

## Planning Committee Update Sheet

Agenda Item	Page No	Para	Update	Source/Reason
6	9 and 41	Recommendation (front page) and paragraph 9.4	2 <sup>nd</sup> Bullet Point amended to: A 'Transport Bond' to cover the costs of installing passing bays on the private drive (between Tote Lane and Linch Road) should agreement be reached with 3 <sup>rd</sup> party owners <b>(to be secured pursuant to Section 65A of the Environment Act)</b> ;	Bold text inserted for clarity
6	12	1.2	First sentence amended to: The site is accessed via Tote Lane which runs north from Stedham to Redford. The site is on the western side of the lane and the current access is opposite Tote Hill Farm House <b>and Barn</b> (a 'Parish Heritage Asset').	Bold text inserted for clarity
6	33	7.72	Last sentence amended to: Therefore, the recommendation is to secure a 'Transport Bond' via a Section 106 Legal Agreement with the money in that bond to be used to deliver the passing bays in the future should the 3 <sup>rd</sup> party landowner change their mind and grant consent <b>(such a provision is secured pursuant to Section 65A of the Environment Act)</b> .	Bold text inserted for clarity
7	61	Executive summary	Second bullet amended to replace '6 Eastgate Street with 'Lewes Public Library' The proposal attempts to address heritage impacts identified in respect of the previous application. Nevertheless, there would be less than substantial harm to the Conservation Area and nearby listed buildings, namely 6 Eastgate Street, nos 2-17 East Street, no. 11 Albion Road, <b>Lewes Public Library</b> due to the scale and form of the parts of the roof and inclusion of two floors of accommodation in the roofspace. This harm is at a low level but must be given significant weight	Bold text inserted for clarity

			against the proposal. However, as explained below, Officers consider that the public benefits of the proposal outweigh that harm.	
7	68	5.1	<p>A further 65 objections have been received. Additional comments to those already reported are as follows:</p> <ul style="list-style-type: none"> <li>- Road Safety Audit is inadequate</li> <li>- Bus stops are not operationally satisfactory as pedestrian crossings are unsafe.</li> <li>- Insufficient schools and other infrastructure to cope with additional residents</li> <li>- Financial contribution is too low and does not include erection and removal of temporary bus stops on School Hill</li> <li>- Amount of traffic and accidents on Phoenix Causeway</li> <li>- Concern regarding ESCC's approach to bus and highways matters within the allocated site, as a whole.</li> <li>- Concern that house building application is approved before a new bus station is approved.</li> </ul>	Additional objections
7	83	7.62	The development of the site as set out above, would have some harmful effect on the Conservation Area and its significance, and also on the setting of the Listed Buildings 2-17 East Street, <b>no. 6 Eastgate Street, Lewes Public Library and No. 11 Albion Road.</b>	Omitted text shown in bold
7	97	Condition 21	<p>Additional text to be inserted:</p> <p>Notwithstanding the details shown on the approved plans and documents, before the development hereby permitted is first brought into use, details of refuse and recycling <b>collection and</b> storage facilities for both domestic and non-domestic waste relevant to the development, shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling <del>storage</del></p>	Bold text inserted for clarity

			facilities shall be implemented prior to the occupation of the development, and thereafter be retained.	
7	98	Condition 27	<p>Additional text to be inserted:</p> <p>Notwithstanding the details shown on the approved plans, no development above slab level shall be commenced until details of hard landscaping, <b>including samples</b>, have been submitted to and approved in writing by the Local Planning Authority. The plans shall include:</p>	Bold text inserted for clarity
8	114	4.14	<p>Comments from Sussex Police received 19 April 2024. Whilst their comments have been taken into consideration in the officer's assessment, the summary of comments was omitted from the report and are included below:</p> <p><b>No objection – additional measures suggested to mitigate where concerns remain regarding rear garden access and surveillance of car parking.</b></p> <p>Final details of soft and hard landscaping are secured by condition, where these comments will be further taken into consideration.</p>	Additional Consultee
8	114	5.2	<p>Further representations received from Cllr Adrian Ross (Town Councillor) on behalf of himself and Cllr Zoe Nicholson (Ward Councillor), and Cycle Lewes restating their concerns regarding the proposed access, increased volume of traffic arising from the development and the impact on resident's tranquillity and safety.</p> <p><u>Officer comment:</u> the matters raised are already covered in the Officer Report (notably paragraphs 7.2 and 7.31).</p>	Further Representations
8	116	5.5	<p>The Agent has provided further comment in response to the representations suggesting an alternative for the ramp into the railway cutting.</p> <p><u>Officer comment:</u> Members are reminded that the design of the ramp facility is not part of the consideration for this application. Lewes District Council (as</p>	Additional Comment from the Agent

			landowner of the railway cutting) have also confirmed that the site layout provides an acceptable location from which to provide the link to the railway cutting.	
9	135	2.1	<u>“The site was subject to a pre application enquiry in <b>April 2021 (SDNP/21/00648/PRE) ...”</b></u>	Clarification
9	137	5.1	At the time of writing <b>6</b> letters...	Correction
9	139	7.9, second sentence	<u>“...within the <b>converted stables...</b>”</u>	Correction – stables <b>not</b> being extended
9	139	7.13, last sentence	“The stables are <b>potentially</b> exposed to longer views from the public footpaths along the northeastern and southeastern boundaries <b>in winter months, however the hedgerows which boarder these paths are mature and thick and visibility is limited</b> ”	Clarification
10	153	1.2, last sentence	The nearest residential property is <b>Tollgate Cottage, approximately 130 metres away to the west on the B3335.</b>	Correction
10	153	2.1	<u>“The site was subject to a pre application enquiry in <b>April 2021 (SDNP/21/00648/PRE) ...”</b></u>	Clarification
10	154	5.1	Committee members to note that one additional objection has been received (7 <sup>th</sup> September). This supports the Parish Council’s objections and considers that the land should remain agricultural.	Update
10	157	7.13, last sentence	“This will be secured by condition <b>(14).</b> ”	Condition no. inserted
10	159	7.24, last sentence	“This condition <b>(14)</b> also notes.....and additionally requests details of cycle parking <b>(condition 15)</b> ...”	Correction and clarification

10	159	7.26, second sentence	“Notwithstanding this a condition is recommended (11)....	Correction
11	173	4.4	<p><b>Environmental Protection</b></p> <ul style="list-style-type: none"> <li>Note that conditions requested in this application were not suggested by Environmental Protection as possible nuisance-related control measures and those conditions recommended by us to limit noise, dust and light intrusion remain.</li> <li>Therefore have no adverse comments to make regarding the application.</li> </ul>	Additional Consultee Response
11	176	5.3	<p>Additional letter submitted by applicant’s agent in response to Committee Report. Details below together with officer response in italics.</p> <p>I. The report appears to be misleading members by stating that the Applicant is wishing to change its vehicle sizes:</p> <p><i>“and for the size of vehicles delivering or exporting from the site <u>to be increased from an 8 wheel 4 axle truck (with maximum carry weight of 20 tonnes) to a 44 tonne Gross Vehicle Weight (GVW) (Condition 14).</u>”</i></p> <ul style="list-style-type: none"> <li>The specifics and restrictions proposed for the allowance to accommodate a larger vehicle to bring in bark and mulch (20 ton vehicle isn’t feasible for this) have been ignored i.e. only 5 times a week only.</li> <li>The remaining HGV vehicle movements would still fall under the 8 wheel 4 axle truck vehicles.</li> </ul> <p><i>Officer Comment: Whilst the report is worded in this way within the executive summary, the ‘proposals’ section provides more clarity as to the exact proposed wording of each of the conditions for greater clarity.</i></p>	Additional Information

			<p>2. The report mentions that the Footpath is <u>directly opposite</u> the site entrance. This is incorrect. It is 20metres beyond the site entrance to the right. Vehicles do not turn right out of the site only left and turn only right into the site.</p> <p><i>Officer Comment: This is acknowledged. The footpath is to the north east of the entrance to the site and crosses a field in a north easterly direction to meet Church Lane again, and will be clearly indicated to members when the item is presented by the case officer. It is however also added as an amendment to the report below.</i></p> <p>3. The report does not present the tonnage argument we have presented with respect to the allowed vehicle movements already effectively meeting the proposed tonnage change. This is not an intensification of use, the reasoning of which has been agreed and understood by the qualified highways officer at HCC.</p> <p><i>Officer Comment: It is acknowledged that the capacity of vehicles allowed together with their allowed movement numbers could provide greater tonnage to the site than is restricted by the existing conditions. There is however considered to be necessary a condition which both restricts the movements to the site <u>and</u> the tonnage, both of which are argued to impact on the character of the surrounding area. This was accepted as part of the most recent approval and the applicants did not seek to appeal against the wording of the conditions.</i></p> <p>4. An articulated vehicle is the same width as an 8 wheel 4 axle truck. The Farm use Church Lane with articulated vehicles (larger than 20tonne and have done so for over 30 years) without detriment to the road and or the trees/hedgerows. The Farm traffic also has a separate access on Church Lane.</p> <p><i>Officer Comment: Officers acknowledge that the farm enterprise has no restrictions in relation to vehicle sizes and movements in and out of the site. However this application concerns the soil recycling facility and, given the sensitive location of the site it has always been considered that the enterprise can only be accommodated with the imposition of strict conditions to limit impact on the surrounding roads and the character of the area.</i></p>	
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11	179	7.21	<p>This would be particularly noticeable to other users of this historic rural road of Church Lane, be it by bicycle or walking. A footpath is located to the north east of the entrance to the site and continues in a north westerly direction across a field to meet Church Lane again. The proposed amendments would have an unacceptable experiential impact on users of the road and footpath by virtue of the additional regularity of activity and larger vehicles in this location contrary to Policy SD20(6) of the Local Plan.</p>	Correction
12	185 and 190	Front page and 10.1	<p><u>Update to Recommendation - Introduction of second bullet point in part (1)), as follows:</u></p> <ol style="list-style-type: none"> <li>1) That planning permission be granted subject to the conditions set out in paragraph 10.2 of the report and the satisfactory completion of a Deed of Variation to the Legal Agreement, to secure: <ul style="list-style-type: none"> <li>• Offsite biodiversity net gain credits;</li> <li>• <b>All other obligations from the original S106 Legal Agreement into the Deed of Variation.</b></li> </ul> </li> <li>2) That authority be delegated to the Director of Planning to refuse Planning Permission, with appropriate reasons, if the legal agreement is not completed, or insufficient progress made, within six months of the 11 September 2024 Planning Committee meeting.</li> </ol>	Update