

Report to	Planning Committee
Date	13 September 2018
By	Director of Planning
Title of Report	Development Brief for Land at Pulens Lane, Sheet
Purpose of Report	To approve the use of this Development Brief for development management purposes

Recommendation: The Committee is recommended to approve the use of the Development Brief for land at Pulens Lane, Sheet, for development management purposes as a material consideration in the determination of planning applications.

1. Summary

- 1.1 Development Briefs are an established method of providing guidance to developers, the local community and stakeholders on how a Local Planning Authority wishes to see a particular site developed. Development Briefs help shape proposals from an early stage in the design process, guide decision making and help speed up the overall planning application process. They are a proactive way in which a Local Planning Authority can influence the development of a particular site and, once approved, they are material considerations in the determination of planning applications.
- 1.2 A draft Development Brief for this site was presented to Planning Committee on 18 January 2018 and approved, subject to specific revisions directed by the Committee, for public consultation. The changes instructed by Planning Committee were made and a period of public consultation with local residents, the Parish Council and the landowner ran in March/April 2018 with a total of 80 representations having been received.
- 1.3 January's Planning Committee gave the Director of Planning, in consultation with the Chair of Planning Committee, the authority to make any minor changes required as a result of the public consultation but that if major changes were required a further report would be presented to Planning Committee. This Development Brief is being reported back to Planning Committee as, following public consultation, it is proposed that the site accommodate 15-18 dwellings rather than 30 – 32 dwellings as proposed previously and this has clear spatial implications.
- 1.4 If approved by Planning Committee the final Development Brief would be published as a material consideration in the determination of planning applications. A copy of the Development Brief would also be made available to the Inspector examining the Submission South Downs Local Plan through the Examination's Core Document Library.

2. Background

- 2.1 The Submission South Downs Local Plan allocates a number of sites for development. The SDNPA has given a commitment, through these site allocations, to produce Development Briefs for four sites as follows:
 - Land at Pulens Lane, Sheet allocated under emerging Policy SD89.
 - Land South of London Road, Coldwaltham allocated under emerging Policy SD64.

- West Sussex County Council Depot and Former Brickworks Site, Midhurst allocated under emerging Policy SD81.
 - Holmbush Caravan Park, Midhurst allocated under emerging Policy SD82.
- 2.2 The preparation of Development Briefs does not prejudice the consideration of these site allocations through the examination, by the Planning Inspectorate, of the Submission Local Plan. Should, however, any of these sites come forward in the final Local Plan a Development Brief provides guidance on how the site should be developed.
- 2.3 The Development Briefs are based upon the Submission Local Plan policy context for the site, include site specific analysis, set out the Authority's approach to contextual analysis and landscape led design (to try and ensure that landscape character is well understood and integrated into development scheme designs) and set out the key principles that should be observed in any development.
- 2.4 The Development Briefs have been drawn up in collaboration with the Authority's Design Review Panel.

3. Site

- 3.1 The site is irregularly shaped and is located to the east of Sheet. It is east of Pulens Lane (from where there is existing vehicular access) and is to the north of Rother and Copses Closes whose rear gardens adjoin the site. The River Rother makes up the northern boundary of the site.
- 3.2 The site is approximately 3.6 hectares in size and comprises paddock and, particularly adjacent to the River Rother, woodland. There are a handful of buildings located on the northern part of the site near to the vehicular access from Pulens Lane.
- 3.3 The site is located within the Sheet Mill Alders Site of Importance for Nature Conservation. Part of the site adjacent to the River Rother is within the Rother Biodiversity Opportunity Area and the site is in a Mineral Safeguarding Area for sharp sand and gravel.
- 3.4 Three large mature oak trees (one centrally located and two on the southern site boundary) and a group of trees (including oak, hazel, hawthorn and sycamore) on the western site boundary with existing residential properties are covered by a Tree Preservation Order made on 22 August 2018, reference (EH1101)18.
- 3.5 Adjacent to the river parts of the site fall within flood zones 2 and 3, although the majority of the site falls within flood zone 1 (areas at the lowest risk of flooding).

4. Public Consultation

- 4.1 The public consultation ran from March 28 to April 26 2018 and 80 representations were received. The representations are summarised in the table below, together with the Authority's response to each representation. It is also identified whether or not changes have been made to the Development Brief as a result of each representation.

Representation	Response
1. Against the principle of development on this site.	No change made to the document. The Development Brief is not about the principle of development (which is considered through the Local Plan process) but rather <i>how</i> any potential development should be carried out.
2. Environmental impact on River Rother site of importance for nature conservation and adjacent local nature reserve too great as disturbance from construction, traffic noise, lights, people and their dogs will cause irreparable damage. Restricting access would be nearly impossible next to houses.	Developable area and dwelling numbers have been changed in the Development Brief. In response to this issue the Development Brief has been revised to restrict the developable area to the south western part of the site furthest away from the sensitive River Rother. The proposed total number

	of residential units considered appropriate for this site has been revised to 15-18 dwellings. The northern and eastern parts of the site will be public open space.
3. Restricting access to the River Rother would be nearly impossible next to houses. 20m buffer completely inadequate.	See response to the above point. The 'buffer' has now been significantly increased in the vast majority of the site to 50-60m.
4. The existing access along Pulens Lane is narrow with only limited capacity and will not be able to facilitate vehicular access for up to 32 dwellings. No alternative access shown.	Text change made. The reference to the likelihood of an alternative and new vehicular access at a point when the development proposal exceeds a number of dwellings (determined by the SDNPA taking into account the recommendations of the highway authority) has been added to the text. Detailed access considerations will be considered through a planning application.
5. Surrounding streets not appropriate for the traffic that would be associated with up to 32 extra units.	No change made to the document. Any planning application would be subject to consultation with the Highway Authority. The number of dwellings has been reduced on biodiversity and landscape impact grounds which will reduce the potential traffic impacts of development of this site.
6. Site unsuitable for housing due to surface water flooding and hydrological issues.	No change made to the document. The developable area set out in the Development Brief is restricted to the area least prone to flood risk (i.e. Flood Zone 1). A drainage study would also be required to accompany and inform any planning application.
7. The general design guidance says that developments of more than 20 units should if possible have more than one vehicular access. This is not being proposed here.	No change made to the document. This is a general design principle rather than a rule and whilst it is considered good practice it is accepted that it may not always be possible. In any case the number of dwellings has been reduced on biodiversity and landscape impact grounds to below 20. The applicant will need to demonstrate safe and appropriate access to the site through any planning application.
8. Apartments not characteristic of Sheet and so not appropriate here.	No change made to the document. Blocks of flats are not expected but rather buildings can be made to be characteristic of Sheet (looking like houses) while accommodating flats or maisonettes on a small scale.
9. Clarify function of space and its relationship to River Rother where referred to as 'open space'	No change made to the document. The allocation policy refers to 'open space'. In practice the need to restrict public

	access to the River Rother and the biodiversity measures in terms of mitigation and management for wildlife set out in Landscape and Biodiversity section of the Design Principles chapter (pages 43-44) of the Development Brief make it appropriate that this open space is sensitively managed, potentially in the form of a local nature reserve.
10. Suggest with reference to the large centrally located oak tree identified that the text should read: “The oak tree should, if feasible, be retained to enhance its immediate setting”	No change made to the document. Any development scheme design will need to accommodate the oak tree which is an important focus for the site if it is developed. This tree, along with other important trees on site, is now the subject of a Tree Preservation Order.

5. Major change

- 5.1 The only major change made to the Development Brief following the period of consultation is the reduction in allocated housing numbers from 30-32 units to 15-18 units in line with the change to policy DM89. There is an associated restriction in the developable area on the site.
- 5.2 The reduction to the quantum of developable area and development numbers in the Development Brief seek to balance the need to make good use of available land for housing (in line with the duty of the National Park Authority to foster the social and economic wellbeing of the community) with the need to ‘conserve and enhance the natural beauty, wildlife and cultural heritage of the area’ in accordance with the first purpose of the National Park. Where there is a tension between the duty and the first purpose, as in this case, the first purpose of the National Park should prevail.
- 5.3 It became apparent following the consultation that the balance was not considered appropriate with up to 30-32 dwellings proposed in a developable area which contained approximately half of the available site (and which stretched the length of the site) and with a proposed minimum buffer distance from the river, free of development, of just 20m.
- 5.4 The main risk to the important areas of nature conservation mentioned in paragraph 3.3 above is the impact of human disturbance on these sensitive sites. The nature of this is several fold including: the impact of noise, vibration, dust, soil compaction and movement of plant during the construction phase; the impact of lighting from houses and cars at night; the noise of cars and people from the development; the presence and impact of people, dogs and cats on the sensitive riparian environment; the risk of litter associated with an increase in uncontrolled human access.
- 5.5 The sensitivity of the site and the risk that development poses of increased disturbance and damage to the SINC woodlands has been identified by the Hampshire Biodiversity Information Centre. They also pointed out that areas of wet woodland are especially prone to damage (erosion) due to the wet nature of the soil.
- 5.6 The previous draft of the development brief showed the developable area running the whole length of the site, approximately 400m east to west which included the narrower eastern half of the site which would have necessitated a closer development relationship to the River Rother, perhaps as close as 20m.
- 5.7 In landscape terms, the reduction and setting of development further away from the river corridor would better retain the landscape character of this part of the Rother. The Rother is characterised here by its wooded nature which serves to create the habitats and conditions required by protected species such as otter and bats. Encroaching too much upon this character would prevent this riparian corridor from functioning as well as it does and therefore would not conserve landscape character as required in the first purpose of the National Park.

- 5.8 The proposed change to the developable area mainly restricts development to the south west corner of the site, furthest from the river and approximately halves the length of it parallel with the river, by excluding the eastern end completely.
- 5.9 The vast majority of the development will be at least 60m distant from the river's edge. There is a small element of development allowed on the site of the old stable blocks, to the north of the current access to the site, but even here a 10m buffer with the river should be possible. Where the river meanders sharply to the south, the buffer with development will be reduced to approximately 50m at that point. The developable area as an approximate proportion of the whole site has been reduced from half the site to about a quarter. This reduction in the developable area by half will result in a commensurate reduction (by approximately half) of the number of dwellings. This combination in the reduction of both the number of dwellings and the extent of the developable area (and increase in undeveloped space) will ameliorate the impact on landscape character and should have a reduction on the likely impacts on the sensitive areas for wildlife within and adjacent to the site.
- 5.10 It would physically be possible to retain the same number of dwellings (30-32) on the reduced developable area, thus making best use of the site by increasing the housing density. This would, however, result in a very urban layout of small plots, and more urban typologies such as flats and terraces. The ecological impact of up to 32 dwellings would still have remained, while this, more typically urban design solution, would not have been appropriate in landscape terms on what is an edge of countryside/settlement location.
- 5.11 While the policy SD 89 calls for publicly accessible open space, full unimpeded access would risk unacceptable impacts on the sensitive river habitats. By withdrawing development from the northern and eastern parts of the site it will be possible for the open space to be appropriately managed (potentially as a local nature reserve) and access to be focussed on a new public right of way through the site, linking to the existing footpath network.
- 5.12 This proposed change to the quantum of development that the site should accommodate has recently been provided to the Local Plan Inspector for consideration as a proposed post submission change to Policy SD89 within the Schedule of Main Modifications Document. As a post submission change the proposed amendment to the Policy will be for discussion and consideration during the Local Plan Examination Hearings.
- 5.13 The other changes made to the Development Brief set out in the table above are relatively minor, do not change the focus and intent of the Development Brief and are considered to be acceptable.

6. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	No further decisions are required by the Authority although the reduction in dwelling numbers proposed in the site allocation will be a matter for consideration by the Inspector at the Local Plan hearings.
Does the proposal raise any Resource implications?	No – any further work required will be carried out in house.
Has due regard been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	The Development Brief supports improvements to the built environment to improve access for all. This will be considered further should a planning application come forward for the redevelopment of this site.
Are there any Human Rights implications arising from the proposal?	None
Are there any Crime & Disorder implications arising from the	The Development Brief supports the orientation and layout of buildings to increase natural

proposal?	surveillance of public areas, in line with the principles of 'designing out crime'.
Are there any Health & Safety implications arising from the proposal?	None
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy: 1. Living within environmental limits 2. Ensuring a strong healthy and just society 3. Achieving a sustainable economy 4. Promoting good governance 5. Using sound science responsibly	The Development Brief supports and encourages sustainable design, helping us to live within environmental limits.

7. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
The Development Brief is seen as too prescriptive and stalls development of the site	Low	Medium	The Development Brief does not impose substantial additional requirements on developers but rather makes it clear what the Authority expects to see in the development of the site. Setting this out at an early stage gives clarity to developers and should make the planning application process (including pre-application discussions) more efficient.
A Development Brief is not produced and the Authority has no site specific guidance for the development of this site	Low	Medium	Prepare and approve a Development Brief.

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Appendices I. Development Brief – Land at Pulens Lane, Sheet
SDNPA Consultees Legal Services; Chief Finance Officer; Monitoring Officer; Director of Planning
External Consultees None
Background Documents [Submission South Downs Local Plan](#)
[East Hampshire Joint Core Strategy](#)
[East Hampshire Local Plan Saved Policies](#)