

Supplementary report to the Planning Applications Committee
on 15 February 2023

LW/22/0418

Pages 9-36

Land west of A275, South Common, South Chailey

PUBLICITY

A significant volume of correspondence has been received raising concerns that the public consultation process for the application has not been carried out correctly. Further investigations show that neighbour notification letters were printed when the application was submitted but, in this case, it cannot be conclusively established that they were posted and, for this reason, officers recommend that members vote to defer the determination of the application to allow for a full and clear formal re consultation to be undertaken.

LW/21/1000

Pages 37-72

Land west of Oxbottom Lane, Newick, East Sussex

CONSIDERATION OF APPLICATION

A consultation and objection letter has been received that raises concerns that the officer report has not attached appropriate weight to LLP2 policy DM1 when making the recommendation. Policy DM1 relates to development and settlement boundaries. The policy states that:-

Outside the planning boundaries, the distinctive character and quality of the countryside will be protected and new development will only be permitted where it is consistent with a specific development plan policy or where the need for a countryside location can be demonstrated.

The proposed development site lies outside of the settlement boundaries. The impact of the development on the distinctive character and quality of the countryside is assessed in the officer report and included in the planning balance. The spatial objectives of the policy, (focussing of development in side settlement boundaries), is afforded "limited weight" due to "the failure of the Council to demonstrate a 5 year housing land supply, and the sustainable location and features of the proposed scheme", as explained in the report.

The letter goes on to state that the officer adopted the tilted balance approach without referring to 'footnote 6' policies as set out in para. 11 d) i) of the NPPF. For information, these policies are now listed as 'footnote 7' following the updates to the NPPF made in 2021. The footnote policies relate to habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 67); and areas at risk of flooding or coastal change.

Supplementary report to the Planning Applications Committee
on 7 December 2022

As stated in para. 3.5 of the officer report, there are none of the Footnote 7 specific planning designations or constraints attached to the site or the immediate surrounding area. General consideration of potential impact to habitat and flood risk is included in the officer report and in the planning balance. As such, the decision to adopt the tilted balance is the correctly assessed by the officer's report. NPPF para.11 d) i) is therefore not applicable.

DRAINAGE

The applicant remains in discussion with the Lead Local Flood Authority with regards to the most suitable methodology for drainage.

To this end, an additional condition is recommended as follows:-

“No development approved by this permission shall be commenced until full details of surface water drainage, which shall follow the principles of sustainable drainage as far as practicable, have been submitted to and approved by the Local Planning Authority. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall be take place until the approved works have been completed. The surface water drainage system shall be retained as approved thereafter.

Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and paras. 163 and 165 of the NPPF”.

LW/22/0275

Pages 73-84

Seaford Head Lower School, Steyne Road, Seaford, BN25 1AL

Nothing further to add.

SDNP/22/05025/FUL

Pages 85-98

Friars Walk Car Park, Court Road, Lewes

The following additional information has been provided by the agent:

- Changing places go far beyond the standard of a DDA WC. They are intended for people with severe disabilities who require assistance when they are out and about. I don't believe these facilities currently exist within the vicinity of the town centre.
- A green roof will be difficult due to the proposed modular construction of the changing place. The small footprint would be of little benefit, we also note the existing site is hard standing.
- The proposed bollards have been shown as an indication and are 600mm apart. Also there will be a dropped kerb for access on the existing pavement.