

Report to	Planning Committee
Date	10 June 2021
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/18/06103/OUT
Applicant	Luken Beck MDP Ltd
Application	Erection of up to 226 dwellings and Public Open Space with associated infrastructure including new access from Monks Way (Outline with all matters reserved except Access).
Address	Old Malling Farm, Old Malling Way, Lewes East Sussex, BN7 2DY

Recommendation:

- 1) That outline planning permission be approved subject to the conditions set out in Section 9 of this report and subject to the completion of a S106 legal agreement, the final form of which is delegated to the Director of Planning with obligations relating to:**
- **A maximum of 226 dwellings consisting of:**
 - **75 affordable rented dwellings**
 - **28 shared ownership affordable dwellings**
 - **10 Lewes Low Cost Housing Dwellings**
 - **A housing mix for open market dwellings of:**
 - **Approximately 32% 2-bedroom dwellings**
 - **Approximately 50% 3-bedroom dwellings**
 - **Approximately 18% 4-bedroom dwellings**
 - **A housing mix for the affordable dwellings of:**
 - **Approximately 4% 1-bedroom dwellings**
 - **Approximately 66% 2-bedroom dwellings**
 - **Approximately 25% 3-bedroom dwellings**
 - **Approximately 5% 4-bedroom dwellings**
 - **The 10 Lewes Low Cost Housing Dwellings are all to be 2-bedroom dwellings**
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- **Financial contribution of £1.7 million for:**
 - **Improvements to the existing railway cutting permissive path to enable year round use and improved access from the application site to the permissive path;**
 - **Other non-motorised user route improvements for enhanced routes to Lewes Town Centre;**
 - **Highway improvement works for traffic calming measures on Old Malling Way, Church Lane and Mayhew Way;**
 - **Junction improvement works including parking restrictions at the junction between Mantell Close and Old Malling Way.**
 - **The provision of net zero carbon dwellings and sustainability measures in accordance with policy SD3, including zero waste and water efficiency.**
 - **The provision of a Travel Plan and sustainable transport measures (including a car sharing club and electric vehicle (EV) charging points);**
 - **Section 278 Agreement to cover highway works including provision of tactile paving, bus stop improvements and double yellow lines; and**
 - **The provision of Estate Management Plans (to include the maintenance and management of the woodland to the west and north of the application site, landscaped areas, ecological measures, drainage, SuDS, open spaces, lighting, estate roads and footways).**

and note that the Committee confirm in their decision that they have taken into account:

- **the environmental information as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017;**
 - **all matters referred to in the Director of Planning's report including comments received from statutory consultees and other interested parties, and;**
 - **all other material considerations**
- 2) **That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress has not been made within 6 months of the Planning Committee meeting of 10 June 2021.**

Executive Summary

The application site is a 10-hectare green field site, located on the north-eastern edge of Lewes. The site is allocated by policy SD76 of the South Downs Local Plan (SDLP) for a residential development of between 220-240 dwellings.

This outline planning application, which is recommended for approval, is seeking permission for up to 226 dwellings, with a new vehicular access from an existing farm access track in the north-eastern corner of the site from Monks Way.

Consideration of the application follows approval of a Design Brief in October 2020, which provides a positive and meaningful mechanism for delivering a landscape and ecosystem services-led development on the site. Some of these principles would need to be realised at reserved matters stage, however the outline application represents a true reflection of the landscape strategy and concept plan approved as part of the Brief. The application has been made in Outline, with only matters of access for consideration at this stage

During the course of the application, officers negotiated with the applicant to increase the affordable housing offer from 15% to 50%, including the provision of 10 Lewes Low Cost Housing (LLCH)

dwelling. The applicant has also now committed to delivering zero carbon development across the site.

Access is proposed to be delivered in accordance with site allocation policy SD76, via the existing farm access to the north of the site, from Monks Way. The application was submitted during the examination of the South Downs Local Plan (SDLP). Therefore, following the adoption of the Local Plan, further information was required to ensure compliance in respect of policy SD3: Major Development and policy SD28: affordable homes. During consideration of this application further details have also been provided in respect of matters including traffic and access, Offham Marshes Site of Special Scientific Interest and in relation to drainage and flooding.

The application is reported to committee as it involves development on an allocated site within the South Downs Local Plan and due to the scheme being deemed to be major development for the purposes of paragraph 172 of the National Planning Policy Framework.

1. Site Description and Background

- 1.1 The application relates to a 10.08 hectare area of arable farmland forming a green finger, which is located between the Malling Housing Estate and the complex of buildings known as Old Malling Farm to the north of Lewes. The site is accessed via Old Malling Way.
- 1.2 The site is located along the Lower Ouse Valley Side, as defined by the South Downs Integrated Landscape Character Assessment (SDILCA). The river Ouse runs north of the site and meanders around the northwest corner and parallel to its western boundary (within 115m at its nearest point). The site is a promontory – sitting higher than the immediately surrounding land and with the extremities of the site dipping into the valley.
- 1.3 There are well-established woodland belts to the west and east, with mature trees lining both the northern and southern boundaries. A former railway cutting (and Local Wildlife Site) lies within the eastern belt and runs alongside the full length of the site boundary, extending further north towards Hamsey and south towards the town centre – opening out onto the Malling Fields community space. This cutting is at site level to the north and quickly falls as it heads south. Beyond the cutting to the east lies the Malling Housing Estate, which is primarily mid-20th Century housing surrounding Malling House (Grade II Listed), which is now used as the Sussex Police Headquarters.
- 1.4 The existing site access is at the mid-point from Old Malling Way via a bridge over the cutting. A concrete access track then bisects the site, supplemented by a mature tree belt with unmanaged understorey planting along the southern edge. This access is maintained for the residents at the complex of buildings at Old Malling Farm, which includes the Grade II Listed ruins of a College of Benedictine Canons. There is also a field access further north along the eastern boundary, via Monks Way.
- 1.5 The northernmost end of the site is within Flood Zones 2 and 3, although the field access remains outside this in Flood Zone 1, along with the remainder of the site. Beyond the site, on the western bank of the River Ouse, is the Offham Marshes Site of Special Scientific Interest (SSSI). Immediately to the south of the application site is the Malling Deanery Conservation Area, which includes the listed Church of St Michael; the churchyard for which provides views to the site. The site is also visible from Lewes Castle (Scheduled Monument), which is approximately 1 km to the south, the Parish Church of St Peter (Hamsey) to the north and both Malling Down and Offham Hill to the east and west, respectively.

2. Relevant Planning History

- 2.1 *SDNP/17/05300/PRE* – Proposal to develop land for up to 240 dwellings in accordance with policy SP4 of Lewes Joint Core Strategy. Closed following submission of outline planning application.
- 2.2 *SDNP/17/06280/SCOPE* – Screening and Scoping application for a development comprising up to 240 dwellings with associated access from Monks way, Public Open Space and related infrastructure on approximately 10 hectares of land at Old Malling Farm. Screening and Scoping opinion issued 19 January 2018, in which the proposal was determined to meet the

criteria of Schedule II of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and that an Environmental Statement would need to accompany any future application.

3. Proposal

3.1 This application is seeking outline permission for the construction of up to 226 dwellings, with all matters reserved except access at this stage.

3.2 Reserved matters in this case (to be determined at a later date) are:

- Appearance - the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;
- Scale - means the height, width and length of each building proposed within the development in relation to its surroundings;
- Layout - the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development; and,
- Landscaping - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated.

3.3 Turning to access, the application proposes the main vehicular access to be achieved via the existing field access gate at the northern end of the site, from Monks Way. A secondary access is also proposed via the existing bridge over the Railway Cutting, which would restrict vehicular use to those existing residents at Old Malling Farm and for emergency purposes. This access would also be the main access point for pedestrian and cyclists.

3.4 Additional access to the railway cutting is also provided within the proposal. To the north, where the new vehicular access is proposed, pedestrian and cycle access at grade, would be achieved to the railway cutting. To the south, a new access for pedestrians and cyclists to the railway cutting would also be provided.

3.5 The proposed 226 dwellings are made up of 215 houses and 11 flats. The proposed mix of housing is:

- 5 x 1-bed flats,
- 6 x 2-bed flats,
- 104 x 2-bed houses,
- 84 x 3-bed houses, and
- 27 x 4-bed houses.

3.6 The applicant is offering 113 dwellings for affordable housing (50%). A viability appraisal has been provided (carried out by Bruton Knowles on behalf of the SDNPA) that demonstrates this can be achieved. The size of dwellings and tenure being offered is set out below:

- 75 dwellings for affordable rent
 - 5 x 1-bed flats;
 - 6 x 2-bed flats;
 - 38 x 2-bed houses;
 - 21 x 3-bed houses, and
 - 5 x 4-bed houses.
- 28 dwellings for shared ownership
 - 20 x 2-bed houses,

- 7 x 3-bed houses, and
 - 1 x 4-bed house.
 - Ten dwellings for Lewes Low Cost Housing (all 2-bed houses).
- 3.7 Although the application is made in outline, it is accompanied by a series of plans based on the approved Design Brief, which provide the landscape strategy, drainage strategy, broad character areas and movement strategy, as well as a concept plan. These provide high-level details regarding where open space could be located, likely main routes through the site information on broad residential densities.
- 3.8 The proposed development delivers net zero carbon housing across the site and would provide electric vehicle charging for all houses, with provision made on a communal basis for flats. Parking would be provided on an average of 2 spaces per dwelling; i.e. approximately 452 spaces in total.
- 3.9 The application is supported by a completed DEFRA Biodiversity Net Gain Metric, which states that the scheme would provide an 11.5% net gain in biodiversity. This is only an indication as full details of layout and landscaping are not for consideration at this stage.
- 3.10 The application is also accompanied by an Environmental Statement in accordance with the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), further details are set out in Sections 6 and 7 of this report.
- 3.11 Further information has been submitted at several points during the course of the consideration of the application. A summary of the key dates this was received, and what was received on each date, is outlined in the table below.

Date	Information Received
January 2021	<ul style="list-style-type: none"> • Ecology Appraisal Update • Non-technical Summary (Environmental Statement) Addendum • Flood Risk Assessment Addendum • Planning Statement Addendum • Transport Assessment Addendum • Landscape and Visual Impact Assessment Addendum • Illustrative Masterplan • Viability Report (Applicants)
March 2021	<ul style="list-style-type: none"> • Transport Assessment version 2.0 • Further information regarding Viability (Applicants)
April 2021	<ul style="list-style-type: none"> • Updated comments from the applicant on Drainage Strategy and Flood Risk Assessment, including updated climate change allowances • Biodiversity Net Gain Report • Further information regarding Offham Marshes SSSI
May 2021	<ul style="list-style-type: none"> • Confirmation on updated description of development (considering access only) • Commitment to 50% affordable housing provision • Commitment to delivering zero carbon in accordance with policy SD3 • Parking Strategy information

	<ul style="list-style-type: none"> • Illustrative plans regarding landscape strategy, drainage, movement and connectivity, character areas and concept plan • Updated access details confirming footway to south of main access
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4. Consultations

4.1 As noted above, as the application progressed, further information was submitted on a number of occasions. In May, the applicant confirmed the outline application would be for all matters reserved except for access, whilst providing additional information in respect of highway matters and Offham Marshes SSSI, confirming the provision of 50% affordable housing and a commitment to delivering net zero carbon development. Those who needed to, have been re-consulted. Some of the comments below pre-date these changes to the application, however the date of the consultee's comment is indicated for clarity.

4.2 Conservation Officer (March 2021) – No Objection.

- The matters sought for approval have not fully met the requirements of the approved Design Brief and further analysis is therefore required regarding the site layout.
- Verification of the location of the green corridor open space through the north-western section of the site, to ensure a view corridor to St Peter's Church (Hamsey) is required. It is recommended that a wireframe analysis is used to present this information.
- No visual impact assessment or heritage impact assessment has been undertaken regarding Lewes Castle and its numerous surrounding designated heritage assets.

4.3 Landscape Officer (June 2021) – No Objection.

- No objection to the proposed access.
- Following submission of further information, and updated terms of the application, previous comments made in March 2021 fall for consideration at reserved matters stage.
- The Landscape and Visual Impact Assessment (LVIA) is lacking in detail in areas such as the balance between opening up views and boundary reinforcement, and clarity on the parameters for assessing visual effects, however these do not go to the heart of what is under consideration as part of the outline application, although will need to be addressed in future reserved matters applications.
- Key visualisations/wireframes will be required at reserved matters stage as well as delivery of Design Brief principles.

4.4 Design Officer (March 2021) – Holding Objection.

- Access location is acceptable.
- The layout of the main access road is broadly acceptable, subject to further information being submitted at reserved matters stage.
- The extent of public open space (POS) is acceptable, but there are instances where a better POS relationship, particularly with the countryside on the western border of the site, should be improved.
- There is a need to acknowledge and address the high standards of sustainable performance that are required by policy SD3 and the Sustainable Construction Supplementary Planning Document (SPD).

4.5 Highways England (April 2021) – No objection

- Satisfied the proposal will have a minimal impact and will not materially affect the safety, reliability and/or operation of the strategic road network.

- 4.6 Local Highway Authority (East Sussex County Council) (March 2021) – Objection**
- Transport Assessment v2.0 has not been formally submitted to the LPA. Within this document survey dates are unclear and summary tables are required to show the impact on the localised and main junctions.
 - Footway along new access should run along southern edge, to better connect to existing network and follow desire line for pedestrians.
 - Off-site highway works that include junction improvements and traffic calming as set out in SD76 (5d) need to be in place prior to commencement of development. CIL payments are not allocated to these improvements by the Highway Authority. Permissive path works for route and links are a requirement for accessibility reasons.
 - As submitted, the application cannot be supported as the Transport Assessment has not been subject of formal consultation by the LPA as they do not have receipt of it.
 - Details of layout and parking and access require clarification and further detail.
- 4.7 SDNPA Access and Recreation (April 2021) – Comment**
- All connections to the adjacent Non-Motorised User (NMU) network must be provided in accordance with national guidance.
 - A suitable at-grade design to access the former railway cutting from the south-eastern corner of the site should be provided.
 - Additional improvements off-site to the cycling and walking network to provide an alternative to car use.
 - Permeable design approach (as proposed as part of the landscape strategy and Design Brief) is welcomed, although pedestrian and cycle paths should take precedence throughout the site. NMU movement should be prioritised above vehicle movements.
 - Open spaces should be secured in perpetuity.
- 4.8 Natural England (March 2021) – Comment**
- Further clarification sought regarding viewpoints from Offham Hill, including provision of photomontages.
 - Corrections and clarification on viewpoint assessment within LVIA in respect of viewpoints from Offham Hill, Table 6.1 and Table 10.2.
 - Concerns regarding lack of assessment of impacts to Offham Marshes SSSI.
 - No details regarding biodiversity net gain being achieved on site.
- 4.9 Ecology (March 2021) – No objection, subject to conditions**
- Recommend larger buffers are provided to the Local Wildlife Site (LWS), badger setts and central hedgerow/tree line.
 - There remains no assessment of the potential hydrological impacts of the proposed development on the SSSI.
 - Further recommendations for planting, mitigation and enhancements works have been provided, to be included as part of any future reserved matters application.
 - Bat surveys will need to be repeated at reserved matters stage, and mitigation/compensation/enhancement measures revised accordingly.
 - Lighting design should ensure key foraging and commuting routes remain unlit.
 - Conditions recommended for Construction and Environmental Management Plan (CEMP), Ecological Design Strategy (EDS) and Landscape and Environmental Management Plan (LEMP).

4.10 **Environment Agency – No Objection, subject to conditions (following submission of additional information April 2021)**

Conditions are recommended to secure appropriate flood risk measures, unidentified contamination and SuDS infiltration.

It is noted that the applicant has stated the site access level is at levels of approximately 8.5m AOD and therefore will be safe and provide dry access for the lifetime of the development. This seems adequate, albeit the ideal would be to locate the access road further south so that it is within Flood Zone 1. However the EA understand that there may be practical reasons why this is unable to be accommodated for this site.

4.11 **Southern Water (March 2021) – No Objection.**

The initial study indicates that the additional foul sewerage flows arising from the proposal may lead to an increased risk of foul flooding from the sewer network. Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water. The timing of the delivery of this will need to be reviewed with the developer in terms of the occupation of the development. Therefore a condition is recommended to ensure this is undertaken.

4.12 **Lead Local Flood Authority (East Sussex County Council) – No Objection**

There is the potential for the use of infiltration at the application site subject to appropriate testing and groundwater monitoring between autumn and spring.

Infiltration features should be located 5m away from any foundations, buildings or structures, and the applicant should consider more centralised infiltration features such as infiltration basins.

Conditions are recommended requiring further testing, monitoring and provision of a maintenance and management plan.

4.13 **Planning Services (Lewes District Council) (March 2021) - Comment**

- Support the principle of the site being developed, but have significant concerns regarding:
 - Delivery of appropriate level of affordable housing
 - Overall mix of housing
 - Car-centric nature of the scheme
 - Lack of information on traffic calming measures, and
 - Lack of information on the potential impact on Offham Marshes SSSI
- Not satisfied that a commitment to the provision of zero carbon homes has been demonstrated.
- Feasibility assessment should be made as to how the scheme could achieve better connectivity with the surrounding cycle network.

4.14 **Open Space (Lewes District Council) (March 2021) – Comment**

- To effectively discourage the use of cars for short journeys, there needs to be an access point at the southern end to the railway cutting that all residents can use as the desire line to access local shops and amenities. Further investigation work is recommended and further work needs to take account of the Local Wildlife Site.
- Consideration to future access to the countryside north of the development should be given.
- Rain gardens and green roofs are welcomed and should be included as per the Design Brief, in any future reserved matters application.

- Onsite provision of play equipment is essential and should include naturalistic play areas and equipped spaces in keeping with the rural/urban edge landscape.
- Further discussion with Lewes DC should be held regarding a contribution to offsite provision of a Multi-Use Games Area.

4.15 Local Housing Authority (Lewes District Council) (March 2021)– Comment

- Request 50% affordable housing be provided onsite; latest housing register shows there are 168 households who are specifically in need of rented housing in Lewes town.
- Tenure of affordable housing should be limited to affordable rented (75%) and intermediate homes ownership (25%).
- Arrangements should also be made for as many of the affordable rent homes as possible to qualify for Lewes Low Cost Housing, providing it does not negatively impact on the overall amount of affordable housing being provided.
- Affordable housing should not be grouped all together, and where practical, not in groups of more than 10 dwellings.

4.16 Environmental Health – (Original Submission) No objection, subject to conditions regarding contaminated land and provision of a CEMP.

4.17 Archaeology (March 2021) – No objection

The geophysical survey of the site has identified a number of archaeological features, the most notable being those on the western side of the site which appear to comprise structures arranged around a courtyard. These features will be preserved in situ and not impacted by any works. Further features will require investigation by trial trench evaluation, which could also be secured by condition.

4.18 Lewes Town Council – No response received.

5. Representations

5.1 259 representations and one petition containing 52 signatories objecting to the scheme have been received. In addition two general comments (neither expressing support nor objecting to the proposal) have been received. The comments are summarised below.

- Proposed access arrangements are insufficient, which will have a negative impact on Monks Way, with an alternate access point or transport options suggested as an alternative.
- Developer should contribute to developing walking/cycling routes in to Lewes, with reinstating a bridge at the end of the old railway line being suggested as a project.
- Affordable housing provision of 15% is insufficient and contrary to the policies of both the South Downs National Park Authority Local Plan and the Lewes Neighbourhood Plan. The viability report that justifies this 15% provision is misrepresentative.
- Housing mix does not match the housing need in Lewes.
- Development does not do enough to mitigate or adapt to climate change, in particular lacking any zero-carbon or zero-waste commitments and providing no renewable power investment.
- Development would destroy a valuable wildlife corridor and does not present a net gain in biodiversity.
- Current infrastructure and facilities (such as schools and Doctor's surgeries) are insufficient to accommodate residents.
- Development would result in the loss of a valued area of open space.
- Development relies too heavily on private vehicles, providing excessive availability of car parking and no measures to mitigate private vehicle use.

- Does not provide any additional amenity for the town, district or National Park.
- Development does not adhere to Local Plan policies.
- Development will have a damaging effect on the Dark Night Skies designation.
- Insufficient Electric Car charging infrastructure.
- Does not reflect the character of the local area or of the wider town of Lewes
- Site is green field land of agricultural value, while brownfield sites are available in Lewes, therefore the site should not be developed until brownfield sites have been exhausted.
- Development is contrary to Central Government's active travel programme.
- Development does not invest sufficiently in bicycle travel, offering no additional cycle routes and providing insufficient cycle storage.
- Development in this location will be vulnerable to flooding and will have an adverse effect on local ground water reserves and flooding elsewhere as a result of the increased water run-off from the built environment.
- Development lacks an appropriate masterplan or design brief.
- Planning application has misrepresented the level of popular support for this development.
- Development does not offer local work spaces to encourage residents to work locally.
- Application does not contain any protection for the ancient site below ground at Old Malling Farm.
- Timing of the public consultation on the application was inappropriate, given the ongoing public health crisis.

Planning Officer Comment: These comments span the period since the application was validated in 2019 to the present day. They do not include comments made as part of the Authority's separate summer 2020 consultation on the Design Brief. Some of the points raised, such as the lack of Design Brief, have subsequently been overcome during the application process.

5.2 Of the two general comments, one provided photographs of flooding in the local area in the year 2000, while the other acknowledged the need for development and suggested that the site is the only area where development of this kind could take place, but raised concerns that already prevalent traffic and parking problems would be exacerbated by this development if it did not contain an integrated plan to ensure proper traffic management.

5.3 In addition to the above, representations were received from the Friends of Lewes, the South Downs Society, Cycle Lewes, Hamsey Parish Council, Maria Caulfield MP and Ward Councillors Ross and Nicholson. Their comments are summarised below:

Maria Caulfield, MP (comments made in 2019):

- The site is unsuitable for development, because it sits within flood zones 2 and 3, and is also within close proximity to the River Ouse.
- The British Geological Survey also shows risks of groundwater flooding because the groundwater on the site is less than 3 metres below the surface.
- The lower part of Monks Way, where the site's vehicular access is located, was inundated by flood water during the worst flooding in recent years in 2000. This being the only vehicular access point for 226 properties could cause severe access problems if such flooding happened again, without considering what such flooding would do for the properties on the site.

- This single vehicular access point will also cause a significant amount of traffic on Monks Way and Old Malling Way, particularly during peak times during the morning and evening.
- Further consideration must be given to the other local amenities that will struggle to cope with such an influx of people, such as Local Schools and GP services.
- Bringing forward such an application when the site is still being considered by Planning Inspectors as part of the South Downs National Park Local Plan is inappropriate.
- Old Malling Farm is a large green field site and green field sites should not be developed while there are still brownfield sites available for housing within the planning authority area.
- The mix of affordable housing does not provide the type of housing that is needed by local people.

Lewes District Councillors Ross and Nicholson (Ward Councillors) (February 2021):

- The Application does not provide the type of accommodation that is needed in Lewes
- The Application would very significantly increase vehicle movements through the town and on nearby roads, and does not propose any measures to reduce or mitigate the additional traffic
- The Application does not respond to the 21st century sustainability challenges of climate change and biodiversity loss.
- The Application does not provide any additional amenity for the Town, District or National Park.
- The Application does not adhere to the policies of the South Downs National Park Local Plan.

Further comments received from Councillor Ross (May 2021)

- Supports many of the SDNPA Access Officer's recommendations, including improvements to the railway cutting.
- Improvements would need to be carried out so as not to damage existing ecology.
- Does not agree recommendations regarding Wiley's Bridge are essential.
- Notes principles for SDNPA Parking Supplementary Planning Document.
- Considers two parking per dwelling within 1 mile of centre of Lewes is not justified – should be one per dwelling, maximum.
- Site would benefit from small work hub and café/retail facilities.
- Parking provision should be consistent with landscape-led approach.

Friends of Lewes (May 2021)

- Principle of development, with single point of access to the north, is unacceptable and would lead to a car-dependent development based on a number of cul-de-sacs.
- Note representations from ESCC Highways and SDNPA Access and request delivery of essential cycling and walking infrastructure to be provided.
- Increased noise and air pollution as a result of northern access – remain of the view southern access should also be provided.
- Concern that delay to North Street Quarter (NSQ) development would affect the acceptability of this scheme, as reliant on mitigation secured by NSQ.
- Note requirements of the Design Brief have not been met and consider further information should be provided now, rather than as reserved matters.

The South Downs Society (comments made in 2019)

The South Downs Society believes that the sustainability assessment for this application is not suitable, in particular relating to the road layout and access arrangements, and the application should therefore be deferred pending improvements. In particular:

- The current application does not recognise the importance of the road layout in relation to solar power generation.
- There are insufficient measures included within the development to cope with climate change.
- The Environmental Statement submitted takes no account of renewable energy outside of the suggestion of limited solar panel provision. Given the UK's ongoing commitments to climate change agreements, this is insufficient.
- The provision of infrastructure for walking, cycling and mobility users is not treated with equal importance as the provision of roads.
- Insufficient consideration is given to the provision of bus infrastructure in relation to the road layout and site access.

Cycle Lewes (February 2021):

Cycle Lewes raise strong objections to the development as being in conflict with central government policy, South Downs Local Plan Policies SD2, SD3, SD5, SD19, SD20, SD22 and SD76; Lewes Neighbourhood Policy AM1; Hamsey Neighbourhood Plan vision for non-motorised travel and the creation of an effective network of footpaths and new cycle paths linking the communities across the Parish; the East Sussex Local Cycling & Walking Infrastructure Plan (LCWIP) and the principles of the design brief for the site.

- The development is contrary to the Government's active travel programme for cycling and walking.
- The development fails to deliver a sustainable form of development that prioritises zero carbon modes of transport.
- The developments fails to provide a convenient, safe, attractive and easily accessible network of paths and cycle-ways.
- The site must be extended to include a safe, gently graded cycleway and footpath access at its southern end, nearest to Malling Playing fields, so that cycling and walking offer convenient access to the site while avoiding conflict with vehicular traffic.
- The currently proposed pedestrian and cycle routes on to Monks Way and Old Malling Way lack connectivity.
- The vehicular access from Monks Way must provide for the existing walking and cycling route along the railway cutting to be maintained without interruption or compromises to its safe use and therefore must be a bridged vehicular access over the pedestrian and cycle route.
- The development fails to provide the off-site cycle infrastructure requirement set out in the East Sussex Local Cycling & Walking Infrastructure Plan.
- The development should fund significant off site works to provide the cycle and pedestrian facilities into the town centre including of the riverside path from Tesco and Cliff High Street together with cycle lanes and junction improvements at Phoenix Causeway to accommodate the additional pedestrian and cycle journeys.
- There is an over-emphasis on car parking which is excessive with 451 spaces, which encourages the use of cars in conflict with planning policies to protect the environment.
- The development does not provide adequate, high quality, safe, secure and accessible bicycle storage facilities to each dwelling, including charging facilities, contrary to South Downs Local Plan Policies SD5 and SD22.

- Without these access and infrastructure requirements, the development generates avoidable and significant vehicular traffic contrary to planning policy SD2 and SD3 to reduce pollution, meet zero carbon and improve wellbeing.

Hamsey Parish Council (April 2020):

- This design offers nothing to the local communities to mitigate the effects of building on valued green field land.
- The proposal of 15% affordable homes compared to the 40% required by the SDLP is unacceptable.
- To compensate for the landscape and biodiversity loss on this site, any design needs to be progressive, innovative and hopeful with a design that both Lewes and the surrounding villages can be proud of. It is our view that this design doesn't come close.
- Development would erode the green landscape and change forever the character of this green space, within a stone's throw of Offham Marshes SSSI.
- This site defines the local landscape by providing a buffer between rural Hamsey and the town of Lewes.
- Existing brownfield sites should be developed before any green space is lost to controversial developments.
- The Design Brief expresses an intention for providing strong walking and cycling routes, which aligns well with objectives in the Hamsey Neighbourhood Plan; but this does not appear to be reflected in the plans for this development.
- A surfaced shared use path from Old Malling Farm along the disused railway and north over the Ouse would benefit the residents of this development and the wider communities, such as Hamsey Parish, with a sustainable transport opportunity to schools, colleges and commuting, as well as recreation. A cycleway/pedestrian link here could provide an upper Ouse course for the acclaimed Egrets Way.
- The design is missing an opportunity here for truly pioneering, sustainable development which shows exciting alternatives to our reliance on motor vehicles.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plans are the **South Downs Local Plan 2014-2033 adopted July 2019** and the **Lewes Neighbourhood Development Plan 2015-2033 (made 11 April 2019)**. The planning policy context including the development plan policies and other material considerations considered relevant to this application are set out below.

National Park Purposes

- 6.2 The two statutory purposes of the SDNP designation are:
- To conserve and enhance the natural beauty, wildlife and cultural heritage,
 - To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.
- 6.3 If there is an irreconcilable conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework (NPPF) and Circular 2010

- 6.4 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 (DEFRA Circular) and The National Planning Policy Framework (NPPF) which was issued and came into effect on 24 July 2018 and further amended in February 2019. The DEFRA Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 172

that great weight should be given to conserving landscape and scenic beauty in the National Parks and that the conservation of wildlife and cultural heritage are important considerations that should also be given great weight in National Parks.

- 6.5 The NPPF has been considered holistically in the determination of this application, although it is considered that the following sections are of particular relevance:
- Section 2: Achieving Sustainable Development
 - Section 4: Decision-making
 - Section 5: Delivering a sufficient supply of homes
 - Section 8: Promoting healthy and safe communities
 - Section 9: Promoting sustainable transport
 - Section 11: Making effective use of land
 - Section 12: Achieving well-designed places
 - Section 14: Meeting the challenge of climate change, flooding and coastal change
 - Section 15: Conserving and enhancing the natural environment
 - Section 16: Conserving and enhancing the historic environment
- 6.6 In addition to the above, it is considered that paragraphs 7, 8, 10, 11, 47, 54, 55, 56, 57, 64, 91, 92, 96, 98, 102, 108, 109, 110, 111, 117, 118, 122, 127, 150, 151, 153, 163, 165, 170, 172, 175, 178, 180, 182, 184, 189, 190, 192, 193, 195 and 197 of the NPPF are particularly relevant to the determination of this application.
- 6.7 Of these, notably, paragraph 172 states that “Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. . A footnote to the NPPF states that “Whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.” This issue is assessed further in Section 7 of this report.
- Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)
- 6.8 This application is also supported by an Environmental Statement as the proposals fall within the definition set out in Schedule 2, Infrastructure Project, 10(b) of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017.
- 6.9 As set out in the above mentioned regulations and the 'Planning Practice Guidance' which accompanies the National Planning Policy Framework, there are specific arrangements for considering and determining planning applications that have been subject to an Environmental Impact Assessment (EIA). This includes consideration of the adequacy of the information provided, consultation, publicity, and informing the public of the decision and the main reasons for it. The Local Planning Authority should take into account the information in the Environmental Statement, the responses to consultation and any other relevant information when determining the planning application. Further assessment of the submitted Environmental Statement is made in Section 7 of this report.

Town and Country Planning (Listed Building and Conservation Areas) Act 1990

- 6.10 Sections 66 and 72 of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 are also relevant.
- 6.11 Section 66 relates to the grant of planning permission and states 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses'.
- 6.12 Section 72 relates to Conservation Areas and the grant of planning permission and states 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

Development Plan Policies

- 6.13 The following policies of the **South Downs Local Plan (SDLP)** are considered of particular relevance to this application and these policies are considered to be compliant with the NPPF:
- SD1 – Sustainable Development
 - SD2 – Ecosystem Services
 - SD3 – Major Development
 - SD4 – Landscape Character
 - SD5 – Design
 - SD6 – Safeguarding Views
 - SD7 – Relative Tranquillity
 - SD8 – Dark Night Skies
 - SD9 – Biodiversity and Geodiversity
 - SD11 – Trees, Woodland and Hedgerows
 - SD12 – Historic Environment
 - SD15 – Conservation Areas
 - SD16 - Archaeology
 - SD17 – Protection of Water Environment
 - SD19 – Transport and Accessibility
 - SD20 – Walking, Cycling and Equestrian Routes
 - SD21 – Public Realm, Highway Design and Public Art
 - SD22 – Parking Provision
 - SD25 – Development Strategy
 - SD26 – Supply of Homes
 - SD27 – Mix of Homes
 - SD28 – Affordable Housing
 - SD45 – Green Infrastructure
 - SD46 – Provision and Protection of Open Space, Sport and Recreational Facilities and Burial Grounds / Cemeteries
 - SD48 – Climate Change and Sustainable use of Resources

- SD49 – Flood Risk Management
- SD50 – Sustainable Drainage Systems
- SD54 – Pollution and Air Quality
- SD76 – Land at Old Malling Farm, Lewes

6.14 The following key policies of the **Lewes Neighbourhood Development Plan (LNDP)** are considered of most relevance to this application and these policies are also considered to be compliant with the more up-to-date SDLP and NPPF:

- LE1 – Natural Capital
- LE2 - Biodiversity
- HC3A – Heritage Protection of Landscape and Townscape
- HC3B – Planning Application Requirements and Heritage Issues
- PL1A – General Housing Strategy
- PL2 – Architecture and Design
- PL3 – Flood Resilience
- PL4 – Renewable Energy and the Resource and Energy Efficiency of New Buildings
- AM1 – Active Travel Networks
- AM3 – Car Parking Strategy
- SS2 – Social and Civic Spaces
- SS3 – Protection and Enhancement of Green Spaces

South Downs Partnership Management Plan

6.15 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans “contribute to setting the strategic context for development” and “are material considerations in making decisions on individual planning applications”. The South Downs Partnership Management Plan, as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Priorities and a Delivery Framework for the National Park over the next five years. The priorities of most relevance to this development proposal are 1.1, 1.2, 2.2, 3.1, 4.1, 5.1, 5.2, 5.3, 7.1, 9.1 and 9.2.

Old Malling Farm Design Brief

6.16 Policy SD76 of the SDLP requires that development should be informed by a comprehensive and integrated Design Brief, subject to the SDNPA’s approval. In January 2020, a draft Design Brief, prepared by the applicant in collaboration with SDNPA officers, was considered by Planning Committee. It was resolved to approve the Brief for consultation and that for any minor changes necessary following the consultation to be dealt with by the Director of Planning and Chair of the Planning Committee. Such minor changes were made and agreed and the Brief approved in October 2020.

6.17 During the consultation on the Design Brief, comments were received from 67 respondents including local residents, community groups, national bodies, councillors and local authority representatives. Key themes emerging from the consultation were sustainable transport, parking, sustainable construction and zero carbon. Further information and amendments were secured on all of these themes in the approved Design Brief.

6.18 The Design Brief also outlines a robust Green Infrastructure Strategy which has led to the emergence of 4 character areas; the Old Hamsey Quarter to the north, Railway Quarter to the east (adjacent to the cutting), Riparian Quarter to the west and Deanery Quarter to the south, which has the lowest density of the four areas. Another key component of the Brief

is the creation of a 'green spine' through the site, which would allow key views into and out of the site, connecting it to local features, such as Lewes Castle and Hamsey Church. The illustrative masterplan at Appendix 2 provides further details of how the principles and strategies could be achieved. Overall, the Brief represents a positive and meaningful mechanism for guiding and delivering a landscape and ecosystem-services led development, through a series of strategies and design principles.

7. Planning Assessment

7.1 The main issues for consideration with regard to this application are:

- the principle of the development, the assessment of major development and the assessment of the submitted Environmental Statement;
- the 'landscape-led' design (including the impact on eco-systems services, landscape character, views, tranquillity and dark night skies) of the proposal;
- the affordable housing provision and housing mix;
- the requirements for zero carbon and sustainable construction;
- the impact on highway issues (including in respect of pedestrians and cyclists) and parking;
- the impact on local amenity;
- the impact on heritage assets;
- the impact on flood risk and drainage; and
- the impact on ecology and biodiversity.

Principle of the Development / Major Development / Environmental Statement

7.2 The application site is allocated for between 220-240 dwellings in the South Downs Local Plan 2014-2033 (policy SD76). This allocation was carried over from the Lewes and SDNPA Joint Core Strategy (May 2016), where despite concerns raised by the SDNPA at the time, the Examiner saw fit to include the site for development. At this time, the location of the main vehicular access to the site was also considered by the Examiner and included as part of the policy (this is the same access point as that put forward in this outline planning application).

7.3 During the SDLP examination process, the application site was deemed to be Major Development for the purposes of paragraph 172 of the NPPF, on account of the scale of the development proposed and the potential for a development of this scale to have a significant adverse impact on natural beauty, wildlife and cultural heritage. This paragraph states planning permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest. An assessment of any such application needs to consider, as part of the assessment, the need, the cost of and scope for developing outside the designated area and any detrimental effects on the environment. The proposed development is within the parameters of the scale set out in Policy SD76 but undertaking of this assessment remains necessary.

7.4 All reasonable options for a strategic scale peripheral expansion of the Lewes town would be within the National Park boundary. Therefore, based on all other relevant factors, including its availability, deliverability and proximity to the town centre, this site stands out as one of the most sustainable of those that could realistically provide the necessary new housing within the plan period, particularly as any realistic alternative options would be of greater landscape sensitivity. There are Brownfield sites within the town that form part of the development strategy, such as development at North Street Quarter, but these alone cannot deliver the level of housing required to meet the need. The Inspector of the Lewes Joint Core Strategy saw fit to allocate the site for housing despite being considered to be major development and the SDNPA accepted that decision. Lewes is the largest town within the National Park boundary and in this instance, following the decision made by the Inspector of the Lewes JCS, the provision of housing on a green field site is accepted as an

exceptional circumstance. This was recognised and accepted through the allocation of the site in the Local Plan for between 220 and 240 residential dwellings, which in itself carries substantial weight in the determination of any application.

- 7.5 As explained above, the evidence base for both the SDLP and Lewes JCS sets out there are few appropriate opportunities within the National Park to provide a substantial number of new homes to address the housing needs of the area, an issue which is considered to be demonstrably in the public interest. Increased housing supply is also a core objective of Government policy. There is a recognised need for more housing in the southeast of England, where many Local Authorities are struggling to find sites to deliver the level of housing expected by central Government. This was a major consideration of the allocation of the site in the development plan. The delivery of housing in this area would therefore be of public benefit. The benefit it provides to Lewes is discussed in more detail throughout the report.
- 7.6 Through the examination process for the Lewes JCS, the examiner considered that in order to meet the housing need for Lewes District at that time, sites within the National Park boundary may need to be considered. Lewes is the County Town for East Sussex and provides a wide range of facilities for the surrounding communities, including direct transport links to London, Brighton and Eastbourne, schools, shops and employment opportunities. Whilst there may be other opportunities to deliver housing elsewhere within the local area, outside of the National Park and beyond Lewes town, to do so may be at the cost of delivering in a single location and without the benefit of such good transport links and access to facilities. The delivery of the same range of benefits that could be secured through this scheme (e.g. improvements to the railway cutting and provision of the public open space) are also likely to be harder to achieve if the development came forward on sites outside of the National Park. The SDNPA recognised that this remained the case in creating their own Local Plan and so the allocation was retained.
- 7.7 The effect on the environment, the landscape and recreational opportunities is considered in detail in the assessment below. In summary, whilst it is acknowledged there will be some impact on landscape character and in views, as well as on wildlife, this impact could be mitigated to ensure it would not be significant and that opportunities for biodiversity and recreation could be enhanced. Overall, it is therefore considered that the three tests of Major Development as set out in paragraph 172 have been met for this allocated site.
- 7.8 The application is also accompanied by an Environmental Statement (ES), in accordance with the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). This describes the 'Environmental Impact Assessment', which assesses the potential environmental effects of the development during the construction and completed scheme (beneficial or adverse), the degree of impact, and mitigation measures to avoid, reduce or offset negative impacts. The issues covered are: Landscape and Visual, Highways and Access, Ecology and Nature Conservation, Heritage, Flood Risk, Drainage and Water Quality, Lighting and Air Quality, as required as part of the EIA scoping opinion. The Statement concludes that, overall, the scheme is considered environmentally acceptable following implementation of the required mitigation.
- 7.9 Policy SD76 requires that the development is informed by a 'comprehensive and integrated design brief'. Following initial consideration by Planning Committee and a period of public consultation, the Old Malling Farm Design Brief was approved in October 2020. This provides a summary of key evidence associated with the site and its setting, covering aspects including topography, landscape elements, perceptions and movement. It goes on to analyse this evidence, drawing out challenges that need to be addressed through the design and opportunities on which a series of Design Principles are based.
- 7.10 Policy requirements, such as the amount of development and location of the access have been incorporated into the Brief and evidence has been used to further define principles for development, such as the character area that could provide capacity for a higher density of development.

- 7.11 The application is made in outline, with all matters reserved except access and therefore less detail has been provided regarding how the Design Brief principles will be delivered. The applicant has provided a series of parameter plans that provide the strategies for landscape, drainage and movement, upon which future reserved matters would be based. These have been lifted from, or very strongly influenced by, the approved Design Brief and demonstrate at a high level how future development of the site could deliver the landscape-led design principles already established for the site.
- 7.12 Officers are satisfied that the principles of the Design Brief remain alive within the outline application and can be delivered more comprehensively in the future reserved matters applications.

Landscape Character and Visual Impact

- 7.13 The principle of development on this site was established through the examination into both the Lewes JCS and SDLP – it is the nature of how the site is developed that is for consideration as part of the application process and it is on this basis landscape character and visual impact are assessed. The Landscape and Visual Impact Assessment (LVIA) has been updated during the application process and examines the landscape character visual characteristics in detail.
- 7.14 The site is located on a promontory of elevated land at the bottom of the eastern slope of the Ouse Valley Sides Landscape Character Area (SDILCA) and is broadly consistent with the characteristics and sensitivities associated with this character area. In particular, elements such as the wooded boundaries and topography are highlighted as important elements and the approved Design Brief includes principles regarding the development of the site that take these aspects into consideration, such as the main spine road following the site contours and the enhancement and reinforcement of wooded boundaries. These aspects are also carried forward onto the illustrative masterplan and suite of parameter plans submitted in 2021 as part of this outline planning application.
- 7.15 The Examiner at the point of allocation, stated the impact on the National Park and its setting would be limited, however officers note the site to be readily visible from a series of key viewpoints, including Offham Hill, Malling Down and Hamsey Church. These have now been included as part of the Visual Assessment, as part of a series of 16 locations providing short, mid and long-distance viewpoints. Further information and clarification on how some of the conclusions of the visual assessment within the LVIA and related particularly to these viewpoints was requested by the Landscape Officer and Natural England. In further information received May 2021, the applicant advises that the parameters on which conclusions have been drawn and the further clarification requested, can be found in the Design Brief. This has not been entirely satisfactory to overcome the concerns raised in the consultation comments, however these are not concerns regarding the legality of the level of information provided and relate more to best practice. Whilst it would be preferable for this information to be presented now, it is likely that much of the visual impact would be capable of being mitigated through design choices at reserved matters stage. In particular those from Offham Hill and towards Hamsey Church would need further evidence provided to support reserved matter design decisions. This may include visualisations and/or wireframe diagrams in order to demonstrate decisions relating to layout, external appearance and the scale of the built form would not result in significant or prolonged visual harm.
- 7.16 There are 2 key principles which the landscape and visual impact assessment relies on, in order to ensure the development of the site would not cause significant harm. These are the strength of the woodland boundaries (particularly to the north and west) and the location of open space (which also seeks to resolve cultural heritage and ecological considerations as well). It is considered that these aspects go to the heart of the principle of development and should be assessed at this stage.
- 7.17 The woodland to the west of the site and tree planting along the northern boundary provide important screening to the site, providing a strong influence on the enclosed character of the application site. The woodland comprises a large number of Ash trees, whilst the

northern boundary is primarily planted with aging Poplars. These are both at risk of diminishing over the short to mid-term, which would lead to a change in character of the site and also expose the site to much wider views. These tracts of woodland and tree planting are in the same ownership as that of the site and it is therefore considered reasonable and directly related to the development of the site to secure future management of these areas so that the integrity of the boundaries is not diminished. This could include further planting of native species and understorey management, as part of a woodland management plan to be delivered under a Section 106 Agreement.

- 7.18 The amount of green space and broad locations of these spaces have been determined as part of the Design Brief and are indicated on both the landscape strategy and concept plans. The proportion of green space across the site is significant – each responding to the landscape elements and capable of achieving its own identity and character. Provision of play equipment and securing the principles of the green space provision can also be achieved through conditions and the S106 Agreement. The potential character and function of the green space is outlined in the Design Brief and further detail reflecting this would be expected to be provided as part of a reserved matters application.
- 7.19 Whilst a separate chapter in the ES, lighting is considered under landscape for the purposes of this report. The application site is within the E1(b) Transition Zone. Again, as the application is made in outline only, the details of lighting are limited to those principles within the approved Design Brief. The Lighting Strategy that accompanies the application concludes that the proposed lighting scheme on which the assessment has been carried out meets the Institute of Lighting Professionals (ILP) sky glow limitations for this particular location and would have a neutral magnitude of impact. A detailed lighting strategy would be provided at reserved matters stage.
- 7.20 Through the development of the Design Brief, officers focussed on how ecosystem services could be integrated throughout the development and delivery of these has underpinned many of the principles that have been brought forward through the strategies submitted as part of this application. For example, the implementation of SuDS support the sustainable management of land, the Green Infrastructure (GI) strategy would protect and provide more, better and joined up natural habitats and provide opportunities to improve people's health and wellbeing. No formal ecosystem services statement accompanies the application, as it was submitted prior to the requirement for one to be provided. Officers are however satisfied that the applicant has demonstrated the development would have an overall positive impact on the ability of the natural environment to contribute goods and services.
- 7.21 Based on the principle of development in this location having been established subject to the conditions proposed and a S106 Agreement to secure the woodland management plan and broad accordance with the landscape strategy and concept plan, together with further assessments to be made at reserved matters stage, it is considered the proposal would be acceptable and would not have a significant adverse visual impact. The visual harm that there would be needs to be set against the benefit of provision of housing on this allocated development site. Overall the development proposal would be in accordance with policies SD4, SD5, SD6, SD7 and SD8 of the SDLP.

Access, Highways and Parking

- 7.22 The applicant has submitted an updated Transport Assessment as part of the ES in support of the application demonstrating that there would not be a detrimental or 'severe' impact on the local road network. The main vehicular access would have good visibility in both directions, with nearly all traffic arriving from the south. A footway along the south of the access would link to the existing housing to the east and provide direct, at grade access to the railway cutting.
- 7.23 The existing access point from Old Malling Way would be repurposed for use by cyclists, pedestrians and for emergency access and residents of the existing dwellings at Old Malling Farm. This will be achieved through the installation of a lockable feature that would prevent unrestricted car use of the access. The Design Brief provides a suite of principles aimed at

delivering a clear, recognisable shared access that would be prioritised for non-motorised access. These would be assessed and delivered through the reserved matters application.

- 7.24 The applicant has advised that the parapet on the bridge for this secondary access is too low for safe use by cyclists at approximately 1m and that cyclists would therefore need to be asked to dismount in order to cross the bridge. As the bridge is outside of the application site, the applicant has suggested it would not be possible for them to deliver any mitigation, such as installing a rail on either parapet to increase the height to 1.4m. The bridge is owned by Lewes District Council and officers have sought and received agreement from LDC to enable railings, or another appropriate measure, to be installed as part of the proposed development. This measure can be secured through a Grampian condition, which would be imposed through this application and prevent the need for cyclists to dismount.
- 7.25 The position of the proposed access was defined as part of the original JCS policy and remained undisputed by the Examiner in his report on the SDLP. Since that time, there have been no changes in the immediate vicinity that preclude why the access cannot remain as proposed. The Local Highway Authority (LHA) do not raise an objection to the location of the proposed access and officers consider its location to be satisfactory and appropriate.
- 7.26 The LHA has objected to the proposed development on grounds that can broadly be split into 3 themes:
- Lack of information/commitment to off-site highway works
 - Provision of suitable pedestrian and cycling infrastructure, and
 - Lack of detail in respect of secondary access, drawing consistency, modelling and parking strategy.

Comments that link to these concerns have also been received through other consultation responses and many of the third party representations. These issues will be reviewed in turn.

- 7.27 Policy SD76 states that “development is contingent on appropriate off-site highway improvement works to be provided in specific locations”. Of those listed in the policy, ‘suitable traffic calming in local roads’ remains the only measure that has not already been delivered or had funding secured for its delivery. No specific measures have been identified by either the applicant or the LHA as to what a scheme of traffic calming may look like, however these could include the adoption of a ‘quieter streets’ approach with interventions such as road narrowing, chicanes, raised table junctions and 20mph speed limits. Through discussions between officers and the applicant, a sum of £1.7 million has been agreed to go towards improvements to the local highway and improved access to the town centre. The need to deliver traffic calming measures and improve non-motorised user (NMU) access to the town centre and countryside has been identified within policy SD76 and reiterated in several consultation responses, including ESCC Highways. Such a requirement is therefore considered to be necessary to make the development acceptable. All measures listed above are also considered to be directly related to the development, as they would be along the main vehicular routes linking the application site to the town centre. Whilst specific information has not been received, it is considered this particular issue could be resolved as part of the S106 Agreement, with parameters for the types of schemes suitable for the area identified as part of the Agreement.
- 7.28 The financial contribution would also be used to provide improvements to the existing permissive path within the railway cutting and ensuring there is a realistic alternative route to the town centre for non-car modes of transport. This would include the surfacing of the path, making it suitable for year-round use. It would join with existing paths further south on the recreation ground, providing a non-vehicular direct link to town. The contribution would also part-fund a link from the application site at its southern end, to enable residents to benefit from this direct link without having to first travel to the northern end of the site. As above, these options are considered to be directly related to the development as they are in close proximity to the site and the improvements would be on routes that provide a clear link between the site and town centre facilities and provide suitable alternatives to car

use. Various options as to how the southern pedestrian link could be achieved are being explored, which include a fully ramped solution and stepped access. There is a balance to be struck between achieving the most direct and accessible link and conserving the local wildlife site and associated ecological features. Whilst funding is secured for this through the S106 agreement the exact details require continued discussions between the SDNPA, Lewes DC (as landowners of the cutting) and Lewes Town Council, as well as the applicant.

- 7.29 The proposed sum of £1.7 million in the S106 agreement is based on investigations into the cost of improvements to the railway cutting and allows a balance to be struck between traffic calming and achieving a meaningful alternative for new residents to getting in a private car. The commitment of the applicant to enable the delivery of the improvements is acknowledged and the contribution is both reasonable in scale and kind, therefore meeting the necessary tests of the regulation 122 of the Community Infrastructure Regulations 2010 (as amended). This is also considered to resolve the second matter within the LHA's comments.
- 7.30 Concern has been raised about highway safety and traffic mediation measures that had been previously secured through approved schemes, such as North Street Quarter, not coming forward in advance of this application. Whilst this is acknowledged, the proposed development needs to be considered on its own merits. The proposal would not have a severe impact on the local or strategic highway network and a considerable mitigation package has been secured to deliver a range of traffic calming, non-motorised user improvements and highway works. It is therefore considered that any delay in the delivery of the North Street Quarter scheme should not have a bearing on the timing of delivery of this scheme.
- 7.31 Through the delivery of the off-site works, both in terms of traffic calming and improved NMU links, it will be essential to ensure the works complement each other and that connectivity to existing NMU routes is achieved.
- 7.32 Further information submitted following the objection being raised by the LHA advises that parking would be provided at an average of 2 spaces per dwelling. As well as the comments regarding parking from the LHA that raised concerns regarding the lack of information for parking provision, there have also been concerns raised by third parties about there being both too much and, on the other hand, too little parking provided on site.
- 7.33 According to 2011 Census data, 80% of households within Lewes Bridge ward had 1 or less cars, whereas 16.3% had 2 cars/vans per household and the remainder had more. There is an average of 0.94 cars per household. Turning to the proposed development most car parking spaces would be provided on plot, or within small parking courts, as proposed in the Design Brief. The split between allocated and unallocated/visitor spaces has been suggested in the Transport Assessment to be 406 allocated for residents and 45 spaces unallocated for visitors. Given the level of detail required at the outline application stage, the exact nature and location of spaces would be a matter for a future reserved matters application. As further details of the layout become available, the exact number of spaces would be reviewed in accordance with the SDNPA Parking SPD, although a balance would need to be struck between;
- ensuring the proposal would not exacerbate existing issues regarding parking in the surrounding area;
 - providing the number of spaces recommended through the Parking Calculator;
 - creating a development with a high quality public realm and
 - providing encouragement for residents to seek alternative methods of transport to the private car.

There is likely to be a shortfall of spaces within the site, when taking into account the number recommended by the Parking Calculator, which based on current information indicates 496 spaces would be required (compared to the 451 spaces proposed in the development). This is considered acceptable because of the other measures proposed by

the development, such as the improved pedestrian and cycle access towards the town centre and public transport hubs and the provision of car club spaces.

- 7.34 Car clubs are an important aspect of providing sustainable travel alternative and so such details, including numbers, location and their retention are proposed to be secured by S106 Agreement.
- 7.35 Electric Vehicle (EV) charging is proposed across the site – for all on plot parking and allocated parking for houses. For communal parking the Authority’s Sustainable Construction SPD requires 1 EV charging point per 10 spaces, with ducting for every 1 in 5; and provision for this is secured through the S106 Agreement.
- 7.36 The LHA have raised concerns regarding the clarity of information within the Transport Assessment. Despite this being updated and resubmitted, it still references the JCS, rather than the SDLP. Officers, however, can confirm that the transport evidence base that informed the SDLP allocation of the application remained unchanged from that considered in the JCS examination and therefore this does not affect the conclusions of the Transport Assessment. Therefore the information legally required by the EIA Regulations has been provided, albeit not in as clear and comprehensive a manner as the LHA would have liked.
- 7.37 It is acknowledged that there is significant local concern regarding increased traffic along Old Malling Way and Monks Way, as a result of the access being located toward the northernmost point of the site. The cost of reinforcing and expanding the existing access, or the provision of a new access further south would likely cause significant ecological, landscape harm and could impact upon viability. This has not been pursued in any detail by the applicant, as the policy is clear in terms of the appropriateness of the northern access point and the Local Highways Authority have raised no objection to this access. The focus for officers has been instead to seek measures that would enable a real alternative to private car use, in a bid to reduce reliance on car journeys. It is considered this would be achieved through the mitigation package outlined above.
- 7.38 The potential for a bus route to loop through the site has been raised through the consultation, by third parties. This had been explored by the applicant, but at the present time, the local bus company is not prepared to change the route. The nearest bus stop is just south of the existing access from Old Malling Way. This would be 400m from the furthest point within the application site, which, is broadly considered acceptable. Additionally, in order to provide a bus route within the site may lead to additional infrastructure being provided within the site that could have an impact on other landscape and biodiversity enhancements. Taking into consideration the existing public transport provision, officers consider the provision for buses is acceptable.
- 7.39 In conclusion, it is considered that the scheme does not give rise to severe or unacceptable cumulative impacts on the road network, does not have a detrimental impact on highway safety and adequate provision would be made for parking. Good provision would be made for pedestrians and cyclists. Taken together the development scheme is considered to accord with policies SD19, SD20, SD21, SD22 and SD76.

Affordable Housing and Housing Mix

- 7.40 Following a series of discussions between officers and applicant, the application proposes to deliver 50% affordable housing across the application, with a tenure split of 75% affordable rented and 25% intermediate housing. As part of this provision, 10 dwellings that accord with the definition of LLCH set out in the Lewes Neighbourhood Plan would also be provided. LLCH is defined on page 60 of the Lewes Neighbourhood Plan as:
- The maximum cost affordable on the average Lewes salary whether for sale or rent. The Government’s definition of 80% of market value is not ‘affordable’ on the average Lewes income of £23,000 or household income of less than £30,000, and for that reason will not address the community’s housing need.

The provision of these units is important, however should not be at the expense of delivering affordable housing overall. In this instance, the applicant has indicated agreement with the viability appraisal carried out by Bruton Knowles, on behalf of the SDNPA, which

demonstrates that the scheme can accommodate these units. The provision of 113 affordable units is of significant benefit to both Lewes town and the SDNPA as a whole. The number, housing mix and tenure split are fully compliant with policy SD28.

7.41 The tables below set out the proposed housing mix for both the market and affordable units and how that compares to the requirements of Policy SD27 of the SDLP.

Proposed Housing Mix and Affordable Housing Tenure

Size of Unit	Market Housing		
	Total number of units proposed	Total %	Policy SD27 requirement, total % by size of unit
1 bed unit	0	0%	At least 10%
2 bed unit	36	32%	At least 40%
3 bed unit	56	50%	At least 40%
4 bed unit	21	18%	Up to 10%
Total	113		

Size of Unit	Affordable Housing				
	Number of Affordable Rented	Number of Shared Ownership	Number of LLCH	Total % by size of unit	Policy SD27 requirement, total % by size of unit
1 bed unit	5			4%	35%
2 bed unit	44	20	10	66%	35%
3 bed unit	21	7		25%	25%
4 bed unit	5	1		5%	5%
Total	75	28	10		

7.42 The affordable housing mix provides a greater percentage of 2-bed units than required, rather than a 50/50 split between 1 and 2-bed units. This mix has enabled the delivery of the 50% affordable housing, and tested as part of the viability assessment process. Further, Policy SD27 allows for the substitution of 1-bed affordable units with 2-bed affordable units and as such, the affordable housing mix and proposed tenure split is considered to be policy compliant and acceptable.

7.43 The proposed market housing mix on which the viability assessment is based provides a higher percentage of 4-bed units than policy SD27 indicates. However, over 80% of the housing proposed would be 2 and 3 bed units. This is typical of the mix within the surrounding area and so wouldn't be out of context. The slight departure from policy is also considered against the provision of the 50% affordable housing and provision of LLCH units, as well as the provision of extensive green infrastructure and the character areas emerging

from the Design Brief. Overall, it is considered that the general approach to the market housing mix is acceptable in these particular circumstances and outweighs the housing mix requirements of policy SD27.

- 7.44 Officers are therefore satisfied that the development would deliver a satisfactory housing mix on site.

Sustainable Construction and Zero Carbon

- 7.45 As already stated, it is considered that when it comes to the major development 'test' exceptional circumstances exist and the development would be in the public interest. Therefore, in accordance with policy SD3 of the SDLP, any development of this site has to deliver on eight guiding principles of sustainable development. As the application has been made in outline, with most matters of detail left to reserved matters, there is little information in the application documents as to how each of the criteria will be addressed. In particular, matters regarding zero waste and sustainable materials will be dealt with at the reserved matters stage. The Design Brief includes a set of principles and guidance on measures appropriate to each of the criteria, which would be expected to guide any future application.
- 7.46 The Authority's viability appraisal for the application includes sums that would enable the provision of electric vehicle (EV) charging across the site, as well as accounting for the upcoming increase in carbon reduction requirements within Building Regulations. The appraisal also identifies enough of a profit margin to enable further contributions to be made towards achieving a 'zero carbon' development. Whilst details have not been provided as to how this would be achieved (which is not unreasonable in an outline planning application), the applicant has demonstrated a willingness to comply and deliver a zero carbon, zero waste development that would include renewable energy (such as air source heat pumps and photovoltaics), and water efficiency measures. This would be a significant public benefit. Further details of how compliance with policy SD3 and SD48 would be met, with particular regard to zero carbon, would be achieved through the submission of an energy strategy to be secured by S106 Agreement.
- 7.47 For the sustainable transport measures (to reduce the need to travel and encouraging low / zero carbon modes of transport) the applicant is providing a financial contribution to improve the existing permissive path within the railway cutting. This would provide a more direct non-motorised link to Lewes town centre. Improvements to existing bus stops, car sharing club spaces within the site and the provision of electric vehicle charging points and associated infrastructure for all residential units would also be provided.
- 7.48 For sustainable water, the applicant is proposing a drainage strategy which ensures the total future water run off rate (plus an allowance for climate change) does not exceed run off from the existing site together with a number of SuDS measures including swales and bio-retention ponds. .
- 7.49 For land use and wildlife, the landscape strategy / green infrastructure for the site has been the driving force behind the proposals. Further details on the built form would be required as part of future reserved matters applications.
- 7.50 For culture and community, again through the landscape strategy, it is considered that the scheme respects the local character of the area. It is acknowledged that there have been several representations suggesting that additional community and work facilities should be provided as part of the development. This is not a policy requirement and whilst such provision could be of benefit, the improved green spaces and opportunities to improve routes to community facilities further south, are considered to satisfy this criterion.
- 7.51 For health and wellbeing, much of the detail would be provided and assessed in the reserved matter applications. The green infrastructure across the site provides for walking and cycling routes, spaces for people to relax and enjoy the environment and more formal spaces where people can gather and play outdoor games (such as on the proposed village green).

7.52 In conclusion, in as far as an outline planning application where access is the only matter to be determined, it is considered that this scheme would not result in any adverse impact, and is likely to have an overall positive impact, on the environment and is therefore in accordance with policies SD3 and SD48 of the SDLP. It is acknowledged that much will depend upon the securing of further details to be submitted as part of future reserved matters applications, and adherence to the principles within the Design Brief through suitably worded conditions and obligations within the Section 106 legal agreement. This is not unusual in the case of large complex schemes and the same robust policies will apply to any subsequent details submitted.

Impact on Local Amenities

- 7.53 Although used informally by some walkers there is no right of access to the site by members of the public. The provision of additional public open space and a circular walk around the site are considered to be beneficial not only to future residents but also to existing local residents. The proposed development also secures funding for an improved non-motorised route leading to the town centre along the existing railway cutting, which would also be of benefit to existing residents. Car club spaces within the site would be available for use by existing nearby residents. Several representations have been made requesting the proposal also makes allowance for further community facilities, such as a shop and/or employment space. Whilst the benefit of such provision is noted, it is not a requirement of the local plan for such provision to be made. The development is not required to directly fund additional school places, or GP services as at this point there has not been an indication from local providers that such provision is necessary. If required, any future provision could be funded in whole or part by the CIL receipts from this and other development within the SDNP. The development will be liable to pay the community infrastructure levy, which will be calculated following any approval of reserved matters.
- 7.54 As already stated the site is characterised by its strong wooded boundaries, which lead to a sense of seclusion and there would also be relatively limited direct inter-visibility between the existing residents to the east on the Malling estate and new residents of the site. There would be a more direct (but not unacceptable) impact on the residents of Old Malling Farm itself. A number of concerns have been raised by these residents through the course of the application and Design Brief consultation, many of which have been considered as part of theme-specific assessments above. One such example would be the issue of surface water run-off from the existing field into the farm complex, which would be addressed when further details of the drainage mitigation and enhancement measures are submitted as part of the reserved matters application. Continued access to the farm complex and privacy/security measures have also been raised. The former has been addressed in earlier paragraphs, whilst the latter is matter for the reserved matter stage.
- 7.55 The existing dwellings are well screened by existing woodland; measures for the retention and management of this woodland have been discussed above. The layout and scale of the new dwellings has not yet been determined but officers consider it would be possible to deliver the proposed quantum of development without leading to overlooking or loss of private residential amenity to the existing dwellings. The location of the existing properties, the topography of the site and broad parameters for the scale of new buildings noted in the concept plan would not result in a loss of daylight or sunlight to existing residents. The illustrative masterplan (Appendix 2) shows one way in which this might be achieved.
- 7.56 The approach to these existing dwellings would be directly impacted by the construction of the proposed development, however this could be mitigated against through the imposition of a construction and environmental management plan condition.
- 7.57 The impact of the additional dwellings on the local road network has been considered above, and it is acknowledged there is already significant on-road parking along Old Malling Way as a result of the Policy and Ambulance headquarters nearby, as well as existing residents. The proposal is considered to have provided adequate measures through its parking strategy and the proposed mitigation to improve NMU access to the town centre to

prevent the development resulting in an unacceptable impact on the road network or exacerbating parking on-street.

- 7.58 The construction phase of the proposed development would involve a number of activities that could produce polluting emissions to air. Predominantly, these will be emissions of dust. For the operational phase the primary concern would be additional traffic and potential heating methods. Chapter 11 of the ES considers the impact of air quality and proposes a number of mitigation measures that could be secured through a Construction and Environmental Management Plan (CEMP). The report considers that there would be a negligible impact on air quality as part of the operational phase of the development and therefore proposes no mitigation. Overall, this may be the case, however officers recognise the importance of taking steps to make enhancements and therefore encouraging alternative methods of travel have formed part of the assessment, and are discussed elsewhere in the report. Consideration of how dwellings would be heated are part of the consideration for reserved matters.
- 7.59 For existing residents at Old Malling Farm and in the Malling Estate it is recognised there would be both a visual and aural impact as a result of the scheme and the experience of users of Old Malling Way will change. This impact, however, is considered to be moderate and not to be out of character with a residential area where in many cases, an element of through traffic is inevitable. The site is allocated for development and this also has to be weighed against the many benefits the scheme would bring; in terms of additional public green space, housing and affordable housing and that the additional traffic generated by the development could be absorbed within the capacity of the highway network.
- 7.60 Hamsey Parish Council has requested that the railway cutting improvements extend to the north and continue over the River Ouse to link with rural communities beyond. Whilst this would be desirable, it is not considered necessary in order to make the development acceptable.
- 7.61 In conclusion, subject to conditions securing the proposed mitigation measures already mentioned above (and as supported by the comments from the consultees) and as set out the ES, it is considered that there will be no significant detrimental impacts to the existing residents or occupiers of the proposed development, and such mitigation measures are reasonable and necessary.

Heritage Assets

- 7.62 Whilst there are no Listed Buildings on site nor is it within a Conservation Area, there are both within the immediate vicinity, as well as others further afield where the inter-visibility between the site and asset should be considered.
- 7.63 The Grade II listed ruins of a college of Benedictine Canons lies within the Old Malling Farm complex to the west of the application site. The site of the ruins has only a minimal connection with the application site, although some potential archaeology within the site on the western boundary, may be related to the ruins. Geophysical surveys have been completed, which are inconclusive as to what this archaeology may be, however the concept plan and landscape strategy propose to omit this area from the developable areas. This is considered to ensure adequate protection of the potential below ground heritage assets and would also provide preservation of the setting of the known asset at Old Malling Farm.
- 7.64 Similarly, the character and appearance of the Malling Deanery Conservation Area, which adjoins the southern boundary of the site has been recognised as requiring preservation within the landscape strategy. The lowest density housing and further green space are proposed at the southern end of the site (in accordance with the Design Brief), where there would also be opportunities for additional planting in order to preserve the secluded and tranquil character associated with the character area and Grade II* Listed St Michael's Church.
- 7.65 A potential connection between the above heritage assets and the Parish Church of St Peter (Grade I) to the north has been acknowledged as part of the Heritage Statement and within the Conservation Officer's comments. The landscape strategy and Design Brief aim to

facilitate a visual connection through the provision of a 'green spine' on site that enables views to these features, as well as south towards Lewes Castle. A careful balance of opening up these views and additional planting to retain the tranquil, secluded character of features is required, which would need to be demonstrated and delivered as part of future applications.

- 7.66 Officers consider that the development of the site overall would lead to 'less than substantial' harm to surrounding heritage assets, in particular the Malling Deanery Conservation Area. The application is made in Outline only and measures to accompany the reserved matters such as additional boundary planting and the existing separation between the site and assets would go a long way to mitigating the less than substantial impact. Strategies for how this could be achieved, namely the landscape strategy, character areas and concept plan, have been included and are considered to provide an appropriate basis on which further details could be provided. The limited harm has to be set against the significant public benefit of providing housing and affordable housing for Lewes on a site allocated for housing in the Local Plan.
- 7.67 No visual or heritage impact assessment regarding Lewes Castle, a Grade I Listed Building, was provided by the applicants. Heritage was 'scoped in' to the Environmental Statement, and the impact on Lewes Castle has been considered in as much as the proposal impacts on the land between the Castle and historic battlefields. Whilst the setting of the Castle has not been considered specifically, officers consider that this does not mean that the applicant has not fulfilled the legal requirements for EIA. The SDNPA has undertaken an assessment of the impact of the development, to determine whether there would be any harm caused to the setting of the Grade I listed building and scheduled monument. This has clearly concluded that the development of the application site would cause less than substantial harm to Lewes Castle and its setting, mainly due to the limited inter-visibility between the sites. The scale of the development in relation to the existing built up area of Lewes, existing vegetation and physical separation between the sites assists in minimising any potential harm to Lewes Castle and its setting from the proposed development. Mitigation relating to vegetation, materials and street lighting are recommended and would be delivered through reserved matters application.
- 7.68 Through imposition of conditions regarding further archaeological investigation, it is considered that the development would not cause harm to the heritage assets around the site and provision could be made through future reserved matter applications to conserve and enhance the setting of these assets, thereby according with policies SD12, SD15 and SD16 and the requirements of the Listed Building legislation.

Flood Risk, Drainage and Contaminated Land

- 7.69 Following the submission of amended and additional details, such as the updated climate change allowance figures and imposition of the necessary conditions restricting the location of residential development to within Flood Zone 1 (the area of lowest flooding risk), it is considered that the scheme does not present a flood risk. There are appropriate alternatives that will enable emergency access to and egress from the site via the existing bridged access point, in the event of a flood event, despite the northern access point being partly within Flood Zone 2 and 3 and therefore it is considered acceptable.
- 7.70 During the course of the consideration of the application, matters associated with layout were omitted, to be dealt with as part of a future reserved matters application. The Lead Local Flood Authority has therefore removed their objection regarding insufficient information, although it is noted that further information will be required as part of the reserved matters application. A drainage strategy has been provided, on which it would be expected future applications to be based. As part of this, swales along roads and within the central green spine, identification of areas for bio-retention and rain gardens are all included. There are also proposals as part of the sustainability section of the Brief to deliver water use efficiency measures, including rain and grey water harvesting. In combination, these measures would ensure an adequate response for drainage resulting in run-off being restricted to undeveloped green field rates, as well as delivering multiple benefits to the residents of the scheme and local ecology and biodiversity.

- 7.71 Flood risk has been a particular concern in many of the representations made on the application. Strategic flood risk issues were considered when the site was allocated at both the JCS and SDLP examinations, and the principle of allocation and the location of the access were accepted by the Examiner in both instances. The updated Flood Risk Assessment has taken into account the most recent data available in terms of climate change allowances, which still indicates the access point is of a sufficient level to remain dry and safe. The Environment Agency has accepted this conclusion. The arable field currently provides little intervention to slow surface water run-off. The application presents an opportunity to enhance surface water drainage on the site, which would benefit existing residents. Further details of how this would be achieved would be provided as part of the reserved matters, however the Lead Local Flood Authority and SDNPA officers are satisfied with the strategy proposed at this stage.
- 7.72 A site investigation report was carried out by Soils Ltd in March 2018, which identified a very low risk of ground contamination, and recommended a range of mitigation measures in order to avoid any detrimental effects during construction and operational phase. These will be secured by condition. Conditions requiring a verification report and measures to be taken in the event unidentified contamination is discovered (Conditions 20 and 22 in section 9) are also included, as recommended by the Environmental Health Officer. A further condition requesting a full contamination report was considered to be unnecessary, based on the findings in the investigation report carried out by the applicant and in the absence of evidence to the contrary.
- 7.73 In conclusion, it is considered that subject to conditions securing the details and proposed mitigation measures, it is considered that there will be no significant detrimental impacts to flood risk and drainage and the required mitigation measures are reasonable and necessary.

Ecology and Biodiversity

- 7.74 The site has been in arable use for many years, comprising two fields; the boundaries of which are mature woodland and hedgerow. These boundary features and land immediately beyond the site provide many ecological and biodiversity opportunities, however the fields themselves have low biodiversity value.
- 7.75 Part of the Design Brief's objective was to outline a GI strategy that would support existing landscape elements and increase biodiversity across the site. The Brief and the Landscape Strategy demonstrate how increased habitat connectivity, diversity across the proposed green spaces and protection for key species could be delivered. This is further supported by a number of ecological surveys that form part of the Environmental Statement. Based on the information submitted at this outline stage, the proposal would deliver 11.5% overall biodiversity net gain (as supported by the submitted DEFRA metric). However, this may increase at reserved matters stage, as further detailed information becomes available.
- 7.76 The site is within 250m of the Site for Special Scientific Interest (SSSI) for Offham Marshes, which is designated for biological interest and noted for its large amphibian population. This lies adjacent to the opposite bank of the River Ouse. Consideration of the potential impact of the development has been considered further, following concerns raised by Natural England. The further assessment concludes the application would have a negligible impact on the SSSI during both the construction and operational phases, providing mitigation measures including a SuDS scheme controlling surface water run-off, boundary reinforcement and appropriate storage of hazardous materials are secured. It is noted that areas of Offham Marshes were considered to be in an unfavourable but recovering condition in 2018; the application is not considered to effect the ability of the SSSI to continue to recover. These measures are all considered to be reasonable and would be secured via condition as part of this application.
- 7.77 The impact on the Local Wildlife Site (LWS) along the eastern boundary has also been considered. This site is known for its bat foraging and roosting potential and therefore the impacts of lighting would need to be carefully considered at reserved matters stage.
- 7.78 In conclusion, it is considered that the scheme will provide significant benefits to ecology and biodiversity (including providing biodiversity net gain). Importantly it enables the

environment to deliver beneficial goods and services, including health and well-being benefits, as well increasing people's understanding and enjoyment of the special qualities of the National Park, in accordance with policies SD2, SD3, SD9 and SD11 of the SDLP.

8. Conclusion

- 8.1 It is considered that this outline application would enable a detailed landscape-led design on this Local Plan allocated site to come forward. Proposed mitigation and enhancement measures are appropriate to the landscape character of the area and follow the approved Design Brief principles. The proposal would not have a detrimental impact on the character of the local area and the development of this allocated housing site would conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park. The proposed access is in accordance with policy and the 'gateway' status of the secondary access for non-motorised Users is welcomed. Provision of 50% affordable housing is in accordance with policy SD28 and securing a zero carbon development is also highly beneficial and in compliance with the requirements of SD3. The financial contribution to be secured by S106 Agreement would help deliver a package of traffic calming and NMU infrastructure that would benefit new and existing residents.
- 8.2 It is also considered that the likely environmental impacts of the development have been adequately assessed through the Environmental Statement (and its addendums) and the conditions recommended below would secure appropriate and acceptable mitigation and enhancement measures.
- 8.3 In conclusion, it is considered that the proposed development would have an overall positive impact on the ability of the environment to contribute goods and services and provide multiple benefits, including health and well-being benefits for the future occupiers of the scheme and enhancements which may benefit existing residents. It is considered that exceptional circumstances exist and the development would be in the public interest, including opportunities to conserve and enhance the special qualities of the National Park, to grant permission, particularly given the land is allocated for development in the South Downs Local Plan. No material considerations of such weight or importance have been identified that outweigh the legislative requirement under Section 38 (6) of the Planning and Compulsory Act (2004) to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.
- 8.4 Therefore, it is considered that the proposal would be acceptable and would broadly accord with the relevant policies within the National Planning Policy Framework, the South Downs Local Plan, Lewes Neighbourhood Plan, the South Downs National Park Partnership Management Plan 2019-2025 and the DEFRA Circular and purposes of the National Park.

9. Recommendation and Conditions

- 9.1 That outline planning permission be approved subject to the conditions below subject to the completion of a S106 legal agreement, the final form of which is delegated to the Director of Planning with obligations relating to:
- A maximum of 226 dwellings consisting of:
 - 75 affordable rented dwellings
 - 28 shared ownership affordable dwellings
 - 10 Lewes Low Cost Housing Dwellings
 - A housing mix for open market dwellings of:
 - Approximately 32% 2-bedroom dwellings
 - Approximately 50% 3-bedroom dwellings
 - Approximately 18% 4-bedroom dwellings
 - A housing mix for the affordable dwellings of:
 - Approximately 4% 1-bedroom dwellings

- Approximately 66% 2-bedroom dwellings
- Approximately 25% 3-bedroom dwellings
- Approximately 5% 4-bedroom dwellings
- The 10 Lewes Low Cost Housing Dwellings are all to be 2-bedroom dwellings
- Financial contribution of £1.7 million for:
 - Improvements to the existing railway cutting permissive path to enable year round use and improved access from the application site to the permissive path;
 - Other non-motorised user route improvements for enhanced routes to Lewes Town Centre;
 - Highway improvement works for traffic calming measures on Old Malling Way, Church Lane and Mayhew Way;
 - Junction improvement works including parking restrictions at the junction between Mantell Close and Old Malling Way.
- The provision of net zero carbon dwellings and sustainability measures in accordance with policy SD3, including zero waste and water efficiency.
- The provision of a Travel Plan and sustainable transport measures (including a car sharing club and electric vehicle (EV) charging points);
- Section 278 Agreement to cover highway works including provision of tactile paving, bus stop improvements and double yellow lines; and
- The provision of Estate Management Plans (to include the maintenance and management of the woodland to the west and north of the application site, landscaped areas, ecological measures, drainage, and sustainable drainage systems (SuDS), open spaces, lighting, estate roads and footways).

and note that the Committee confirm in their decision that they have taken into account:

- the environmental information as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017;
- all matters referred to in the Director of Planning's report including comments received from statutory consultees and other interested parties, and;
- all other material considerations

That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress has not been made within 6 months of the Planning Committee meeting of 10 June 2021.

9.2 Conditions

General

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

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

2. No development shall commence until details of the:
 - a) layout
 - b) scale
 - c) appearance

d) landscaping

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

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

3. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

4. The Reserved Matters shall be submitted in broad accordance with the submitted landscape strategy (drawing no. D2749_405), concept plan (drawing no. D2749_432) drainage strategy (D2749_420), movement and connectivity plan (D2749_436), character areas plan (D2749_418) and the Old Malling Farm Design Brief approved October 2020.

Reason: To ensure a detailed design that will deliver a landscape-led development, which makes best use of natural resources, conserves and enhances landscape character, biodiversity, cultural heritage and views into and from the application site.

5. At the reserved matters stage, the approved ecological measures secured through condition 3 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:

- a) establish if there have been any changes in the presence and/or abundance of bats and badgers; and
- b) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: As species are mobile and habitats can change and become more or less suitable, it is important that the surveys reflect the situation at the time on any given impact occurring to ensure adequate mitigation and compensation can be put in place and to ensure no offences are committed.

6. The development shall be carried out in accordance with the submitted Flood Risk Assessment (dated June 2018, The Civil Engineering Practice and updated 09 April 2021) and additional information submitted, and the following mitigation measures detailed therein:

- The area of residential development will be located entirely in Flood Zone 1 (section 8.2)
- The residential development will be set above the existing 6.5m land contour (as specified in an email dated 9 April 2021 from Mr Stuart Magowan of The Civil Engineering Practice).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

Prior to Commencement

7. Prior to the commencement of the development, a phasing plan that indicates how the development will come forward, including access arrangements at each phase, the delivery of the green infrastructure strategy and other associated works, shall be submitted to and approved in writing by the Local Planning Authority. The phasing shall be implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate capacity is available to adequately service the development.

Reason: To ensure the development makes adequate provision for access, green infrastructure and sewerage at each stage.

8. Prior to the commencement of the development a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:
 - a) description and evaluation of features to be managed;
 - b) ecological trends and constraints on site that might influence management;
 - c) aims and objectives of management;
 - d) appropriate management options for achieving aims and objectives;
 - e) prescriptions for management actions, together with a plan of management compartments;
 - f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) details of the body or organisation responsible for implementation of the plan;
 - h) ongoing monitoring and remedial measures.

The LEMP 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 LEMP 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: Biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long term management of habitats, species and other biodiversity features

9. Prior to the commencement of the development, including any site clearance works, hereby permitted, a Construction Environmental Management Plan (CEMP), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved CEMP shall be implemented and adhered to throughout the construction period. The CEMP shall provide details as appropriate but should include:
 - An indicative programme for carrying out the works;
 - The anticipated number, frequency and types of vehicles used during construction;
 - The method of access and routing of vehicles during construction;
 - Details of the parking of vehicles by site operatives and visitors;
 - Details of the location of site office and welfare facilities, and sales office;
 - Details of the loading and unloading of plant, materials and waste;
 - Details of the storage of plant and materials used in construction of the development;

- The timings of deliveries to site;
- Details of the provision of loading / offloading areas;
- Traffic management in the adjoining highways;
- Site operative's travel plan;
- 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 where necessary);
- The erection and maintenance of security hoarding and use of protective fences, exclusion barriers and warning signs for the public and ecological protection;
- Management measures being taken to ensure no burning of construction materials on site;
- Measures to control the emission of dust and dirt during the demolition / construction process;
- Measures to minimise the noise (including vibration) generated by the demolition / construction process to include hours of work, proposed method should foundation piling occur, the careful selection of plant and machinery and use of noise mitigation barriers (and other measures in accordance with the approved Environmental Statement and its addendums);
- Measures to mitigate flood risk during construction;
- Details of any flood lighting, including location, height, type and direction;
- Details of any Tree Works / Removal and a Tree Protection Plan (indicating which trees are to be removed and / or pruned and how the remaining trees will be protected, in accordance with the details required under Condition 13);
- Other ecological mitigation measures, including method statements and measures to be adopted to avoid and manage impacts on the adjacent designated sites, protected species and other important habitats (in accordance with the approved Environmental Statement and its addendums);
- Measures to ensure existing residents of Old Malling Farm are able to continue to access their properties;
- A scheme for recycling / disposing of waste resulting from construction works;
- A method to record the quantity of recovered material (re-used on site or off site), and;
- Details of public engagement both prior to and during the construction works.

Reason: To enable the Local Planning Authority to control the development in the interest of maintaining a safe and efficient highway network, in the interests of amenity, to conserve and enhance the landscape character and biodiversity of the area and to ensure no adverse impacts on designated sites and protected species.

10. No development shall take place until details, including plans and cross sections of the existing and proposed ground levels associated with the development, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings.

11. No development shall take place 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. This should include trial-trench evaluation of the curvilinear features

identified by the geophysical survey dated June 2018, in order to confirm the character and dates of the features.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

12. Prior to the commencement of the development a preservation in-situ method statement relating to the area of archaeological sensitivity shown on the application plans, demonstrating the preservation in-situ of archaeological remains during and subsequent to the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historic interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

13. Prior to the commencement of the development hereby permitted details of the protection of the trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. 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.

14. No development shall take place until an ecological design strategy (EDS) addressing protection of the Disused Railway Line Local Wildlife Site; creation, restoration and enhancement of semi-natural habitats; provision for wildlife corridors, linear features and habitat connectivity; and the creation of new wildlife features has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works.

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

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.

15. Prior to the commencement of development, full details of the proposed means of foul drainage disposal shall be submitted to and approved in writing 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 take place until the approved works have been completed. The foul drainage system shall be retained as approved thereafter.

Reason: In order to secure a satisfactory standard of development.

16. Prior to the commencement of the development, and notwithstanding the details submitted on drawing number 20A, measures to increase the height of the parapet of the bridge across the railway cutting (or other measures to be agreed), also referred to as the secondary site access, and details for the proposed design of the access including surfacing materials, bollards, barriers and signage, shall be submitted to and agreed in writing by the Local Planning Authority. These measures shall be installed prior to the occupation of the development and shall be retained for the lifetime of the development.

Reason: To ensure appropriate access is achieved for existing residents and emergency vehicles and to improve the accessibility for all non-motorised users to and from the site.

Prior to Occupation

17. Prior to first occupation of the development hereby approved visibility splays at the site's primary access in accordance with approved plan 20A shall be provided and thereafter retained in accordance with that approved plan.

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

18. Prior to occupation of the development (or any phase therein) details shall be submitted to and approved in writing by the Local Planning Authority, of the proposed mechanisms for restricting vehicular access of the existing access from Old Malling Way to the existing residents of the properties at Old Malling Farm and for emergency access. The approved details shall be installed and operable prior to the occupation of the development and shall remain so for the lifetime of the development.

Reason: To ensure the development is served by appropriate access in the interests of highway safety and local amenity.

19. Prior to the first occupation of the development hereby permitted, details of car parking and electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The spaces and electric vehicle charging points shall be carried out in full accordance with the approved details and provided prior to the occupation of the relevant residential dwelling and thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking spaces and electric vehicle charging for the use.

20. Prior to the first occupation of the development hereby permitted, details of covered and secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details and provided prior to the occupation of the relevant residential dwelling and thereafter be retained.

Reason: To provide alternative travel options to the use of the car.

21. Prior to occupation of the development a lighting design strategy, including full details of any new lighting, shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) Demonstrate how it complies with the requirements of the SDNPA's Technical Advice Note on Dark Skies (April 2018);
- b) Identify those areas/features on site that are particularly sensitive for bats and badgers 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
- c) 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.

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.

Reason: To preserve Dark Night Skies and as 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.

22. No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the 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 8.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

23. Prior to the occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the 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 also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

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.

24. Prior to the first occupation of the development hereby permitted, details of how superfast broadband connection will be provided (or an equivalent alternative technology) and installed on an open access basis, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved details.

Reason: To provide satisfactory broadband connection for new dwellings.

Ongoing

25. No construction or demolition activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no work on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents.

26. The development hereby permitted shall be carried out in accordance with the Section 6 of the Site Investigation Report carried out by Soils Limited March 2018.

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.

27. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local

Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

28. Any proposals for the use of infiltration to manage surface water runoff should be supported by findings of infiltration testing in accordance with the BRE365 methodology (2016 publication). The detailed design of the soakaways should be informed by findings of groundwater monitoring between autumn and spring. The design should leave at least 1m unsaturated zone between the base of the soakaways and the highest recorded groundwater level. Infiltration testing should be carried out at the same depths and locations of the proposed soakaways. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details with a programme of implementation provided prior to the commencement of each phase of development.

Reason; To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

10. **Crime and Disorder Implications**

- 10.1 It is considered that the proposal does not raise any crime and disorder implications as the overall design principles used for this scheme as followed best practice in 'designing out crime'.

11. **Human Rights Implications**

- 11.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

12. **Equality Act 2010**

- 12.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010. In particular, consideration of access to the railway cutting for all potential residents has been considered in the process of determining the most appropriate interventions. Provision of a fully Disability Discrimination Act compliant ramp at the southern end of the application site, into the cutting would need to be balanced against adverse impacts to the Local Wildlife Site (in comparison to the lower impact on wildlife and trees a stepped access could result in) and the cost of delivering this in relation to the scale of the development. Level access would always still be possible from the northern entrance to the cutting. Officers consider this an operational matter that will be addressed with stakeholders at a later stage.

13. **Proactive Working**

- 13.1 In reaching this decision the South Downs National Park Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included pre-application discussions to ensure that the development brought forward conserves and enhances the natural beauty, wildlife and cultural heritage of the National Park.

TIM SLANEY
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South Downs National Park Authority

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Appendices

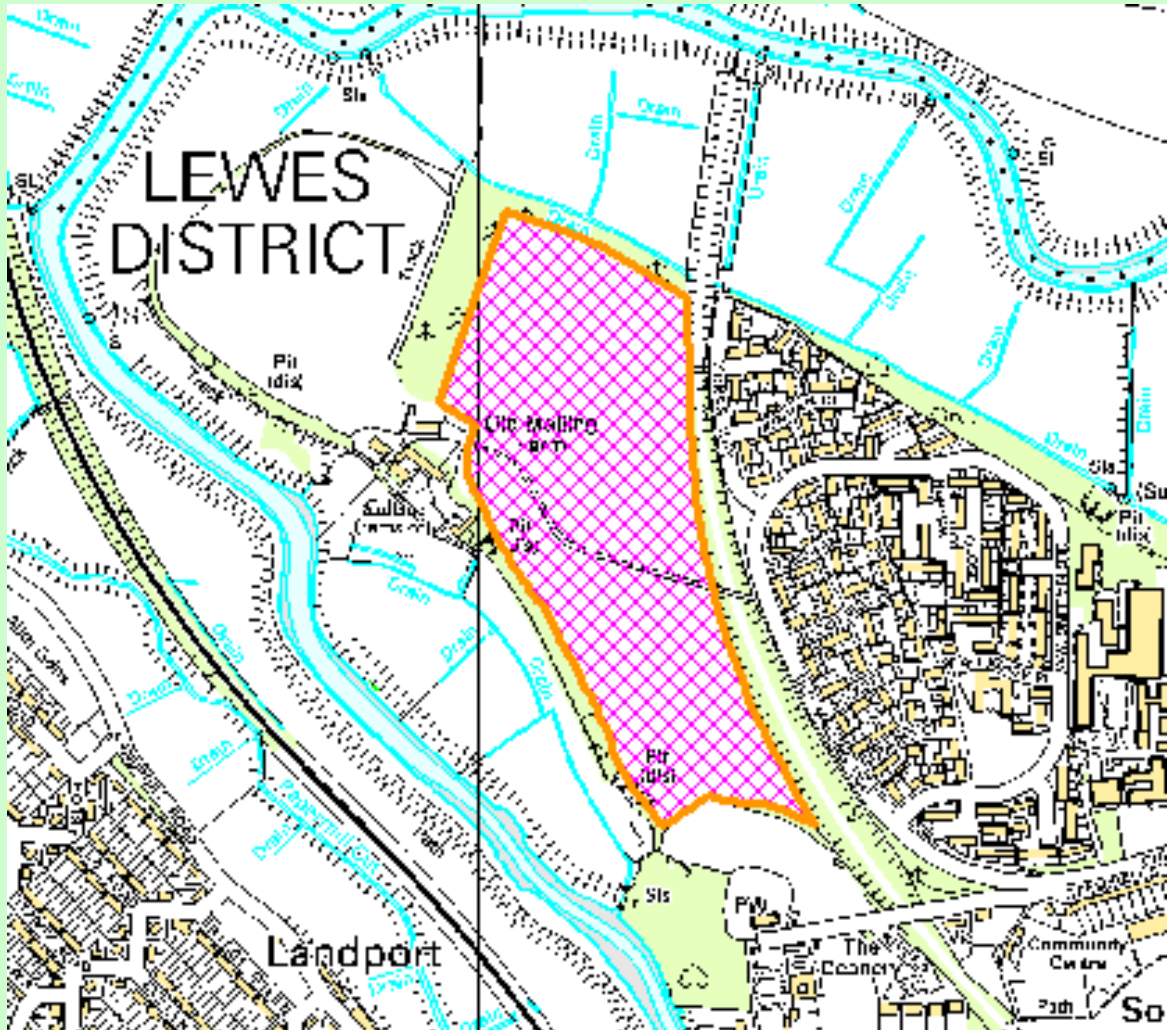
1. Site Location
2. Illustrative Site Masterplan
3. Site Access Plan
4. Plans and documents referred to in consideration of this application

SDNPA Consultees
Legal Services & Major Planning Projects and Performance Manager

Background Documents

[All planning application plans, supporting documents, consultation and third party responses for SDNP/18/06103/OUT](#)
[National Planning Policy Framework 2019](#)
[South Downs Local Plan](#)
[Lewes Neighbourhood Plan](#)
[South Downs National Park Partnership Management Plan](#)
[Old Malling Farm Design Brief](#)

Site Location

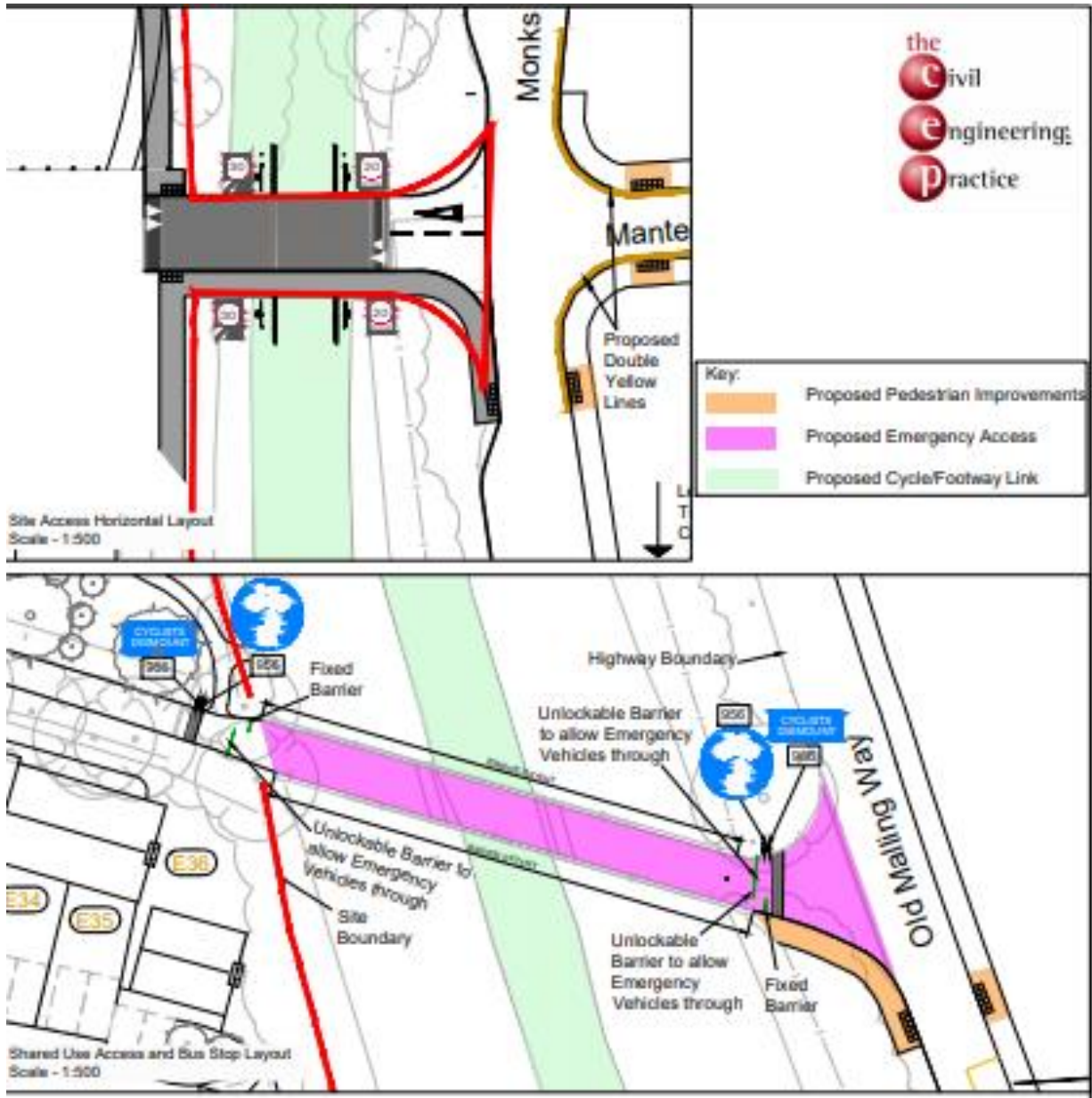


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Illustrative Masterplan



Site Access Plan



Plans and Documents referred to in consideration of this application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plans and Documents				
Drawing Reference	Version No.	Date on Plan	Date Received	Plan / Document Title
01				Location Plan
16/330/100 A				Topographical Survey
16/330/100 B				Topographical Survey
16/330/100 C				Topographical Survey
16/330/100 D				Topographical Survey
16/330/100 E				Topographical Survey
16/330/100 F				Topographical Survey
16/330/100 G				Topographical Survey
16/330/100 H				Topographical Survey
16/330/100 I				Topographical Survey
LLD1037/01-01				Tree Constraints Plan
LLD1037/01-02				Tree Constraints Plan
LLD1037-ARB-DRG 002 1 of 2				Tree Retention and Protection Plan
LLD1037-ARB-DRG 002 2 of 2				Tree Retention and Protection Plan
221			Dec 2020	Site Layout – Refuse Vehicle Tracking Sheet 1
231			Dec 2020	Site Layout – Fire Tender Vehicle Tracking Sheet 1
20	A		21 May 2021	Updated Site Access Option
Report				Environmental Statement
Report		January 2021		Environmental Statement and Non-Technical Summary Addendum

Agenda Item 7 Report PC20/21-47 Appendix 4

Plans and Documents				
Drawing Reference	Version No.	Date on Plan	Date Received	Plan / Document Title
Report	2.0	19 September 2019		Transport Assessment
Report	01	12 November 2020		Updated Ecological Appraisal
Report		08 December 2020		Flood Risk Assessment Addendum
Further Information Received		09 April 2021		Drainage and Flood Risk (CEP)
Report		August 2020		Landscape and Visual Impact Assessment (Fabrik)
Report	1.2	22 December 2020		Transport Addendum
Further Information Received		29 April 2021		Impact on Offham Marshes SSSI (Lizard Landscape, Design and Ecology)
Further Information Received		04 May 2021		Luken Beck
Drawing No 8.				Proposed Formalisation of PROW

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