

Agenda Item 7
Report PC24/25-18

Report to	Planning Committee
Date	12 December 2024
By	Director of Planning (Interim)
Application Number	SDNP/24/03470/REM
Applicant	Briarsgate Homes
Application	Reserved matters for appearance, landscaping, layout and scale, pursuant to SDNP/21/00627/OUT for the erection of 4 dwellings
Address	Lodge Hill Education Centre, London Road, Watersfield, West Sussex, RH20 1LZ

Recommendation:

- 1) That authority be delegated to the Director of Planning, in consultation with the Chair of the Planning Committee, to grant planning permission subject to:**
- (i) The satisfactory consideration and resolution of technical matters relating to water neutrality following consultation with Natural England;**
 - (ii) the conditions and informatives set out in paragraph 9.1 of this report and any amendments or others required to address technical matters relating to water neutrality.**

Executive Summary

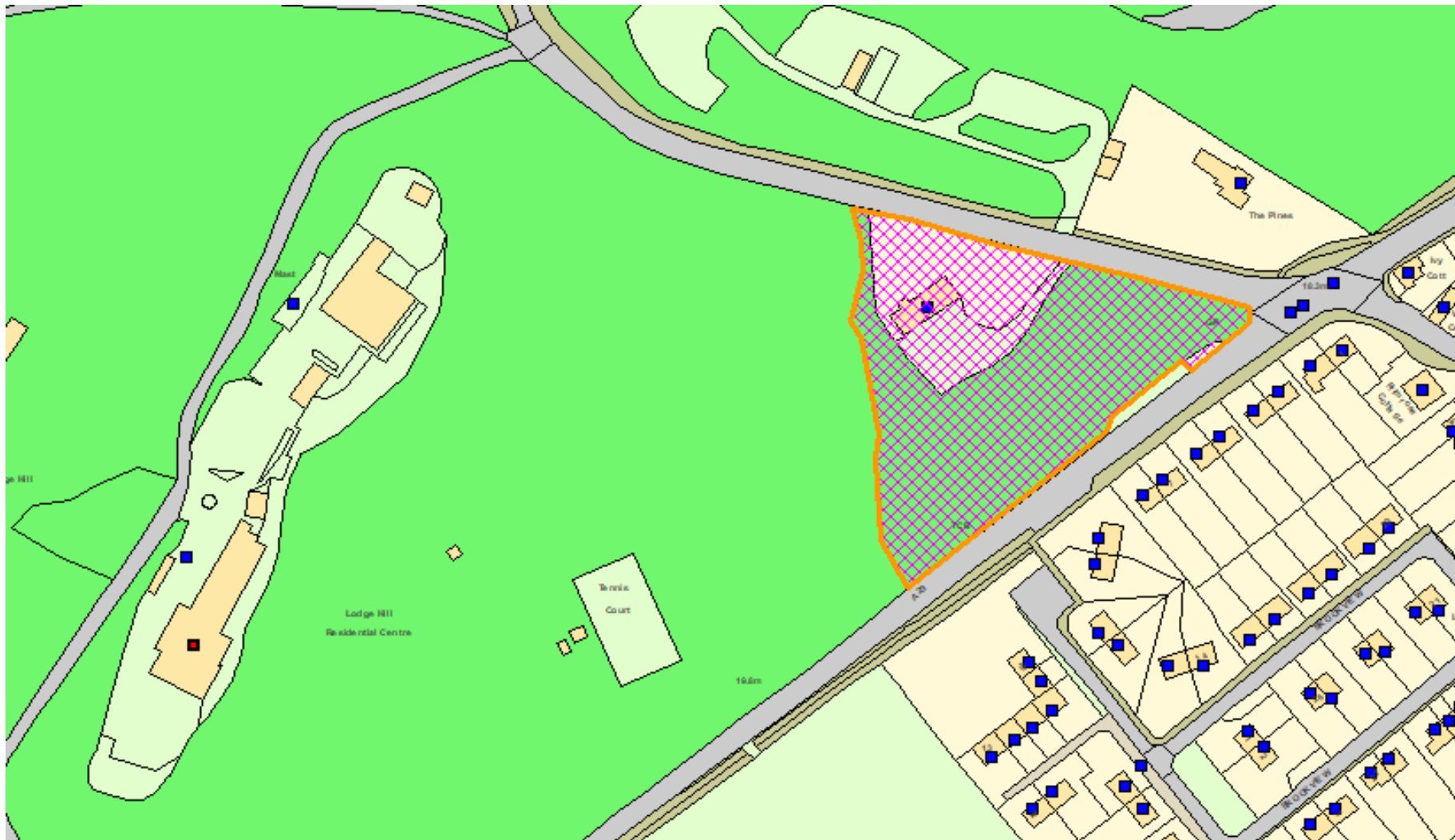
The application relates to a small parcel of land within the wider wooded grounds of the Lodge Hill education centre. Outline permission with means of access was granted in 2022 for up to five market dwellings subject to a S.106 legal agreement to secure, amongst other matters, that proceeds from the sale of the land would provide for essential maintenance works to be carried out on the Lodge Hill site.

The special circumstances of the case, including the public benefits that would be derived from the continued operation of the Lodge Hill Trust, were a material consideration that warranted a departure from the development plan. The outline permission also secured a Landscape and Ecological Management Plan for the wider Lodge Hill grounds and an overall 42% Biodiversity Net Gain.

The current application, which is recommended for approval, is for the 'Reserved Matters' of layout, scale, external appearance and landscaping. Officers consider the proposal accords with the Purposes and Duty of the South Downs National Park and the relevant South Downs Local Plan Policies.

The application is placed before the Planning Committee for reasons of continuity as the outline application was approved by the committee.

Site Location Map



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1. Site Description

- 1.1 This small triangular site is located in the south-eastern corner of the wooded grounds of the Lodge Hill education centre, which extend over approximately 13 hectares (32 acres.) Lodge Hill has been in operation as a residential outdoor activity centre since 1946, and since 1999 has been run as a not-for-profit charity providing educational outdoor activities for visitors from both within and outside the National Park who might otherwise not experience its Special Qualities.
- 1.2 Part of the site previously accommodated a youth hut leased by the Parish Council for community use, and an area of hard standing for associated parking. The youth hut building was demolished in 2019 when the community use ceased, however the footings and hardstanding remain in place. The main part of the site is fenced off from the remaining grounds, and not actively used by the Centre. There is an existing access off Waltham Park Road which currently provides emergency through access to the Lodge Wood grounds. Waltham Park Road is indicated on the second edition of the Ordnance Survey (1891-1914) and falls within the SDNPA's 'Roads in the South Downs' (2015) definition of a 'historic rural road.' The site is located close to a grade II listed building (Ivy Cottage), the Watersfield Conservation Area and within an archaeological notification site.
- 1.3 The site is located within the Dark Skies Intrinsic Zone of Darkness (EIa), which is classified as 'dark sky.' The Lodge Hill grounds are recorded on the Historic Landscape Characterisation as 'wooded over common' comprising plantation woodland and self-seeded trees, with a high percentage of invasive non-native species (rhododendron, laurel and bamboo). There are several mature trees within the site's hedgerow boundaries and other self-seeded trees within the site. There are no Tree Preservation Orders relating to the site.
- 1.4 The Waltham Chase Site of Special Scientific Interest (SSSI), designated for its unimproved neutral meadow habitat is located within 300m to the south-east of the site. The site also falls within the buffer zones of the Arun Valley Special Protection Area (SPA); and the Ebernoe Common and Mens Special Areas of Conservation (SACs).

2. Relevant Planning History

- 2.1. The following is the most relevant planning history pertaining to the site:
 - SDNP/19/00357/PRE Erection of 20 dwellings to enable improvement and capital works at the Lodge Hill Centre. Advice provided 10.04.2019
 The advice concluded that proposal was unlikely to be acceptable due to the lack of policy for enabling development for the needs of a private charitable foundation. Although the housing would provide valuable funding for a facility which furthers National Park Purpose 2, this of itself is not a material consideration of sufficient strength to be able to overcome overriding conflict with development plan policy and National Park Purpose 1, which has priority.
 - SDNP/21/00627/OUT Outline application, with all matters reserved, other than means of access, for the construction of up to 5 dwellings to enable improvement and capital works at the Lodge Hill Centre. Approved 07.09.2022 (committee reports appended at **Appendices 2a and 2b**)
 - SDNP/24/00624/PRE Design advice sought relating to condition 8 (design code) of outline planning permission SDNP/21/00627/OUT. Proposed scheme for five dwellings with associated parking and landscaping. Advice provided 05.06.2024
 The advice raised concerns that the proposed quantum (5no 4-bedroom dwellings), layout and design of the development would significantly erode the site's existing wooded character. Further evolution of the scheme was therefore necessary before a reserved matters application could be supported.

3. Proposal

Background

- 3.1. This Reserved Matters application seeks approval of scale, layout, appearance and landscaping following outline permission SDNP/21/00627/OUT granted in September 2022 for up to five market dwellings, with access.
- 3.2. The provision of market dwellings outside the settlement boundary was deemed acceptable in principle due to the very special circumstances of the case and, in part, the clear public benefits that would derive from the continued operation of the Lodge Hill Trust. The outline permission is subject to a S.106 legal agreement that secures proceeds from the sale of the land for essential maintenance works at the Lodge Hill site amongst other matters, and a range of conditions to ensure the natural beauty and wildlife of the area will be conserved, including mitigation for habitat loss and significant biodiversity net gain within the wider grounds. No affordable units (or contribution) were secured due to the need to ensure the minimum necessary development was provided to raise the required capital funds. Given that scale, layout, appearance and landscaping were all reserved, the final number of units would be determined at this reserved matters stage.
- 3.3. Prior to the submission of the application, a scheme of 5No 4-bedroom dwellings was presented (reference SDNP/24/00624/PRE), however the quantum, scale and extent of development would have resulted in unacceptable harm to the site's wooded character. The current proposal has been scaled back to reduce the quantum to 4No 4-bedroom dwellings and better conserve the site's existing character.

Design, Layout and Landscaping

- 3.4. The four detached dwellings would be arranged around an informal central access track from the site access off Coldwaltham Road. The dwellings would be contemporary in style with a double-stacked, cantilevered form with overhangs, which assists in breaking up their massing and allows the woodland floor to permeate the buildings to some degree.
- 3.5. The elevations would be predominantly vertically timber clad in natural (silvered) and burnt tones, which will also assist visually in breaking up perceived mass, and the roofs would be covered with insulated anthracite grey standing seam metal roofing. Windows and doors will be grey composite Aluminium / Timber, and fascias, bargeboards and rainwater goods would be anthracite grey aluminium. The front doors would be painted hardwood timber in black. The dwellings would have integrated refuse storage and attached, single storey garages with timber doors and grass roofs.
- 3.6. In addition to a double garage, which would also accommodate cycle storage and an ev charge point, each dwelling would have two parking spaces with two informal visitor parking bays along the access road. The access road is indicated as having a gravel surface. A field gate would be retained at the western end of the access road to allow for emergency access to the Lodge Hill site (and is a stipulation of the Lodge Hill Trust.) A pedestrian route would provide a link to London Road.
- 3.7. A 5m wide ecological buffer will be retained along all three site boundaries with a 1.25m wide native hedgerow along the internal boundary edge. As per the outline permission, the existing site access will be slightly widened, and there is a need for one C category tree and understorey to be removed, however most existing trees will be retained.

4. Consultations

- 4.1. **Parish Council:** Support overall, however concerns regarding the following:
 - Lack of visitor parking;
 - Lack of pavements will encourage verge parking within the site;
 - Footpath ends in layby with no pavement; should be rerouted southwards;
 - Emergency vehicular access raises safeguarding concerns for Lodge Hill site;
 - Lack of any rainwater harvesting details, or water neutrality information;
 - Traffic impacts during construction;

- Site will be visible in winter months;
 - Potential for overlooking of properties in Brookview;
 - Lack of detail regarding heat pumps;
 - Whether CIL money is available to improve Waltham Park Road junction and pedestrian access across the A29.
- 4.2. **Archaeology:** No objection, subject to adherence to condition 17 of SDNP/21/00627/OUT
- 4.3. **Dark Skies:** No objection
- 4.4. **Design Officer:** No objection, subject to conditions. Comments:
- Quantum of dwellings and layout is appropriate for site;
 - Double stacked design and dual toned cladding break up dwelling mass and allow development to integrate with woodland character;
 - Green roofs welcomed, these should be subject to a suitable management plan;
 - Missed opportunity to include rain gardens to capture roof run-off.
- 4.5. **Ecology:** No objection, subject to adherence to conditions 24 and 25 of SDNP/21/00627/OUT
- 4.6. **Historic Buildings Officer:** No objection.
- 4.7. **Horsham District:** No comments received.
- 4.8. **Landscape Officer:** No objection, subject to the satisfactory discharge of Condition 8 of SDNP/21/00627/OUT.
- Details of a more durable surfacing material [than self binding gravel] are required;
 - Lack of drainage and levels information;
 - Further clarification needed on footpath connection to existing highway footpath network, beyond the site boundary.
- 4.9. **National Grid:** No comments received.
- 4.10. **Natural England:** Further information required. Comments:
- ‘No objection’ issued at outline stage was ‘in error’.
 - Details of the water savings from the proposed retrofitting at Lodge Hill Activity Centre are required;
 - Without this information, Natural England may need to object to the proposal.
- [Officer note: The S.106 attached to the outline permission requires a Water Neutrality Offsetting Strategy that provides final details of offsetting measures prior to commencement. Recommendation includes the delegation of the agreement of the Offsetting Strategy prior to the determination of the application.]*
- 4.11. **Southern Water:** No objection.
- 4.12. **Tree Officer:** No objection, subject to conditions. Comments:
- Tree losses will be appropriately mitigated within the site;
 - A TPO may be appropriate to protect trees within the buffer and site itself.
- 4.13. **WSCC Highway Authority:** No objection, subject to conditions.
- 5. Representations**
- 5.1 No letters of representation have been received.
- 6. Planning Policy**
- 6.1 Particularly Relevant Sections of the National Planning Policy Framework:
- NPPF 11 - Making effective use of land

- NPPF12 - Achieving well-designed and beautiful places
 - NPPF15 - Conserving and enhancing the natural environment
- 6.2 Most relevant Policies of Adopted South Downs Local Plan (2014-33) (A full list of relevant policies can be found in Appendix 1)
- SD4: Landscape Character
 - SD5: Design
 - SD9: Biodiversity and Geodiversity
 - SD11: Trees, Woodland and Hedgerows
- 6.3 Relevant Policies of South Downs Management Plan (2020-2025)
Policies 1, 3, 5, 8, 29, 30, 41, 43, 50 and 55 are relevant.
- 6.4 Other Relevant Policy Documents (including SPDs and TANs)
- SDNPA Design Guide SPD (Jul 2022)
 - SDNPA Parking SPD (Apr 2021)
 - SDNPA Sustainable Construction SPD (Aug 2020)
 - SDNPA Dark Skies TAN (May 2021)
 - SDNPA Ecosystem Services TAN

Statutory Requirements

- 6.5 The Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations) (HRA) places a duty on planning authorities when determining applications that may affect international sites to determine the potential for likely significant effects. Where proposals are likely (without mitigation) to have significant effects on international sites, the planning authority is required to undertake an appropriate assessment in order to ascertain that there would not be adverse impacts on the integrity of the international site, and whether the proposal demonstrates that impacts would be avoided or adequately mitigated against. This is discussed later in this report.

7. Planning Assessment

- 7.1. The principle of providing new market residential accommodation has already been established via permission SDNP/21/00627/OUT. The means of access and other matters relating to highway safety, water neutrality, and the wider public benefits were also considered at outline stage and do not form part of the assessment of this application. A construction and environmental management plan (CEMP), landscape and ecological management plan (LEMP) and lighting strategy were also secured by condition at outline stage. The Reserved Matters application needs to broadly satisfy conditions 8, 9, 10 and 11 attached to the outline permission which set out what the reserved matters application should seek to address in terms of scale, layout, appearance and landscaping.
- 7.2. The main issues for consideration are:
- Design approach
 - Impact of scale, layout and appearance on landscape and heritage;
 - Impact of layout and landscaping on ecology and trees;
 - Impact of layout and landscaping on drainage;
 - Impact of scale, layout and appearance on residential and other visual amenity;
 - Sustainable construction;
 - Parking and public realm;
 - Dark night skies.

Design Approach

- 7.3. The proposed design has been iteratively evolved since the indicative outline appearance and now takes architectural cues from the inward-looking, wooded character of the site rather than the surrounding settlement. The dwellings are positioned in locations that individually respond to the immediate site and available light for each plot. This enables looser, less regimented plot shapes and sizes.
- 7.4. Given the highly wooded and concealed character of the site, the contemporary approach is supported in principle, and it is considered that this approach allows for innovative building forms that respond better to the site's innate character than traditional residential designs, through the use of overhangs, cantilevers and angular forms allowing the woodland floor to be visible through the development.
- 7.5. Whilst the proposed garages would add bulk and mass to the dwellings, they provide opportunities to reduce the visibility of vehicular parking and the spread of residential paraphernalia, enabling the woodland character to stand out. Similarly, integrated bin storage is welcomed.
- 7.6. Condition 8 attached to the outline permission requires the appearance particulars to be submitted at reserved matters stage to include a Design Code demonstrably informed by an assessment of local landscape character. Condition 9 requires a schedule of architectural details, materials and finishes.
- 7.7. Although a Design Code has not been included in the submission, the applicant has sought pre-application advice with Officers, and the application is supported by a comprehensive Landscape and Visual Assessment and Design and Access Statement to demonstrate a landscape led approach.
- 7.8. The Design Officer is supportive of the quantum of development, informal layout and overall design approach, which responds well to the site's uniquely constrained nature. The double stacked building form is welcomed as it helps to break up the mass, and the overhangs and cantilevers help to better reveal the woodland and reinforce the distinctly wooded character of the site. The proposed materials are acceptable and the silver and charred timber cladding tones further assist in breaking up the mass.
- 7.9. Final details of materials and samples for buildings, green roofs and their management and gates can be secured by means of suitably worded conditions.

Landscape and Heritage Impacts

- 7.10. Policies SD4 and SD5 require the design of development to adopt a landscape-led approach in order to conserve and enhance existing landscape character features; and be of a scale and nature appropriate to the character and function of the settlement in its landscape context. Policies SD12, SD13 and SD15 support proposals that conserve and enhance the historic environment.
- 7.11. Conditions 10 and 11 attached to the outline permission require the landscaping and layout particulars to be submitted at reserved matters stage to include a detailed scheme of hard and soft landscaping works and landscape management plan.
- 7.12. The submitted 'Landscape and Visual Statement' refers to the SDNPA Landscape Character Assessment and Area Type M2 where the site is located. M2 describes the character as 'wooded over common' which is considered to accurately reflect the application site. The Statement refers to the site as a 'disturbed woodland site' having a 'shaded feel' with clear human influence.
- 7.13. The Landscape and Visual Statement recognises that the woodland landscape character is a defining feature of the site. Given the degraded condition, by virtue of the high number of non-native and invasive tree species, there is an opportunity to manage and enhance biodiversity on site. It is recognised that, as long as the landscape boundary buffers are maintained and enhanced, that the proposed development will not harm the visual amenity or landscape character of the site in contextual views.
- 7.14. The Landscape Officer considers that the rationale for the site proposals, layout, character and massing, and building materials is well articulated in the 'Design and Access Statement' Parts 1 and 2, and in the 'Landscape and Visual Statement' and allows for the successful integration of the dwellings, into the site and its wooded characteristics.

- 7.15. The Historic Buildings officer has advised that the scheme will have no impact on any designated heritage assets. Both the Landscape and Design officers are broadly supportive of the layout and appearance of the dwellings but require further details about the treatment of boundaries, planting and the proposed drainage strategy.
- 7.16. Amended details have been provided to clarify that hand cleft chestnut post and rail fences will bound private gardens, with a thorny native species hedge between the fence and ecological buffer to discourage predation by pets. No kerbs will be provided within the site, and areas of grass will be edged with natural stone.
- 7.17. Final details of external surfacing, including the pedestrian path, green roofs and their management and gates can be secured by means of suitably worded conditions. Matters relating to drainage are dealt with below.

Ecology and Trees

- 7.18. Policies SD2, SD9, SD11 and SD45 support proposals that conserve and enhance biodiversity, trees and woodland, and green infrastructure; retain, protect and enhance features of biodiversity and supporting habitat, and identify and incorporate net gains for biodiversity and green infrastructure.
- 7.19. At Outline stage, the Habitats Regulations Assessments (HRAs) concluded, in relation to bats and protected species, that the proposal would not have an adverse effect on the integrity of the Arun Valley Special Protection Area (SPA) or the Ebernoe Common and Mens Special Areas of Conservation (SACs) on the basis of the avoidance and mitigation measures proposed. Natural England have advised that the mitigation methods appear appropriate, if suitably secured.
- 7.20. The application is supported by an Ecological Update and Enhancement Plan, and no concerns are raised by the Authority's ecologist. Mitigation for loss of habitat and biodiversity net gain will be provided within the wider Lodge Hill grounds and has been secured by means of a Landscape and Ecological Management Plan
- 7.21. The new dwellings have been carefully located to avoid the loss of trees, and only one category C sweet chestnut tree is indicated for removal. Several drawn-up woodland saplings and non-native invasive shrubs (oak, holly, false acacia, birch, laurel, rhododendron, sweet chestnut, sycamore, yew) will be removed from the central area.
- 7.22. The Tree Officer has raised no concerns other than to draw attention to the need for the buffer to be properly managed, and the risk from future pruning/felling by occupants. Consideration should therefore be given to protecting the trees within the site by way of a tree preservation order (TPO).
- 7.23. Given the above, the layout and landscaping is acceptable in terms of impacts upon ecology and trees and complies with SD2, SD9 and SD11. Officers are also progressing an area Tree Preservation Order to ensure the long-term retention of the trees on site.

Drainage

- 7.24. Policies SD17, SD49, SD50 and SD54 seek to reduce flood risk and ensure proposals within Groundwater Source Protection Zones (SPZs) do not have an adverse impact in terms of pollution or the quality of the groundwater source. Proposals should incorporate measures to eliminate risk of pollution to groundwater features, and sustainable drainage solutions provided to avoid increase of surface water run-off, taking account of climate change.
- 7.25. The site is located within a Source Protection Zone. The submission is not supported by a detailed surface water drainage strategy as this is secured via conditions 19 and 20 attached to the outline permission which do not fall to be considered here. The Design and Access statement indicates that roof water run-off will be discharged into trench soakaways. The access road, parking and domestic driveways will be constructed with permeable surfacing to allow infiltration. All surface water drainage will pass through a silt trap before discharging into soakaways. All garages will have green roofs that will take up surface water, and each property will also be fitted with a 'smart' water butt which will allow the re-cycling of rainwater for outside domestic use.

- 7.26. Concerns were raised by the Design and Landscape officers regarding a lack of at surface drainage features such as rainwater gardens. The applicant has carried out groundwater monitoring which demonstrates that the site drains quickly, and engineered features to artificially hold water at surface are therefore unnecessary.
- 7.27. Given the above, the drainage strategy is acceptable and accords with the relevant local plan policies.

Amenity and Visual Impacts

- 7.28. Policy SD5 k) requires proposals to avoid harmful impact upon, or from, any surrounding uses and amenities. SD6 requires proposals to preserve the visual integrity, identity and scenic quality of the National Park, including views from publicly accessible areas.
- 7.29. Concerns have been raised by the Parish Council that the site will be visible in winter months, and that there is a potential for overlooking of properties in Brookview.
- 7.30. The site will be bounded along London Road and Coldwaltham Road by the existing tree belt, which will be further enhanced with additional native tree planting to achieve the required 5m ecological buffer. Although properties along Brookview are set down, only Unit 1 faces directly towards them which is at least 60m away with intervening vegetation and London Road in between. As a result, and even in winter months, it is unlikely that there would be any material impact from overlooking.
- 7.31. Whilst glimpsed views of the site will be achieved, in particular the side elevation of Unit 1 from the access on Coldwaltham Road, the development responds well to the wooded character of the site and will not appear overly suburban or incongruous. As such, the visual impacts of the site are considered to be acceptable.

Sustainable Construction

- 7.32. Policy SD48 requires the design of new development to address climate change mitigation through the on-site use of zero/low carbon technologies, sustainable design and construction, and low carbon materials, and achieve a total mains consumption of no more than 110 litres per person per day. In addition, the SDNPA Sustainable Construction Supplementary Planning Document (SPD) requires residential developments of this scale to achieve 39% carbon reduction above Part L, 10% passive house homes, EV charge points and sustainable drainage systems.
- 7.33. The parish council has raised concerns that details of heat pumps have not been included in the design details.
- 7.34. An indicative SAP calculation has been provided which indicates that the dwellings would surpass the above emission rate targets, including energy efficiency measures and air source heat pumps, which is welcomed. Full design stage sustainable construction details are required by condition 12 attached to the outline permission and will be determined at a later stage. In the meantime, the submitted information is sufficient to demonstrate that the development is capable of complying with the requirements of SD48 and the Sustainable Construction SPD.

Access and Parking

- 7.35. Policies SD19 and SD22 seek to promote sustainable modes of transport, and parking provision that is appropriate to the site's needs and accessibility to facilities and services, and of a location, scale and design that reflects its context. Policy SD21 promotes the safety and amenity of all road users and safe, direct walking and cycling routes.
- 7.36. The parish council has raised concerns that the new footpath will terminate in a layby with no pavement, and safeguarding issues will arise from the retained access to the Lodge Hill site. Concerns are also raised regarding a lack of visitor parking and the likelihood that verges within the site will be parked on if there are no kerbs.
- 7.37. The outline permission includes an extension to the pavement along London Road where the new footway meets the highway, and an informal crossing point across London Road with dropped kerbs and tactile paving, will be provided. Kerbs and pavements are suburbanising features and have been deliberately omitted from within the scheme. The retention of the emergency access to

the Lodge Hill site is a stipulation of the Lodge Hill Trust, who will manage any associated security requirements.

- 7.38. The WSCC Highway Authority have reviewed the layout details and raise no objection. The provision of 10 parking spaces alongside double garages is acceptable and there will be sufficient parking to accommodate the 4 dwellings and visitors. This is in accordance with the SDNP Parking SPD. One cycle space per bedroom should be provided. A visibility splay of 2m x 2m where the footway meets London Road will need to be maintained. The submission also demonstrates that refuse appliance and fire appliances are able to safely enter, turn, and exit in forward gear on the site.
- 7.39. The submission indicates that cycle storage can be accommodated within the garage buildings, albeit no details have been provided. It is therefore considered appropriate to secure the pedestrian visibility splay and details of cycle parking by means of suitably worded planning conditions.

Dark Skies

- 7.40. Policy SD8 requires proposals to take all opportunities to reduce light pollution and ensure that the measured and observed sky quality in the surrounding area is not affected.
- 7.41. The site falls within zone EI (a), or 'intrinsic rural darkness,' which is classified as 'dark sky' and includes isolated areas that may not be connected to the main core.
- 7.42. The Dark Skies consultant has advised that the proposed luminaires, which have been reduced to a single PIR controlled downlighter to the front and rear of each dwelling, would not measurably impact the dark skies in the area. There is also no objection to the extent of glazing proposed, and rooflights have been avoided.

Other Matters

Water Neutrality

- 7.43. The water neutrality mitigation and offsetting secured via the S.106 at outline stage was based on a 'worst case' scenario occupancy of 5 No 4-bedroom dwellings. The Water Neutrality Statement and Water Demand Assessment were not updated for this Reserved Matters application. However, as the average occupancy has dropped from an indicative value of 13.91 to 11.44 persons, the water demands will be less than previously. Indicative offsetting measures within the wider Lodge Hill site indicated that the water demand could be offset.
- 7.44. The outline application requires the submission of a Water Neutrality Mitigation Strategy and precise details of off-setting measures via pre-commencement conditions 21, 22 and 23 and the S106 legal agreement. However, Natural England have raised a concern that details of the offsetting measures within the wider Lodge Hill site have not been provided at Reserved Matters stage and now require this information to be provided and agreed prior to determination. The recommendation has been amended to reflect this.
- 7.45. A further HRA was carried out for this Reserved Matters application, but this will be updated pending the submission of the precise water neutrality off-setting measures as set out above. Natural England will then be consulted on this.

Community Infrastructure Levy (CIL)

- 7.46. The development would be subject to a CIL liability which is currently £265.51/m per square metre.
- 7.47. The Parish Council have queried in their response whether CIL money could be used to provide a formal pedestrian access across London Road (A29.) The WSCC Highway Authority do not require a formal pedestrian crossing to be delivered by the development. However, the option is available to the Parish Council to apply for CIL funding for such a project via the normal route.

8. Conclusion

- 8.1. It is considered that the proposal is well designed and would not have a detrimental impact on the site's unique wooded character. It would conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park, and would not have a detrimental impact on visual amenities.

- 8.2. Through the details of layout, scale, external appearance and landscaping, the scheme would meet the relevant policies of the South Downs Local Plan.
- 8.3. Technical matters relating to water neutrality and off-setting are recommended to be delegated to the Director of Planning, in consultation with the Chair of the Planning Committee and Natural England.

9. Reason for Recommendation and Conditions

9.1. The application is recommended for approval subject to the following conditions:

1. The development to which the permission relates shall be begun not later than two years from the date of this permission.

Reason: To comply with the provisions of Section 92(2) of the Town and Country Planning Act, 1990.

2. 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.

3. The Construction Management Plan (required by condition 6 attached to permission SDNP/21/00627/OUT) shall include details of soil management in accordance with Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Reason: To safeguard the appearance of the development and support the planting scheme, in accordance with policies SD2 and SD5.

4. No development shall commence until a schedule and samples of all external materials, surfacing materials and finishes to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved schedule and samples.

Reason: To safeguard the appearance of the development in the interest of conserving and enhancing the landscape character of the area and to ensure surfaces are appropriate for all users in accordance with policies SD4 and SD5.

5. Prior to any development above slab level, details of the green roofs shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- i) Loading requirements
- ii) Seed mix/planting details
- iii) A maintenance and management plan

Thereafter the roofs shall be constructed in accordance with the approved details and shall be retained and maintained as agreed thereafter for the lifetime of the development.

Reason: To deliver appropriate sustainable drainage solutions and biodiversity benefits in accordance with policies SD2, SD4, SD9 of the South Downs Local Plan, the SDNPA Design Guide SPD, and the NPPF.

6. The development shall be carried out in strict accordance with the updated Tree Protection Plan (Ref: 23144-5) and Arboricultural Impact Appraisal and Method Statement (Ref: 23144-AIA2-CA) received 04/11/2024.

Reason: To ensure the retention of the vegetation important to the amenity and environment of the development.

7. No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site pedestrian access onto London Road in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

8. Prior to the first occupation of the development hereby permitted, drawings of the covered and secure cycle parking stores and spaces 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 alternative travel options to the use of the car in accordance in accordance with SD19.

Informatives

- I. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply. These can be found in the legislation.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that, unless an exception or a transitional arrangement applies (as is considered to be the case here), the planning permission granted for the development of land in England is deemed to have been granted subject to the condition (“the biodiversity gain condition”) that development may not begin unless:

- i) A Biodiversity Gain Plan has been submitted to the planning authority, and
- ii) The planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be the South Downs National Park Authority.

The planning authority is the South Downs National Park Authority.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found in the legislation.

Mike Hughes

Director of Planning (Interim)

South Downs National Park Authority

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Appendices:	Appendix 1 – Information concerning consideration of applications before committee Appendix 2A – Committee Report for SDNP/21/00627/OUT Appendix 2B - Committee Report for SDNP/21/00627/OUT
SDNPA Consultees	Director of Planning, Legal Services
Background Documents	All planning application plans, supporting documents, consultations and third party responses National Planning Policy Framework (2023) South Downs Local Plan (2014-33) South Downs National Park Partnership Management Plan (2020-25) SDNPA Biodiversity TAN (Jan 2022)

[SDNPA Corporate Plan \(2020-25\)](#)

[SDNPA Dark Skies TAN \(May 2021\)](#)

[SDNPA Design Guide SPD \(July 2022\)](#)

[SDNPA Ecosystem Services TAN](#)

[SDNPA Parking SPD \(Apr 2021\)](#)

[SDNPA Sustainable Construction SPD \(Aug 2020\)](#)

