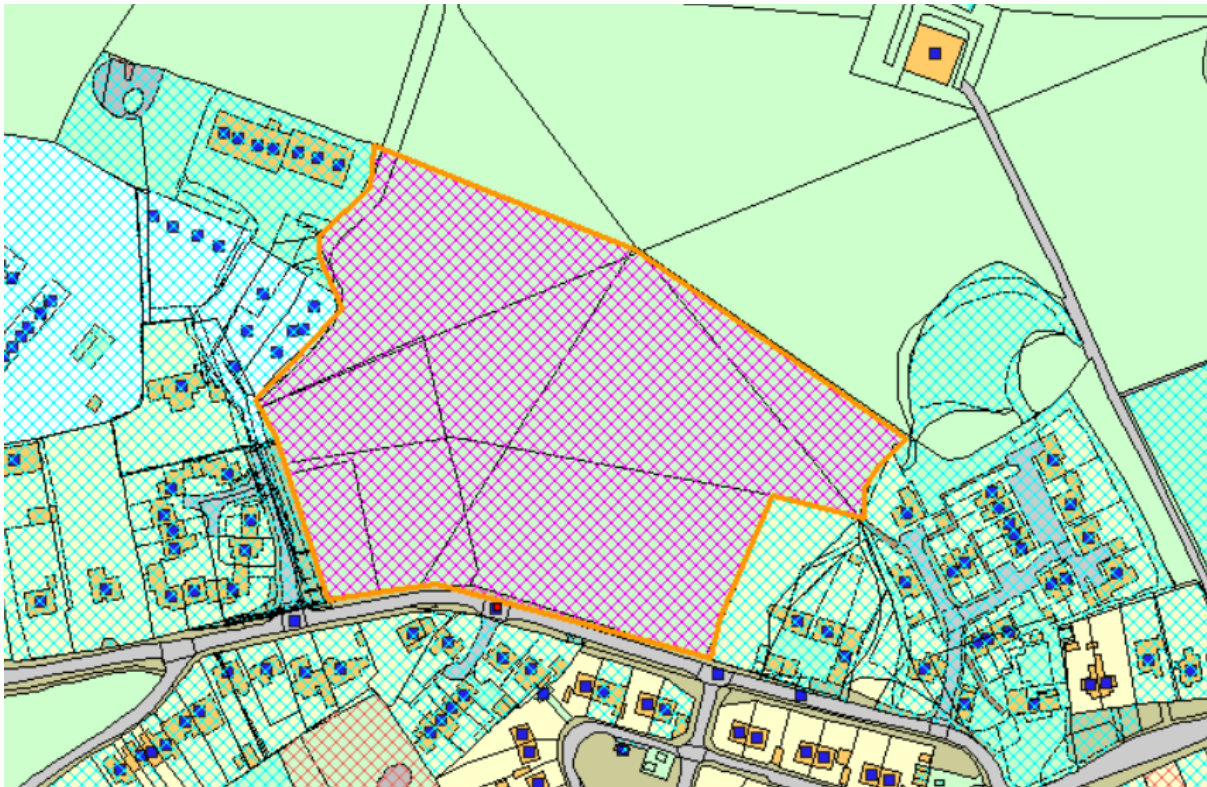
**Report to:** Planning Applications Committee  
**Date:** 3 August 2022  
**Application No:** LW/21/0694  
**Location:** Land Opposite, Bishops Close, Ringmer, East Sussex  
**Proposal:** Erection of 68 dwellings, with associated access, drainage, parking, landscaping and infrastructure works.  
**Ward:** Ouse Valley and Ringmer  
**Applicant:** Thakeham Homes Limited  
**Recommendation:** 1. Delegate authority to the Head of Planning to approve subject to conditions and an s106 agreement to secure affordable housing, Highways provisions and the Landscaped Area.

**Contact Officer:** **Name:** Tom Bagshaw  
**E-mail:** [tom.bagshaw@lewes-eastbourne.gov.uk](mailto:tom.bagshaw@lewes-eastbourne.gov.uk)

---

**IMPORTANT NOTE: This scheme is CIL liable.**

#### Site Location Plan



## 1. Executive Summary

- 1.1 The submitted scheme is for full planning permission for 68 residential units.
- 1.2 The site comfortably accommodates 68 units whilst also providing a good standard of living space, including residential gardens and communal green spaces. Furthermore, the separation of the site to nearby properties shows that the proposal would not have any unacceptable impacts upon the living standards of any nearby properties.
- 1.3 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.
- 1.4 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 surrounding landscape. 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.
- 1.5 The proposal would result in a number of benefits such as, the social gains of facilitating the provision of 68 residential units (including 40% affordable housing units) that would be of 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 Landscaped Area; and the retention 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.
- 1.6 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. 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.
- 1.7 ESCC Lead Local Flood Authority 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.
- 1.8 LEBC Contaminated Land Officer has confirmed that subject to surveys and any required mitigations being submitted prior to development of the site, the proposal would be acceptable.

- 1.9 The proposal seeks to provide, a Landscaped Area and a 40% affordable housing contribution. All of these benefits will be secured via legal agreement.
- 1.10 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.
- 1.11 There are a number of species to note that could be affected by the scheme, including Badgers, Bats, nesting birds 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.
- 1.12 Overall, subject to all the details and mitigations, the proposed benefits of the scheme would outweigh the harms. 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 north of Bishops Close and Bishops Lane in the village of Ringmer. 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. The village is served well by public transport links.
- 3.2 The site would form an extension to the already built area of Ringmer. 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 and deliverable for development, specifically residential development.
- 3.3 The development boundary of Ringmer Village adjoins the site to the East, South and West. To the east lies the residential street Clarks Croft, to the west there is the residential street The Kiln.
- 3.4 Access would be directly onto Bishops Lane.

### 4. **Proposed Development**

- 4.1 The application seeks full planning permission for the erection 68 new dwellings. 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 be taken from Bishops Close.
- 4.2 The accompanying Design & Access Statement also sets out design principles and parameters. the maximum building height would be two-storeys in height.
- 4.3 The application is accompanied by an Affordable Housing Statement contained within the Planning Statement, that confirms that 39.7% of the dwellings would be provided as affordable housing and a commuted sum will be provided for the remaining 0.3%. The split of tenures within the affordable housing would be: Affordable Rented – 59.2% = 16 dwellings; Shared Ownership – 14.8% = 4 dwellings; and, First Homes – 25.9% = 7 dwellings.
- 4.4 The proposal includes the provision of a Communal Landscaped Area. The Landscaped Area provision along with a maintenance plan, will be secured via an S106 agreement.

### 5. **Relevant Planning History**

- 5.1 E/68/0727 - Outline Application for seven houses each with garage. Restrictive Planning Conditions Nos 3 & 4. – Approved [30.09.1968]

### 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 ESCC Landscape Officer**

6.2.1 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 LVIA.
- Detailed planting plans for the site boundaries, street trees and open spaces.
- A Landscape and Ecological Management Plan (LEMP) to ensure the successful establishment of the landscaped areas.

## **6.3 Sussex Police**

6.3.1 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.

## **6.4 Waste Services**

6.4.1 Waste Services have confirmed no objection to the proposal and that the waste management plan and refuse vehicle swept paths analysis is acceptable.

## **6.5 ESCC Ecology**

6.5.1 Provided the recommended mitigation, compensation and enhancement measures are implemented, the proposed development can be supported from an ecological perspective.

6.5.2 Full response available on the Council's website

## **6.6 Southern Water**

6.6.1 The scheme can be supported subject to network reinforcement being provided by Southern Water. It may be possible for some dwellings to be occupied prior to this reinforcement works which will take place within 24 months of planning permission being granted. However, this should be agreed with Southern Water.

6.6.2 Full response available on the Council's website

## **6.7 ESCC SUDS**

6.7.1 The information provided is satisfactory and enables the LLFA authority to determine that the proposed development is capable of managing flood risk effectively/ Although, there will be a need for standard conditions which are outlined in this response.

6.7.2 Full response available on the Council's website

## **6.8 ESCC Highways**

6.8.1 The applicant's submitted traffic surveys suggests that the Earwig Corner junction would operate within capacity with this development.

6.8.2 ESCC have provided recommended conditions and S106 obligations.

6.8.3 Full comments from the Highway Authority will be provided within the Supplemental Report.

## **6.9 SDNP**

6.9.1 Given the location of the site, the SDNPA would have no objections to the proposals in terms of adverse impacts upon the setting of the South Downs National Park, subject to the LPA considering a lighting condition in recognition of the site's proximity to the South Downs International Dark Skies Reserve, and the inclusion of additional street and boundary tree planting as recommended by the County Landscape Architect.

## **6.10 LDC Contamination**

6.10.1 Support subject to conditions

## **6.11 Waste Services**

6.11.1 No objections

## **6.12 Ringmer Parish Council**

6.12.1 RPC strongly object to this on the following grounds:

- The impact on Earwig Corner. The agreed Local Plan level of maximum development in Ringmer made possible by new work at Earwig Corner has already been exceeded. This would be significant additional development. No credible evidence is presented in the transport statement that Earwig Corner would be able to cope with the additional traffic generated.
- Bishop's Lane access. Bishops Lane could not accommodate the construction traffic necessary for this application. This application must be refused for this reason alone.
- The parking provision is not in accordance with the Ringmer Neighbourhood Plan policy 8.3.
- The proposed development density is excessive. A substantial part of the site is accepted as unsuitable for development because it is too wet. In this proposal houses are being crammed onto the remainder of the site, with the overall density calculated as if the whole site could be used.
- Very poor design. The application proposes standard developer pattern-book units crammed into rows. This is the exact opposite of 'Building Beautiful'.
- Affordable housing is required by the Lewes Local Plan to be indistinguishable from market housing. In this proposal all the affordable-rented housing is crammed into 3-storey apartment

blocks, which is extremely distinguishable from the housing for sale. The Design Statement in the Ringmer Neighbourhood Plan (policy 9.1) notes that houses of more than two stories will rarely be appropriate in a village setting, especially when, as here, right on the countryside edge of the settlement.

- Landscape impact. This would be negative because the eastern site boundary, which is entirely open to people using the B2192 or several footpaths of the Ringmer public footpath network, is just an ownership line across a field. There is no actual physical boundary on this side of the proposed development.
- The development size proposed exceeds the village scale for Ringmer required by Neighbourhood Plan policy 6.3, a policy which has been given weight by both a Planning Inspector and the Secretary of State in determining a previous Ringmer planning appeal.

## 7. Other Representations

### 7.1 Neighbour Representations

7.1.1A total of 230+ 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 following the publication of this item on a planning agenda 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 in capable of coping
- Construction disruption
- Impact upon earwig corner
- Traffic at roundabout
- Proximity to roundabout causes safety issues
- 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
- Impact on protected species

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

Visual Impact:

- Loss of open space
- 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:

- 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
- 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**

As a ward councillor I strongly object to this development. 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. Access is unsuitable for further development and using Bishops Lane during

construction for HGV movement would cause severe issues for Highway safety.

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.

#### CPRE

This OBJECTION to application LW/21/0694 for 68 additional houses on a greenfield countryside site in Ringmer parish is made on behalf of the Lewes District branch of CPRE Sussex.

Please note that the provisions of Ringmer Neighbourhood Plan policy 8.11 apply to this development. The first part of this policy reads:

Ringmer Neighbourhood Plan Policy 8.11: New development in the areas of Ringmer served by the Ringmer sewage works will be permitted only when effective mains drainage and sewerage systems are provided and when such development can be accommodated within the capacity of the Ringmer sewage works. New and improved utility infrastructure will be encouraged and permitted in order to meet the identified needs of the community.

Please note that, despite an upgrade completed in 2019, Environment Agency data show that during 2021 the Ringmer (Neaves Lane) WWTW, to which the foul sewers from this development would have to connect, had 68 releases of untreated sewage into the Bulldog Sewer and thus into Glynde Reach, which was identified over a decade ago as the most polluted waterway in East Sussex. Untreated sewage was being released into Glynde Reach for an average of over 18 hours per week, which means more than 10% of the time. 10% of the time cannot by any definition be considered "exceptional weather circumstances": it means whenever it rains. This demonstrates beyond any shadow of a doubt that the Ringmer sewage works is already operating far beyond its capacity.

Please ensure that the decision makers of this planning application are aware of this situation, and also aware of the consequent conflict between this application and RNP Policy 8.11.

It would be helpful if you could also ensure that Southern Water were required to comment on the application; were asked to state what financial provision there is in their current forward investment plan for improvements at the Ringmer (Neaves Lane) WWTW; to indicate at what date they could guarantee any such improvements to be completed; and were required to indicate to what extent they can guarantee any such improvements would reduce the disgusting discharges that are responsible for the current appalling levels of pollution in Glynde Reach.

## **8. Appraisal**

8.1.1 The main considerations relate to the principle of the development; design and Character; impact upon the openness of the countryside; Impacts upon heritage assets;; 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.

8.1.2A Section 106 legal agreement has been drafted to secure affordable housing contributions, and the provision of a Communal Landscaped Area and Play Area.

### **8.2 Principle**

8.2.1 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.

- 8.2.2 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.
- 8.2.3 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).
- 8.2.4 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).
- 8.2.5 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).
- 8.2.6 Since its introduction through the NPPF in 2018, local housing need is calculated using a standard method contained within Planning Practice Guidance<sup>1</sup>. 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.
- 8.2.7 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.
- 8.2.8 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.
- 8.2.9 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).

- 8.2.10 Given the use of the Governments standard method for calculating housing need has derived a figure significantly greater than the previous position then this will have a direct impact upon the land available to meet this inflated need. The Council currently has a supply of deliverable housing land equivalent to 2.9 years outside the South Downs National Park (SDNP). This means that the local plan policies that are most important for determining an application carry less weight, and the NPPF's presumption in favour of sustainable development will apply to decision making.
- 8.2.11 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.
- 8.2.12 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.
- 8.2.13 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. It should be noted that officers are not applying the IPSHD as planning policy and this is used as guidance only.
- 8.2.14 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.

#### 8.2.15 Criteria 1 of the IPSHD

8.2.16 The site is contiguous with the Ringmer settlement boundary. The east, south and west of the site all abut the settlement boundary and the proposal acts as a natural infill between these built areas. Therefore, the site is considered to be contiguous with the Ringmer settlement boundary and Officers consider that the site complies with criteria 1 of the IPSHD in this regard.

#### 8.2.17 Criteria 2 of the IPSHD

8.2.18 The site extends north beyond the 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.

The site would be located immediately adjacent to residential properties in the Ringmer settlement on three sides (East, South and West) and it would not project further out into the countryside than the existing settlement boundary. As such, the site would be situated amongst three separate existing areas of developed land and would sit amongst the built form of the Ringmer settlement rather than be separate from it.

8.2.19 The site would undoubtedly be an addition to the Ringmer 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. 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.

8.2.20 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 given the village's status as a rural service centre in the settlement hierarchy. 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.

8.2.21 Criteria 3 of the IPSHD

8.2.22 The layout shows a connection to the existing footpath on Bishops Lane, which would provide pedestrian access to Ringmer which is a Rural Service Centre in the settlement hierarchy.

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

8.2.24 Criteria 4 of the IPSHD

8.2.25 Criteria 4 states that Officers should assess whether the site would result in actual or perceived coalescence of settlements. The proposed development is located on the northern side of Ringmer settlement and is not in close proximity to any nearby settlements or the Broyleside. Therefore, Officers do not consider that there would be any perceived or actual coalescence of settlements.

8.2.26 Criteria 5 of the IPSHD

8.2.27 The site is located approximately 1 mile from the South Downs National Park however, the development site is located on the northern side of Ringmer and is screened by the existing settlement. Due to the location of the development on the northern side of the

settlement, it is considered that the proposal will have negligible impacts upon the setting of the SDNP. The SDNPA have confirmed that they have no objection to the proposal in this regard.

#### 8.2.28 Criteria 6 of the IPSHD

8.2.29 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, the scheme includes 10%+ biodiversity net gain (BNA) and the inclusion of a Communal Landscaped Area (CLA) and no objections were raised from East Sussex County Council's Ecology Officer and conditions have been recommended in order to ensure biodiversity net gain.

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

#### 8.2.31 Criteria 7 of the IPSHD

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

8.2.33 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'.

8.2.34 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 23 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.

8.2.35 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.

#### 8.2.36 Criteria 8 of the IPSHD

8.2.37 Criteria 8 sets out that it should be demonstrated that the scheme is deliverable with regard to elements such as, infrastructure and affordable housing.

8.2.38 The proposal seeks to deliver a 40% affordable housing contribution and it will be Liable for Community Infrastructure Levy Contributions. There is no evidence which suggests that the scheme would not be delivered with these benefits. Furthermore, officers note that the application is for full planning consent and therefore subject to all pre-commencement conditions being discharged the application would be able to commence within a reasonable time frame. Officers consider that the proposal would not be contrary to Criteria 8 of the IPSHD.

### **Loss of Agricultural Land**

#### 8.2.39 Policy DM19: Protection of Agricultural Land



- 8.2.40 Development that would result in the irreversible loss of the best and most versatile agricultural land (Grades 1, 2, 3a in the DEFRA Agricultural Land Classification System) will not be permitted unless it can be demonstrated that there are no suitable alternative locations and the proposal would have overriding sustainability benefits that outweigh the loss of land from agricultural use.
- 8.2.41 The site is classified as Grade 3 agricultural land in DEFRA's ALCS however it does not specify whether the site is grade 3a or 3b. As such, with a lack of evidence to suggest whether the land is grade 3b officers will consider the site is 3a to remove doubt.
- 8.2.42 The loss of grade 3a agricultural land would be regrettable however, given the Council's inability to demonstrate 5-year housing land supply it is considered that it is appropriate to investigate sites outside of the development boundary with regards to housing development. The site is classified within the LAA as deliverable and the site is in accordance with the IPSHD subject to the landscape and character assessment below. Although, Officers note that neither the IPSHD or the LAA are adopted policy, they provide a guide to demonstrate that this site would be a suitable location for development. Given that there is a clear lack of developable land within development boundaries as demonstrated by the 5 year housing land supply, in accordance with policy DM19 it is considered that this would be a suitable location for development outside of the settlement boundary. The relative suitability of this site therefore lessens the weight applied to the loss of Grade 3a agricultural land, which is the lowest grade of agricultural land protected by DM19. The loss of agricultural land will therefore be given minor weight in the planning balance.

#### **Landscaped Area (CLA)**

- 8.2.43 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.
- 8.2.44 The proposal includes the provision of a CLA. Whilst the proposal as a whole would result in the loss of what is currently greenfield land in an agricultural use, a CLA 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 CLA would not completely mitigate the harm resulting from the proposal. However, in principle the provision of the CLA would undoubtedly be a positive outcome of the proposal and is supported by Policy CP8.
- 8.2.45 The proposed CLA 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.

8.2.46 In conclusion, the proposal seeks to deliver 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 68 units would be considered a significant benefit of the scheme.

8.2.47 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 visual impact upon the countryside, which is set out in section 'Design and Character and Impact Upon Landscape' below.

8.2.48 The proposal seeks to provide a CLA. This would provide community amenity facilities and would undoubtedly have ecological benefits for the surrounding area. The CLA would be a benefit of the scheme and is supported.

8.2.49 The proposal would be built on grade 3 agricultural land, however, to remove doubt Officers will consider this as grade 3a for purposes of this assessment. Given the Council's housing deficit, in accordance with policy DM19 a lack of sites within the development boundary reduces the weight given to the loss of agricultural land. Grade 3a agricultural land is the lowest grade protected by Policy DM19. Therefore, the loss of this land is considered to carry minor weight in the planning balance.

8.2.50 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; 40% Affordable housing; and, a CLA for the use and enjoyment of the local population, residents of the site and biodiversity net gain. However, Officers recognise that this is to be weighed against the impact upon the surrounding landscape (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 open agricultural field. The field will be divided in two by the proposal and the scheme would look to retain and hedgerows and boundary treatments. The open character of much of the site makes it visually sensitive, as there would be views from a northern perspective however this would be set against the existing backdrop of the Ringmer settlement.

8.3.2 Paragraph 131 of the NPPF stresses the importance of trees to the placemaking process. The layout plan shows that green spaces and planting will be integrated throughout the site and the proposal would

result in a net gain of trees and an increased diversity of different planting around the site which would soften the impact of the development.

8.3.3 In terms of design, the plans and Design & Access Statement confirm that dwellings would not exceed two-storeys in height. The proposal includes a number of different house types and which would not be uncommon of the environment. In terms of vernacular, the fenestration and patterns of the proposed dwellings would be not too dissimilar to those properties at the nearby development on Bishops Lane for 110 units (LW/14/0127) therefore the proposal would reinforce this character and appearance and would be in keeping with the surrounding area.

8.3.4 The material palette as set out in the Design and Access Statement would be as follows:

- Brown Multi Stock Brick
- Red Multi Stock Brick
- White Fibre Cement Weatherboard
- Antique Red Tile Hanging
- Black Fibre Cement Weatherboard
- Clay Tile Hanging

8.3.5 The materials are considered to be acceptable and in keeping with the surrounding area. A condition will be attached to any permission requiring the proposal to be constructed out of the materials detailed in the Design and Access Statement.

8.3.6 The proposed development seeks a maximum density of 23 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.

8.3.7 The layout plan shows that building and infrastructure would be set back from the road. This allows 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 mitigation in the form of planting would create a verdant suburban nature of this section of Bishops Lane passing the site. The planting would also provide a visual screen to the proposed development that would amalgamate with surrounding landscaping from street level. The layout plans show that planting will provide an integral part of the development through additional screening and the creation of mixed habitats that would enrich the visual quality of the site margins and soften the visual impact of the development.

8.3.9 The site access would be formed by creating an access to Bishops Lane which would result in a minor loss of hedgerow. The access creates an opening large enough for two vehicles to pass each other and create sufficient visibility splays. This in unison with the development as a whole would result in harm to the character of this

section of Bishops Lane which enjoys outward views of the countryside. However, the harms would be limited to a very small area of Bishops Lane and with mitigation in the form of additional planting to soften the appearance of the site, this is therefore only considered to result in minor harm to the street scene and wider area.

- 8.3.10 From a northern aspect the proposed site would be set against the backdrop of Ringmer and as such is set amongst existing built development. Furthermore, due to the topography of the land surrounding the site which is largely flat land there would be limited views from a northern aspect. As such, Officers would consider the harms to be limited in their scale. Therefore, due to the location and topography of the surroundings to the site, the harm to the surrounding landscape would be minor and this will be weighed appropriately in the planning balance.
- 8.3.11 The proposed development will involve building over a site that has not previously been developed and is currently agricultural greenfield land. Notwithstanding this, the site is not isolated, being directly adjacent to the established settlement boundary of Ringmer.
- 8.3.12 The site has been identified in the most recent LAA as being available and deliverable for housing development and although this does not form a basis in policy to approve the scheme, it is a useful guide when assessing the proposal. The development site would appear as a natural extension to the north of the Ringmer settlement and fits comfortably within the confines of Bishops Lane, The Kiln and Clarks Croft. 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.
- 8.3.13 ESCC Landscape Officer has reviewed the proposal and, with regards to outreach views, has voiced support stating that the scheme would have an acceptable impact on local landscape character and views subject to conditions. As such, in this case, given its location and context, the level of harm upon the surrounding landscape attributed to the site would be less than significant harm, subject to conditions outlined by the Landscape Officer.
- 8.3.14 The proposal would offer a large area of communal Landscaping in the form of the CLA. This area of landscaping would enhance the appearance of the site in terms of it being a suburban extension to an existing settlement and softens the impact of the development from external views to the north. Nonetheless, Officers note that this would not wholly mitigate the harms of the development. It is worth noting that landscaped areas can also be harmful to the appearance of the agricultural landscape. However, in this case as the site sits comfortably as an infill development the impacts of this landscaping would be positive by improving the built appearance of the suburban nature of the site and surrounding suburban areas.
- 8.3.15 In conclusion, the proposed site itself would comfortably accommodate a development of 68 units. The character and appearance of the buildings within the site would achieve a vernacular that matches the areas character and the character of other

development in the immediate surrounds, thus reinforcing this character. The maximum building height will be two stories which would limit the extent of the harms to the surrounding environment.

8.3.16 Trees, shrubs and hedgerows will play a key role in the successful delivery of this proposal. Hedgerows and landscaping have been employed to significantly soften the visual impact of the development. Additional planting as well as reinforcing existing vegetation and planting where possible is a key component which softens the appearance and harms of the development.

8.3.17 The proposal will undoubtedly result in visual change for the surrounding landscape. However as this site sits amongst existing development it is not considered that the proposal would represent a significant change to the character of the wider countryside.

8.3.18 However, given the limited views from the north in unison with the infill nature of the proposal and the fact that Ringmer settlement screens the proposal from views to the south, the proposals impact upon the character and setting of the countryside would result in minor harms to the setting and openness of the countryside.

8.3.19 The proposal would result in harm to outward views from the section of Bishops Lane which abuts the site as this currently enjoys views outward of the countryside. However, given that the extent of this impact is limited and the boundary will include planting to soften the impact of the development, this would be attributed minor weight in the planning balance.

8.3.20 Overall, the development would result in harm to the setting of the countryside from an outward perspective and harm to the character and appearance of a limited area of Bishops Lane. The extent of these harms is limited by context and design features and as such both will be attributed minor weight in the planning balance. 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.

#### **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 (Ringmer Conservation Area). NPPF paragraph 194 sets out that heritage assets should be preserved in a manner appropriate with their significance. The conservation area is located to the south of Bishops Close and to the west of the site bounding Bishops Lane.

8.4.10 The site is set away from the conservation area and is separated by existing properties. Nonetheless the site is in proximity of the heritage assets and impact upon the significance of the heritage assets is considered to be less than substantial harm 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 southern boundary, directly from Bishops Lane. The access includes a footway on both sides, ensuring the needs of cyclists and pedestrians, as well as motorists, are met. 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 200 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 transport assessment demonstrates that the layout plan would 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, as requested by LDC Waste Services.
- 8.5.4 The applicant has provided that the quantum of parking spaces will be informed by ESCC Highways parking standards. However, the proposed provision falls short of the ESCC Highways Car Parking Calculator by 1 space (Required 147 spaces, proposed 146 spaces). The site is located in a sustainable location in close proximity to Ringmer Village which is rural service centre. Furthermore, the number of shared spaces (16), a proposed shortfall of 1 space is considered acceptable, as communal spaces would allow for a degree of resilience in the parking allocation. 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 included as a requirement via condition.
- 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. The submitted plans confirm that this would be the case and the cycle parking provision is therefore acceptable.
- 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. The Travel Plan will be required via S106 agreement including an audit fee to ensure reduced car use targets and monitoring.
- 8.5.9 A Highways Response Technical Note has been submitted as part of this application. The transport assessment includes junction assessments of key junctions in the local area. This illustrates that the proposed development of 68 dwellings has the potential to generate approximately 19 vehicular weekday AM peak trips to Earwig Corner



and 22 vehicular weekday PM peak trips. The proposed trip generation is considered acceptable and would not detrimentally impact upon Earwig Corner.

- 8.5.10 In summary, the site would be accessed from the southern boundary, directly from Bishops Close. 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.
- 8.5.11 The proposal would seek parking provision in that is one space short of compliance with ESCC parking standards. However, the site is in a sustainable location and the inclusion of 16 shared parking spaces adds a degree of flexibility to the layout. Therefore, the proposed parking provision is considered to be acceptable.
- 8.5.12 The issues relating to Earwig Corner are addressed including a junction model of Earwig Corner. The conclusions show that the junction can accommodate the development and therefore the proposal is considered acceptable in this regard.
- 8.5.13 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 The layout and heights of the proposed development 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 Clarks Croft or The Kiln.
- 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 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.
- 8.6.3 The layout of 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 development of 68 units within the site, whilst not resulting in any unacceptable internal or external residential amenity issues.
- 8.6.4 Internally the layout would provide adequate separation between properties with natural light provision in order to not restrict the living standards of any properties in terms of overbearing, overshadowing, overlooking or daylighting/sunlighting.
- 8.6.5 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 The layout plans demonstrate that the site could accommodate a development of 68 dwellings, that would also provide a good sense of place and community. The 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 Ringmer 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 All housing units would meet the Nationally Described Space Standards and based on measurements of the footprint of each dwelling; all dwellings to be delivered would meet or exceed 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 Bishops Lane the form of raised kerb footway where there is a pedestrian link connecting the site to Ringmer, meaning that residents of the existing settlements and residents of the site can easily access the existing and proposed communal spaces and local amenities.
- 8.7.4 The site would be a sufficient size and scale to sustain a development of 68 units comfortably, whilst providing adequate living standards in terms of local environment and internal and external quality of private accommodation.
- 8.7.5 The site is well connected with existing public services meaning that the residents of the existing settlements can easily access the public realm improvements. The pedestrian and vehicular links to Ringmer would allow residents of the site to easily access the amenities at the existing settlement.
- 8.7.6 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 on what is currently an undeveloped greenfield site.
- 8.8.2 The site includes areas of flood risk however, these would all remain as greenfield land and no buildings would be built in an area at risk of flooding.
- 8.8.3 The Flood Risk Assessment (FRA) includes details of how flood risk would be managed. Ultimately surface water would be managed by runoff being directed via a drainage network into two feature SUDS attenuation basins and roadside SUDS.

- 8.8.4 The LLFA have indicated a preference that runoff is discharged at a maximum of 6.8 litres per second, the application seeks a runoff rate restricted to the mean annual greenfield runoff rate of 5.9 litres per second and therefore, the level proposed would be less than the recommended runoff rate and is acceptable in this regard. Therefore, the LLFA has recommended approval for the proposed scheme.
- 8.8.5 The LLFA has expressed support for the scheme subject to conditions requiring additional technical information to be submitted prior to development of the site.
- 8.8.6 Southern Water have expressed that this application will require improvements to the sewer network which will be carried out by southern water by a maximum of 24 months from the date that planning permission is granted.
- 8.8.7 Greater scrutiny is now required with regard to the capacity of foul sewerage disposal when assessing all major developments. Southern Water have confirmed that the sewer network could accommodate the development without any unacceptable impacts to discharge rates during high pressure events.
- 8.8.8 In conclusion, 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.
- 8.8.9 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 CP10 and 12 of LPP1 and paras. 161 and 162 of the NPPF.

## **8.9 Ecology & Biodiversity**

- 8.9.1 The application is accompanied by an Ecological Impact Assessment, 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 hedgerows and the trees at the site. Most of which are to be retained. The majority of the grassland is categorised as being of low ecological value, but it is noted that there are areas of habitat supporting the potential presence of nesting birds, foraging bats, and reptiles. The proposed scheme would result in the creation of potential habitat for Great Crested Newts (GCN) given their presence in the wider area.
- 8.9.2 The report sets out a range of mitigation measures to minimise the impact upon wildlife which includes reinforcing existing green infrastructure and enhancing green areas around the site. The report also suggests the timing of all vegetation clearance works to avoid hibernating, maternity and nesting seasons for bats, birds and mammals.
- 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 mammal routes are integrated into the site.

8.9.4 In 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 and TANs.

8.9.5 A number of opportunities for ecological enhancements/biodiversity net gain are identified within the Biodiversity Net Gain Statement. Enhancement measures and recommendations included within the site and the Communal Landscaped Area would result in a 13.89% biodiversity net gain which exceeds the 10% requirement set out in the Councils Biodiversity Net Gain TAN.

8.9.6 ESCC Ecology Officer has confirmed that the proposal can be supported subject to conditions.

8.9.7 In 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 Communal Landscaped Area, which will result in significant biodiversity net gain for the area and will be secured via legal agreement. The Communal Landscaped Area's longevity will be insured by a requirement within the legal agreement to provide an ongoing management and maintenance plan.

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

8.9.9 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 LEBC's Air Quality Officer has reviewed the proposal. The response sets out that the air quality assessment and any required mitigation can be achieved via conditions. 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 as conditions, as it is considered that a successful resolution can be achieved for this scheme.

8.10.4 Environmental Health Conclusion

8.10.5 Both assessments can be effectively dealt with as conditions. 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 It is 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 includes a sustainability checklist and energy 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.

8.11.3 A Site Waste Management Plan (SWMP) will be required by condition and shall be in full accordance with the Site Waste Management Plan Regulations 2008.

### **8.12 Archaeology**

8.12.1 An Archaeology and Heritage 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 medieval and post-medieval significance with potteries and evidence of such activity, including remains of kilns and discarded pottery 'wasters' are very likely to be present within the site.

8.12.3 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).

8.12.4 Therefore, subject to conditions, 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 68 units, the number of affordable housing units would be 27.
- 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. The proposal requires a commuted sum for 0.3 of a unit, the commuted sum has been calculated using the Affordable Housing Commuted Sum Table provided in the Affordable Housing SPD.
- 8.13.3 The affordable housing would be provided in compliance with the requirements of CP1 and the NPPF and a Section 106 legal agreement has been drafted to secure this. The dwelling mix with a tenure split of 25.9% First Homes (7 Units), 14.8% Shared Ownership (4 Units) and 59.2% Affordable Rent (16 Units) has been agreed and is in accordance with the NPPF.
- 8.13.4 The applicant has agreed to provide a Communal Landscaped Area to the east of the site. The applicant has indicated that they are willing to transfer this into the Council's ownership including a maintenance commuted sum for its long term maintenance. The provision of the Communal Landscaped Area will be secured by S106 Agreement. A planting plan along with a landscape 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 Bus contribution- £1100 per dwelling.
  - Travel Plan and Audit fee - £4500
  - Bus stop clearways at Kings Academy £500 per clearway.
  - Provision of a 2-metre-wide footway along the site frontage from the site access to connect to footway at Tile Kiln
  - The widening of the footway on southern side of Bishops Lane with appropriate dropped crossings and tactile paving across access junctions

### **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 68 units given the scale of the Councils housing requirement would play a significant role in reaching the target of 602 homes per year. Therefore, Officers consider that the provision of 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. The number of affordable housing units would be 27.3. 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 location 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 surrounding rural landscape. Mitigations are offered which would go some way to softening the visual appearance of the development and ESCC Landscape Officer has raised no objections. However, notwithstanding this, the harm to the openness of the site, would still be noticeable from both an internal (From Bishops Lane) and external (from the wider countryside) perspective. Therefore, in unison the internal harms from the wider countryside and the harms from Bishops Lane this would be attributed moderate weight in the planning balance.
- 8.15.4 The proposal includes the provision of a Communal Landscaped Area to the east of the site. The proposed CLA 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; a children's play area; and contribution to biodiversity net gain. The provision of the CLA 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 CLA this would carry minor 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, and retention of the remaining hedgerows. On balance, the proposed biodiversity enhancements would be positive and would meet the councils 10% Biodiversity Net Gain threshold. 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 would result in the potential loss of grade 3a agricultural land, as the land is class as grade 3 and doesn't specify which grade it is. Therefore, for purposes of this application and to remove all doubt this land will be assessed as grade 3a land. Policy DM19 resists the loss of agricultural land where this is unavoidable. Given the councils lack of 5-year housing land supply and the LAA's assessment of the site as developable and deliverable this site provides a valuable contribution to housing delivery. Therefore, the loss of agricultural land is considered to be a minor harm of the development.
- 8.15.8 The proposed development is located in close proximity to the Ringmer Conservation Area. 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 this area would result in a less than substantial harm to its setting.
- 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 both air quality and contaminated land can be effectively dealt with by condition. 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 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. Impacts upon living standards and amenity 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 68 Units and a policy compliant affordable housing provision, and the minor benefits of the provision of a CLA and biodiversity net gain, would outweigh the moderate harms resulting upon the setting of the Visual Landscape, the minor harm due to the loss of potential Grade 3a Agricultural Land and the less than substantial harm to the Ringmer Conservation area. Therefore, Officers consider that the scheme would be acceptable and is therefore recommended for approval.

## 9. Recommendation

1. Recommend approval 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 Communal Landscaped Area



- Tree Planting and Hard and Soft Landscaping Plan
- Landscape Maintenance Plan
- A Bus contribution- £1100 per dwelling.
- Travel Plan and Audit fee - £4500
- Bus stop clearways at Kings Academy £500 per clearway.
- A 278 agreement for the provision of a 2-metre-wide footway along the site frontage from the site access to connect to footway at Tile Kiln
- A 278 agreement for the widening of the footway on southern side of Bishops Lane with appropriate dropped crossings and tactile paving across access junctions.

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 3rd<sup>th</sup> of November 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)	24 August 2021	21402/1002 Block Plan
Other Plan(s)	24 August 2021	21402/1001A Site Location Plan
Other Plan(s)	24 August 2021	21402/5001F Proposed Planning Layout
Other Plan(s)	24 August 2021	21402/3600B Proposed Street Elevations

Other Plan(s)	24 August 2021	21402/6002-1B-2H7 Floor Plans
Other Plan(s)	24 August 2021	21402/6001-2B-FOG Proposed Elevations
Other Plan(s)	24 August 2021	21402/6001-2B FOG Elevations
Other Plan(s)	24 August 2021	21402/6002-3B-2H7 Floor Plans
Other Plan(s)	24 August 2021	21402/6002-2B-2H7 Elevation Plans
Other Plan(s)	24 August 2021	21402/6003-1B-2H8 Floor Plans
Other Plan(s)	24 August 2021	21402/6002-4B-2H7 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6003-3C-2H8 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6003-2B-2H8 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6004-2B-3H9 Proposed Elevation Plans
Other Plan(s)	24 August 2021	21402/6004-1B-3H9 Proposed Floor Plans
Other Plan(s)	24 August 2021	21402/6005-2C-3H10 Proposed Elevations Plans
Other Plan(s)	24 August 2021	21402/6005-1B-3H10 Proposed Floor Plans
Other Plan(s)	24 August 2021	21402/6006-1C-3H10/3H12 Semi-Floor Plans
Other Plan(s)	24 August 2021	21402/6005-4B-3H10 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6006-3C-3H12 Semi-Floor Plans
Other Plan(s)	24 August 2021	21402/6006-2C-3H10/3H12 - Semi-Elevations Plan
Other Plan(s)	24 August 2021	21402/6007-1B-3H15 Floor Plans
Other Plan(s)	24 August 2021	21402/6006-5B-3H10/3H12 Semi-Elevations Plan

Other Plan(s)	24 August 2021	21402/6006-4C-2H8/3H12 Semi-Elevations Plan
Other Plan(s)	24 August 2021	21402/6007-3B-3H12 Proposed Floor Plan
Other Plan(s)	24 August 2021	21402/6007-2B-3H15 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6008-1B-4H1 Floor Plans
Other Plan(s)	24 August 2021	21402/6007-4C-3H15 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6008-3B-4H1 Floor Plans
Other Plan(s)	24 August 2021	21402/6008-2C-4H1 Proposed Elevations Plan
Other Plan(s)	24 August 2021	21402/6009-1B-4H2 Floor Plans
Other Plan(s)	24 August 2021	21402/6008-4B-4H1 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6009-3A-4H2 Floor Plans
Other Plan(s)	24 August 2021	21402/6009-2C-4H2 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6010-1B-4H8 Floor Plans
Other Plan(s)	24 August 2021	21402/6009-4B-4H2 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6010-3B-4H8 Proposed Floor Plans
Other Plan(s)	24 August 2021	21402/6010-2C-4H8 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6010-4C-4H8 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6021-1B-S2H4 Proposed Floor Plans
Other Plan(s)	24 August 2021	21402/6021-2C-S2H4 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6021-4C-S2H4 Proposed Elevations

Other Plan(s)	24 August 2021	21402/6021-3B-S2H4 Proposed Floor Plans
Other Plan(s)	24 August 2021	21402/6022-2C-S3H4 Proposed Elevations
Other Plan(s)	24 August 2021	21402/6022-1B-S3H4 Proposed Floor Plans
Other Plan(s)	24 August 2021	21402/6022-3B S3H4 Floor Plan
Other Plan(s)	24 August 2021	21402/6022-4C-S3H4 Proposed Elevation
Other Plan(s)	24 August 2021	21402/6031A-Garages
Other Plan(s)	24 August 2021	21402/6032-Sub-Station Elevation and Floor Plan
Other Plan(s)	24 August 2021	21402/6211C-Block 1 Floor Layouts
Other Plan(s)	24 August 2021	21402/6201B - Block 1 Proposed Elevations
Other Plan(s)	24 August 2021	21402_6221B - Block 2 Floor Layouts
Other Plan(s)	24 August 2021	21402/6222B- Block 2 Proposed Elevations

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

2. **Construction Management** 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 CEMP shall be written in accordance with the latest Institute of Air Quality Management guidance documents, BS 5228 Parts 1 & 2 and shall be approved in writing by the LPA prior to commencement of any works on site

The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction,
- means of reusing any existing materials present on site for construction works,

- the method of access and egress routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors, including a workers' travel plan
- the loading and unloading of plant, materials, and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- flood management during construction both on and off site [or via separate document]
- 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),
- details of public engagement both prior to and during construction works.
- address noise impacts arising out of the construction.
- address vibration impacts arising out of the construction.
- address odour impacts arising out of the construction.
- dust mitigation measures,
- includes details of the use of protective fences, exclusion barriers and warning signs.
- provides 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.
- 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 CP13 of the LPP1, policies DM20 and DM23 of the LPP2 and the Circular Economy Technical Advice Note.

3. **SUDS** No development shall commence until details showing the following Sustainable Drainage details have been submitted and approved in writing by the LPA. The approved Details Shall thereafter be retained

- Details of the proposed attenuation pond and how it connects into the water course. This should include cross sections and invert levels
- details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted

to the Local Planning Authority for approval in consultation with the Highway Authority

- Details of an investigation into the condition of the ordinary watercourse which will take surface water runoff from the development. Any required improvements to this watercourse should be included in the submission and carried out prior to the construction of the outfall
- Details of how surface water flows exceeding the capacity of the surface water drainage features will be managed safely. This should include a plan showing the proposed routing of overland flow paths as evidence that there will be no increased risk of flooding as a result of the development.
- Details of the design of the attenuation ponds which should be informed by findings of groundwater monitoring between autumn and spring. The design should leave at least 1 metre unsaturated zone between the base of the ponds and the highest recorded groundwater level. If this can not be managed details of how impacts of high ground water levels will be managed should be provided.
- A maintenance and management plan for the entire drainage system should be submitted to ensure that the designed system takes into account the design standards of those responsible for maintaining the system. This should cover the following:
  - i. The plan should state who will be managing all aspects of the surface water drainage system, including the piped drains, and the appropriate authority should provide evidence that they are satisfied with the submitted details
  - ii. Evidence that these arrangements will remain in place for the lifetime of the development should be evidenced to the authority.

Reason: To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve existing habitats in accordance with LLP1 policy CP12, LLP2 policy DM22 and para. 167 of the NPPF.

4. **Grading Details of the Site** 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

5. **Archaeology** No development shall commence 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 Local Planning Authority.

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.

6. **Contamination** No development shall commence until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing by the local planning authority:

- a) Additional site investigation scheme, based on preliminary investigations already undertaken to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- b) The results of the site investigation and the detailed risk assessment referred to in (a) 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.
- c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) 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 written consent of the local planning authority. 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].

7. **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 implemented in accordance with the Tree Protection Plan drawing ref A007 within the Arboricultural Impact Assessment. 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.

8. **Ecological Design Statement** No development shall commence until an Ecological Design Strategy (EDS) addressing mitigation of

impacts, compensation for the loss of habitat, and enhancement of the site for biodiversity in line with the recommendations in the Ecological Impact Assessment (The Ecology Partnership, August 2021) has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:

- description and evaluation of features to be managed.
- purpose and conservation aims objectives for the proposed works.
- ecological trends and constraints on site that might influence management.
- detailed design(s) and/or working method(s) to achieve stated aims objectives.
- extent and location /area of proposed works on appropriate scale maps and plans.
- type and source of materials to be used where appropriate, e.g. native species of local provenance.
- prescriptions for management actions, together with a plan of management compartments.
- (timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- details of the body or organisation responsible for implementation of the plan.
- details of initial aftercare and long-term maintenance (including an annual work plan capable of being rolled forward over a five-year period.
- details for monitoring and remedial measures.
- details for disposal of any wastes arising from works so as to not attract foraging animals.

All ecological measures and/or works with respect to the protection of badgers, birds and great crested newts shall be carried out in accordance with the details contained in the Ecological Impact Assessment (The Ecology Partnership, August 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

The EDS shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plans shall also set out (where the results from monitoring show that conservation aims and objectives of the EDS are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives



of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 174 and 180 of the National Planning Policy Framework, and Policies CP10 and DM24 of Lewes District Local Plan Parts One and two.

9. **Materials** no development above slab level shall commence until, details of all facing materials to be utilised in the development hereby permitted including bricks, contrast materials, mortar, windows, doors, roof materials, plant enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built in accordance with these approved details.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policy DM25 of the LPP2 and the NPPF

10. **Lighting Design Strategy**, No development above slab level 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.

11. **Visibility Splays** No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Bishops Lane in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 600mm.

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

12. **Photographic Survey** Prior to occupation of the proposed development, evidence (Including photographs should be submitted showing that the drainage system has been constructed as per the agreed detailed drainage designs should be submitted to and approved in writing by the LPA.

Reason: To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve existing habitats in accordance with LLP1 policy CP12, LLP2 policy DM22 and para. 167 of the NPPF.

13. **Parking Provision** 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

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

14. **Contamination Verification Report** No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. 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 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. The long-term monitoring and maintenance plan 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].

15. **Sustainability Assessment** No dwelling shall be occupied until the sustainability features for that dwelling as set out within the Energy Statement (SEC/cs/dc/ES- 3685/-) has been implemented in accordance with the approved document.

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

16. **Archaeological Evidence Statement** Prior to occupation of the proposed development an archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase shall be submitted and approved in writing by the Local Planning Authority. 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 4.

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.

17. **Refuse and Recycling** Prior to occupation of the development hereby approved the provision of storage for refuse and recycling shall have been provided in accordance with approved plans. 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.

18. **Sustainability Heating Systems** Prior to the first occupation of the properties they will be constructed in accordance with the Low Carbon Technology Heating Systems specified within Southern Energy Consultants Energy Statement dated 14th August 2021. The details as approved shall be implemented prior to the first occupation of the development.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site and to manage air quality in accordance with NPPF 186.

19. **LVI A** The landscape mitigation measures as shown on the Landscape Strategy plan ref CSA/5469/104 Rev B shall be implemented prior to occupation of the relevant phase of the proposal. These details shall thereafter be retained.

Reason: 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.

20. **Cycle Parking** 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.

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

21. **Unexpected Contamination** If, during development, contamination not previously identified is found to be present at the site then no further works to identified area(s) (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy 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].

22. **External Lighting** No external lighting or floodlighting shall be installed on the buildings or the road and parking areas hereby permitted without the prior written approval of the LPA.

Reason: To protect the amenity and character of the surrounding countryside and to prevent disturbance of nocturnal species having regard to Policy CP10 of the LPP1, policies DM20 and DM24 of the LPP2 and para 174, 180 and 185 of the NPPF.

23. **Hours of Work** Construction work utilising heavy machinery 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.

24. **Access Gradients** The completed access shall have maximum gradients of 4% (1 in 25) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.

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

25. **Visibility Splays** The site access onto Bishops Lane shall not be used until visibility splays of 2.4m by 45m are provided in both directions and maintained thereafter.

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

26. **Estate Roads** The new estate roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards The new estate roads will be designed in accord with adoptable standards but not offered up for adoption, so we propose to remove the end of this condition.

Reason: In the interest of highway safety and for this benefit and convenience of the public at large

27. **Size of Parking Bays** The proposed parking spaces shall measure at least 2.5m by 5m with an extra 0.5m to either or both dimensions where spaces abut a wall, fence, or hedge.

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.

28. **Garage Sizes** The proposed garages shall measure at least 3m by 6m (internally)

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

29. **Garage Set Back** The garages shall be positioned at least 5.5m back from the edge of the highway with an inwards opening door in order that a vehicle may wait clear of the highway whilst the /garage door is being operated

Reason: To ensure that the use of the highway by persons and vehicles is not obstructed by waiting vehicles

30. **Electric Vehicle Charging** Electric vehicle charge points shall be supplied at each property and must comply with the latest BS7671. Each charge point shall be 'active' and capable of charging electric vehicles without the need for further works.

Reason: To protect and exploit opportunities for the use of sustainable transport modes and to manage air quality in accordance with NPPF 35 and 186.

31. **PD Rights** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) no extensions shall be erected (other than those expressly authorised by this permission) to any of the properties in the Residential Site development.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Policy DM25 of the LPP2 and the NPPF

32. **PD Rights** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) (England) 2015 (or any order revoking and re-enacting that Order with or without

modification) no fences, gates, walls or other means of enclosure shall be erected within the curtilage of the Residential Site development.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Policy DM25 of the LPP2 and the NPPF

10. **Background Papers**

10.1 None.