

Report to	Planning Committee
Date	14 February 2013
By	Director of Planning
Local Authority	SDNPA (Wealden District Area)
Application Number	SDNP/12/03386/FUL
Applicant	Mr Barratt
Application	Proposed Horticultural Workers Dwelling
Address	Litlington Nursery, The Street, Litlington, Nr. Polegate, East Sussex, BN26 5RB
Purpose of Report	The application is reported to Committee for a decision.

Recommendation: That planning permission be granted for the reason and subject to the conditions set out in paragraph 10.1 of this report and subject to a s106 to ensure the dwelling is tied to Litlington Nursery and not sold separately and that the dwelling is only occupied by someone working in agriculture, horticulture or forestry.

Executive Summary

The application seeks permission for a proposed horticultural workers dwelling to be sited within Litlington Nursery and to be occupied by the Nursery manager. The need for a dwelling has arisen due to the requirement to sell the existing adjacent dwelling, Holly Tree House, which was owned by the applicants late Mother. Holly Tree House is required to be sold to honour the terms of the applicants late Mother's and Sister's will and to cover inheritance tax.

The applicant has demonstrated the functional need for a dwelling on site. Primarily this is due to the constant delicate care and propagation of the plants on site, but also for security and site maintenance. There is no suitable alternative accommodation within Litlington and the business is based on a sound financial basis.

The proposed dwelling would be of a design, scale and form and be suitably located to meet the functional need. The proposed dwelling would relate well to the surrounding pattern of development with the Litlington conservation area and the Nursery buildings and would not harm the landscape character of the South Downs National Park.

The Parish Council support the proposal and 4 letters have been received in support of the proposal and the need to safeguard the rural economy and local businesses. The application is presented for consideration by the SDNPA Planning Committee at the request of Charles Peck.

I. Site Description

- I.1 Litlington Nursery and Tea Gardens cover an area of 0.3 hectares and are located within the Litlington Conservation area, which is described as a linear village situated on the banks of the River Cuckmere to the south east of Alfriston. The linear settlement of Litlington does not have a defined settlement boundary. The Cuckmere River flows to the west of Litlington and defines the Cuckmere valley side Landscape Character area which the site is located within. The route of the South Downs Way passes through the settlement of Litlington, just to the south of the application site.
- I.2 There has been a Nursery on the site since the mid 1800's whilst the Tea Gardens date

from the 1870's. Both are accessed directly via a shared access from The Street, which is the main north-south road running through the village. The Nursery is separated from the road by a car park (that serves the whole site) and a line of mature trees. To the north, south and west of the site are residential dwellings (including Holly Tree House to the south, where the applicant currently resides). The land rises to the east of the site up the valley sides and is largely undeveloped agricultural land and contains mature vegetation. Further to the east is a property called Valley View, which historically was occupied by previous owners of the Nursery. There are also three separate detached buildings close to the entrance to the site which are occupied as separate small retail and rural craft businesses.

- 1.3 The site contains a number of existing buildings and structures including a twin span aluminium framed greenhouse, two shade tunnels and a brick and timber glasshouse. The site is well developed with a range of existing functional horticultural buildings separated by areas of soft and hard landscaping and formal sales areas. The land falls gradually from south to north towards the main glass houses. The parcel of land within the site where the dwelling is proposed is to the south of the main twin span glass house within part of the overflow car park to the site.

2. Relevant Planning History

- 2.1 Outline planning permission has previously been refused under WD/2001/2210/O for a bungalow for a nursery and security manager and under WD/2002/1768/O for temporary accommodation for the nursery manager. Both these applications were considered unacceptable as there was no agricultural/horticultural or other rural justification for a dwelling.
- 2.2 Application WD/2007/2391/F also sought permission for a proposed horticultural chalet bungalow to provide accommodation for owner/worker. This was refused on 10 October 2007 for the following reasons:
1. The application site lies in the countryside outside any defined development boundaries identified within the Wealden Local Plan where, in the absence of any form of agricultural or other rural justification, the proposal is considered contrary to the long-established countryside restraint policies embodied within PPS7, policies S1, S7, S10 and EN2 of the East Sussex and Brighton and Hove Structure Plan 1991-2011, policies GD2, DC2, DC17 and EN9 of the Wealden Local Plan and policies GD2, DC2, DC15 and NE8 of the non-statutory Wealden Local Plan 2005
 2. The additional dwelling proposed would represent the undesirable and unjustified consolidation of existing loose-knit development within Litlington, to the detriment of the amenities and rural character of the village and this part of the Sussex Downs Area of Outstanding Natural Beauty, contrary to the provision of PPS7, policies S1 and EN2 of the East Sussex and Brighton & Hove Structure Plan 1991-2011, policies GD2 and EN9 of the Wealden Local Plan and policies GD2 and NE8 of the Non-Statutory Wealden Local Plan
- 2.3 The subsequent appeal of application WD/2007/2391/F was dismissed by decision reference APP/C1435/A/08/2072117 dated 07 October 2008. In reaching his decision the Inspector dismissed the appeal on three grounds:
1. The existing accommodation at Holly Tree House, owned by the applicant's mother, where the owner of the Nursery also resided provided adequate accommodation.
 2. The functional need for a new dwelling and having someone living on site had not been demonstrated (and any need already met by Holly Tree House).
 3. The siting of the proposed dwelling would not relate well to the established pattern of development within Litlington Conservation Area.

3. Proposal

- 3.1 The application seeks permission for a horticultural workers dwelling to serve the Nursery. The proposed dwelling would be sited in the south-eastern corner of the Nursery site with its principal elevation facing west towards The Street. The dwelling would be sited in front

of an area of existing bunding and would be well related to the Nursery. The proposed dwelling would be served by the existing vehicle and pedestrian access from The Street which also serves the Nursery and Tearoom.

- 3.2 The proposed dwelling would be set within a residential curtilage measuring 27m in width by 24m in depth at the great points and would have a rear garden just over 10m in depth. It is proposed that the curtilage would be defined by post and rail fencing, native hedging and trees.
- 3.3 The proposed dwelling would be two storeys in height and would have three bedrooms. The total floorspace of the proposed dwelling would be 140sqm. The dwelling would measure 7.6m in height, 10.8m in width by 7.1m in depth. A single storey lean-to is proposed on its north elevation which would have a catslide roof finished in slate. A separate external covered log store and garage are also proposed. The log store would be an oak framed structure and would be covered by a catslide roof. The attached garage would measure 4m in width and 6.5m in depth by 5.2m in height to the ridge of the pitched roof and would be surfaced in plain clay tiles
- 3.4 The elevation of the house would be finished in knapped flint walling with brick quoins. The pitched roof would be surfaced with clay tiles. The garage and lean-to would be finished in brick. The windows and doors would be wooden.
- 3.5 The dwelling is proposed to be highly insulated with the heating supplemented by a wood burning stove and have rainwater harvesting. The dwelling would be constructed to Code Level 3 for Sustainable Homes
- 3.6 The application form is accompanied by:
 - a design, access and planning statement;
 - personal statement from the applicant outlining the functional need;
 - draft s106 with clauses to ensure the dwelling remains attached to the Nursery and only occupied by persons employed in agriculture, horticulture or forestry;
 - Landscape and Visual Impact Assessment;
 - report by Rural Chartered Surveyors Charles Clark & Co of the housing market and functional need;
 - marketing information for Holly Tree House;
 - letter from Richard Bartlett (Tree and Landscape Management), and
 - unaudited financial statement for 2008, 2009 and 2010 which indicate the business is profitable.

4. Consultations

- 4.1 **Cuckmere Valley Parish Council:** Fully support the proposal and make the following comments:
 - will safeguard a business which contributes to the local economy;
 - the building will sit well within the site and the proposed building materials would blend well with the surroundings;
 - the building will enhance the visual appearance of the location, and
 - the Parish Council request that the roofing materials are agreed by the SDNPA to ensure they are in keeping with the conservation area.
- 4.2 **Wealden District Council** do not wish to comment on the planning application.
- 4.3 **Waste Management (Wealden DC):** No objection
 - the proposed dwelling will require sufficient provision for the storage, access and collection of up to 3 x 240 litre wheeled refuse and recycling bins.
- 4.4 **Historic Building Officer (SDNPA):** No comment received.

5. Representations

- 5.1 4 third-party representations have been received supporting the proposal. The representations raised the following comments:
- for 10 years I was the manager of this Nursery (no connection to applicant). Can confirm essential for the running of the nursery to have accommodation on the site;
 - too many small businesses are closing due to lack of support, without accommodation have grave doubts about viability of the business;
 - this is a core business in the village which needs to be supported;
 - proposed dwelling would be sympathetic to the surroundings;
 - the applicant does not mention security – unlike most businesses the applicant is unable to close the site after trading as a neighbour has the benefit of open access through the site at all times;
 - dwelling would not be largely visible from the lane and would not detract from the general mix of properties. Good to see a reasonable family home;
 - presumably dwelling will be ‘tied’ to the Nursery;
 - the produce needs to meet a specialist high standard with round the clock care to be provided for fragile plants in a sensitive environment – this requires 24 hour vigilance.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the South East Plan and the Wealden District Local Plan Review 1999.
- 6.2 The South East Plan was adopted by the Secretary of State on 6th May 2009. The Coalition Government’s revocation of the Plan in July 2010 has been found to be unlawful so the Plan remains part of the development plan. Policy C2 of the South East Plan states that the purposes of designation should be a material consideration in the making of any planning decision that would affect it.
- National Park Purposes
- 6.3 The two statutory purposes of the SDNP designation are:
- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
 - To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.
- 6.4 If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.
- National Planning Policy Framework and Circular 2010
- 6.5 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 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 and should also be given great weight in National Parks.
- 6.6 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

7. Planning Policy

- 7.1 In addition to policy C2 the following policies of the South East Plan are relevant to this application:
- CC1: Sustainable development - states that the physical and natural environment of the south east is conserved and enhanced
- CC4: Sustainable Design and Construction

- 7.2 The following saved policies of the Wealden District Local Plan 1999 are relevant to this application:
- GD2 – Development Boundaries
 - DC2 – Agricultural Dwellings
 - EN9 – Sussex Downs
 - EN19 – Conservation Area
 - EN27 - Design
- 7.3 In December 2005 Wealden District Council adopted the Non Statutory Wealden Local Plan as an interim guide for development management. Appeals have attributed material weight to this non statutory document. The relevant policies are:
- GD2 - Development outside the development boundaries
 - DC2 - Agricultural Dwellings
 - DC15 - Housing Development outside of Development Boundaries.
 - NE8 - Landscape conservation of the Sussex Downs
 - BE1 - Design Criteria
 - BE3 - Development within Conservation Areas
- 7.4 The following Supplementary Planning Document is relevant to this application:
Wealden Design Guide SPD 2008
- 7.5 The Wealden District Core Strategy was considered for adoption and approved by Wealden District Council on 28 November 2012. It will be considered for adoption by the SDNPA on 19 February 2013. Its policies should be given significant weight and the relevant policies are cited below:
- SP01: Manage countryside resources and the rural economy.
 - SP08: Maintain and support the day to day need of rural communities.
 - WCS6: Rural Areas Strategy

8. Planning Assessment

Holly Tree House and other suitable accommodation

- 8.1 As set out in the planning history when the previous applications were considered the applicant was residing in Holly Tree House, the adjoining dwelling to the site. This property was owned by the applicant's mother. This existing accommodation satisfied the functional need of the enterprise.
- 8.2 Due to the recent loss of the applicant mother and sister he is obliged to sell Holly Tree House. Under the terms of the will's Holly Tree House and the Tea room including other shared areas were left in equal shares to the applicant and his sister. The applicant's sister unexpectedly died in May 2012 but her daughter will now run the Tea room business. The applicant and his niece wish to continue to development the enterprise, but to achieve this and to raise sufficient funds to discharge his sister's 50% share of their mother's legacy together with any inheritance tax, Holly Tree House has to be sold. As such for the first time in 100 years there will not be a house on site occupied by someone who can respond to the day to day needs of the Nursery. This is a fundamental change in circumstance since the previous applications and appeal.
- 8.3 Holly Tree House has been marketed at £795,000, but has not sold. As set out in correspondence received from Solicitors Mayo Wynne Baxter the property is to be re-valued and re-marketed. Although not currently on the market there is no question that Holly Tree House will be marketed very soon and sold in compliance with the terms of the will. The funds from the sale of the house are required to construct the new dwelling.
- 8.4 An independent study of the housing market has been undertaken by Charles Clark and Co. This concludes that there are no alternative dwellings in the immediate area which are either affordable or available for some employed in horticulture. Since 2008 there has only been

one property on the market in Litlington below £250,000. The estimated cost of constructing the new dwelling would be approximately £150,000 and represents the most viable option. Living of the site also raises issues of being inaccessible in time of adverse weather and would not help with site security.

- 8.5 Following the sale of Holly Tree House there would no longer be accommodation available to satisfy the needs of the enterprise. There is no suitable affordable accommodation available within Litlington or the immediate surrounding area. There are no existing structures on the site suitable for residential conversion. In terms of policy DC2 of the Wealden Local Plan 1998 the criteria regarding no alternative accommodation being available is satisfied.

Functional Need

- 8.6 The applicant has submitted a personal statement outlining the functional need for an on site dwelling. The main reasons can be summarised as:
- constant care of delicate seedlings - 75% of the 685 different varieties of plants are propagated on site. The other 25% are brought as small plants and raised to saleable plants on site. The careful propagation of plants on the site is therefore crucial to the business throughout the year and essential for the Nursery to remain competitive;
 - need to be on site to immediately repair and respond to damage caused by extreme weather, for example snow breaking net support structures and stress on the growing structures in the propagation houses, wind damage to the greenhouses, cold weather freezing pipes, flooding etc;
 - need to be able to respond quickly to changes in weather to prevent loss of fragile crop. For example late spring frosts means that heating has to be adjusted at short notice.
 - need to maintain the heating and temperature throughout the year and be able to respond to power cuts (a regular occurrence);
 - power cuts also prevent the misting unit in the propagating house to work as they are controlled electrically – lack of power results in cuttings drying out and requires manual misting;
 - power cuts prevent greenhouse ventilation from being operating and is required to be operated manually;
 - erratic deliveries (6.30am to 9pm) need to be processed and fragile seedlings need to be tended to immediately regardless of time;
 - security – despite living in Holly Tree House – the greenhouses have been vandalised twice in the past three years and both times necessitating immediate repair. Considerably more damage may have been caused had someone not been living on site. No doubt the knowledge that someone is living next to the site is a deterrent.
 - monitoring pests and spraying have to be carried outside of opening hours due to Health and Safety Regulations.
- 8.7 During the consideration of the application the applicant has submitted photographs of flooding preventing or restricting access for the week commencing 17 December 2012 and a 36 hour power cut starting on 14 December 2012 which required immediate action to prevent damage due to a failure with the heating system. Such events are fairly typical for a remote rural settlement. Without immediate action considerable damage to the stock would have been caused. During this time there was also severe disruption to the telephone lines.
- 8.8 It has been suggested that a remote monitoring system could be used to control heating, ventilation, security and watering. The applicant indicates that due to the poor mobile phone signal and coverage that such systems would rely on would not be appropriate. Whole crops can be lost in a short period due to extremes of weather. Automated systems would also not be able stand plants upright or vary quantities of feed/water. Such systems could also malfunction leading to the loss or damage to whole crops which would be disastrous to the business.

- 8.9 The proposal meets the functional need set out in paragraph 55 of the NPPF, policy DC2 of the Wealden Local Plan 1998 as well as policy WCS6 of the Wealden District Core Strategy. A worker is needed to be on hand day and night to deal quickly with emergencies that could otherwise cause serious loss of crops or products fundamental to the prosperity of the business. The lack of on site security adds to the functional need. As set out above, unlike previous applications, this functional need will no longer met by Holly Tree House. Indeed for the first time in 100 years the Nursery would not have on site accommodation. Following the sale of Holly Tree House there will be an essential functional need for a horticultural workers dwelling.

Financial test

- 8.10 For 19 years the Nursery has been run by the Barratt family. When purchased the Nursery was largely in a ruined state and the business has since been re-built. Since 2005 the applicant has run Litlington Nursery as a sole trader and as a separately accountable business.
- 8.11 The financial viability of the business has been carefully considered and accounts for three years have been submitted. The accounts demonstrate that the Nursery business remains in profit entirely independently of the adjoining Tea Rooms. The Nursery also provides employment to the local community with four part-time staff employed depending on the season and time of year.
- 8.12 The Nursery, Tea room and associated retail/craft outlets form an integral and important part of the local village community. As demonstrated by the accounts, the Nursery is a well run business based on a sound financial basis and is profitable and therefore meets the financial test of policy DC2 of the Wealden Local Plan 1998.

Design and impact on conservation area and SDNP

- 8.13 The previous refused scheme was sited further to the rear of the site behind the main horticultural business and the residential curtilage of other neighbouring dwellings within Litlington and on an elevated part of the site. The refused dwelling proposed a contemporary 4 bedroom design with a larger floor area of 159sqm.
- 8.14 The siting of the dwelling has changed from the appeal scheme. Whilst still to the south-east of the nursery the dwelling would be sited further to the west and closer to The Street in front of an area of existing bunding. In this location the dwelling would be more closely related to the existing built development of the Nursery and avoid the higher ground of the appeal scheme. The siting of the proposed dwelling would also provide good surveillance of the Nursery and allow immediate access in case of emergency. The historic settlement pattern of Litlington is an attractive linear village. The proposed dwelling would be sited behind the building line of the properties to south but would not be overly visible from outside of the site. The dwelling would relate well to the Nursery buildings and would not impact upon the significance of the conservation area.
- 8.15 The proposed design, scale and form of the dwelling and use of materials would be in keeping with the character of the area and meet the functional need of the Nursery. The dwelling would complement the character of existing properties in the conservation area and would not harm the landscape character of the National Park.
- 8.16 Given the siting immediately adjacent to the nursery building it could not be easily subdivided. The applicant has however agreed to enter into a s106 agreement to ensure the dwelling remains attached to the Nursery and is only occupied by person employed in agriculture, horticulture or forestry.

Impact on neighbour amenity and amenity of future occupiers

- 8.17 A separation distance of 30 metres would be achieved between the proposed dwelling and Holly Tree House; there would no loss of daylight or privacy. There would be no detriment to the property to the north due to the separation distance, screening and existing Nursery buildings. There would be no detriment on properties along The Street due to the mature trees.

- 8.18 The dwelling would be set within a plot measuring 27m in width by 24m in depth at the great points and would have a private rear garden just over 10m in depth. The plot would be commensurate to size of dwelling and afford future occupiers adequate amenity.

Ecology

- 8.19 The proposed dwelling would be sited in part of the existing car park and as such does not raise any ecological issues.

Access/highway implications

- 8.20 The proposed dwelling would be sited in part of the overflow car park and therefore reduce some of the capacity at peak time. There is no other suitable land to compensate for this loss. The dwelling would result in some reduction in peak parking provision, however as evidenced by the good grass covering in the overflow car park this area is seldom used. There is limited capacity on the highway for additional parking. The loss of parking in the overflow car park would be acceptable to accommodate the proposed dwelling. The remaining car park would provide adequate parking space.
- 8.21 The dwelling would share the existing access as the Nursery and Tearoom; this does not raise any highway safety issues.

9. Conclusion

- 9.1 The proposed dwelling would meet an essential functional need and provide on site accommodation to allow for the care and propagation of the fragile stock and produce which if damaged could be disastrous to the business. In addition to this a dwelling would provide security and allow for immediate maintenance and repair to be undertaken when required. There is no alternative suitable accommodation within Litlington and in close proximity to meet this need. The business is based on a sound financial basis. The proposed dwelling would safeguard the future of the Nursery and help foster the rural economy in accordance with the duty of the SDNPA.
- 9.2 The proposed design, scale and form of the dwelling and use of materials would be in keeping with the character of the area and meet the functional need of the Nursery. The dwelling would complement the character of existing properties in the conservation area and would conserve the landscape character and cultural heritage of the National Park.

10. Reason for Recommendation and Conditions

- 10.1 The reason it is recommended that the application be approved is:

The proposed dwelling would meet an essential functional need and provide on site accommodation to allow for the care and propagation of the fragile stock and produce which if damaged could be disastrous to the business. In addition to this a dwelling would provide security and allow for immediate maintenance and repair to be undertaken when required. There is no alternative suitable accommodation within Litlington and in close proximity to meet this need. The business is based on a sound financial basis. The proposed design, scale and form of the dwelling and use of materials would be in keeping with the character of the area and meet the functional need of the Nursery and would complement the character of existing properties in the conservation area and would conserve the landscape character and cultural heritage of the National Park. Furthermore the dwelling would safeguard the future of the Nursery and help foster the rural economy in accordance with the duty of the SDNPA. The proposal complies with policies GD2, DC2, EN9, EN19, EN27 of the Wealden Local Plan 1998, policies SP01, SP08 and WCS6 of the Wealden Core Strategy 2012, policies CCI, CC4 and C2 of the South East Plan 2009, the Wealden Design Guide SPD 2008 and NPPF.

Subject to a s106

- to ensure the dwelling is tied to Litlington Nursery and not sold separately and
- that the dwelling is only occupied by someone working in agriculture, horticulture or forestry.

Subject to the following conditions:

Time Limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

Materials to be agreed

2. Prior to the commencement of development a schedule of materials, finishes and samples, of all external roofing and facing materials including, materials to be used for windows and doors shall be submitted to and approved by the South Downs National Park Authority in writing. Following the schedule of materials being agreed in writing by the SDNPA and prior to development commencing on site a sample panel of the new flintwork/stonework of at least one square metre shall be constructed on site and agreed in writing by the SDNPA. The panel shall be constructed using the agreed facing materials, bonds, mortar and finish to joints. The approved sample panel shall be retained on site and available for inspection until the work has been completed. Thereafter, the development shall be carried out to match the standard of workmanship in the approved panel to the satisfaction of the SDNPA.

Reason: To ensure a satisfactory appearance and to comply with policies EN27 and DC3 of the Wealden Local Plan 1998.

Approved Plans

3. The development hereby permitted shall be carried out and completed in accordance with the submitted plans, specification and written particulars identified within the decision notice unless otherwise agreed in writing by the SDNPA.

Reason: To ensure that the development is carried out in accordance with the approved plans and in accordance with the Wealden Local Plan 1998 and NPPF.

Soft Landscaping details

4. Before development commences details of soft landscape works shall be submitted to and approved by the SDNPA in writing. These details shall include:
 - (i) written specifications (including cultivation and other operations associated with plant and grass establishment):
 - (ii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
 - (iii) retained areas of grassland cover, scrub, hedgerow, trees and woodland;
 - (iv) a schedule of landscape maintenance for a minimum period of 5 years include details of the arrangements for its implementation.

Reason: To enhance the appearance of the development and its integration into the landscape of the SDNPA and to enhance biodiversity to comply with policies DC3, EN12, EN14 and EN27 of the Wealden Local Plan 1998.

Landscape Planting

5. The approved soft landscaping scheme shall be implemented in the next planting season following the completion of development and thereafter maintained in accordance with the approved schedule. If within a period of five years after planting any tree or plant is removed, dies or becomes seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season.

Reason: To improve the appearance of the site in the interests of visual amenity and to comply with policies DC3, EN12, EN14, EN27 of the Wealden Local Plan and NPPF.

Retention of garage

6. The garage hereby permitted shall be kept available for the parking of motor vehicles and/or storage at all times. The garage shall be not be used as habitable accommodation unless first agreed in writing by the SDNPA.

Reason: To ensure adequate space for the parking of private motor vehicles for dwelling and to prevent the erection of additional garages structures and further development with the Nursery car park. To comply with policies EN19 and EN27 of the Wealden Local Plan 1998.

Remove permitted development rights

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (as amended) or any Order revoking and re-enacting or amending that Order. No additions, enlargements, extensions, building or structures permitted under classes A, B, or E of the Order shall be constructed unless first agreed in writing by the SDNPA.

Reason: The enable the SDNPA to retain control over the enlargement of the dwelling and in the interests of the appearance of the conservation area. To comply with policies DC2, EN19 and EN27 of the Wealden Local Plan 1998.

Bin storage

8. Before the development hereby permitted is commenced details of the provision to be made for the storage and disposal of refuse from the site shall be submitted to and approved by the SDNPA in writing. This provision shall be fully implemented in accordance with the approved details before the development hereby permitted is first brought into use.

Reason: To protect the amenities of the area to comply with Policies EN19 and EN27 of the Wealden Local Plan 1998.

11. Crime and Disorder Implication

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

- 12.1 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.

13. Equalities Act 2010

- 13.1 Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010.

14. Proactive Working

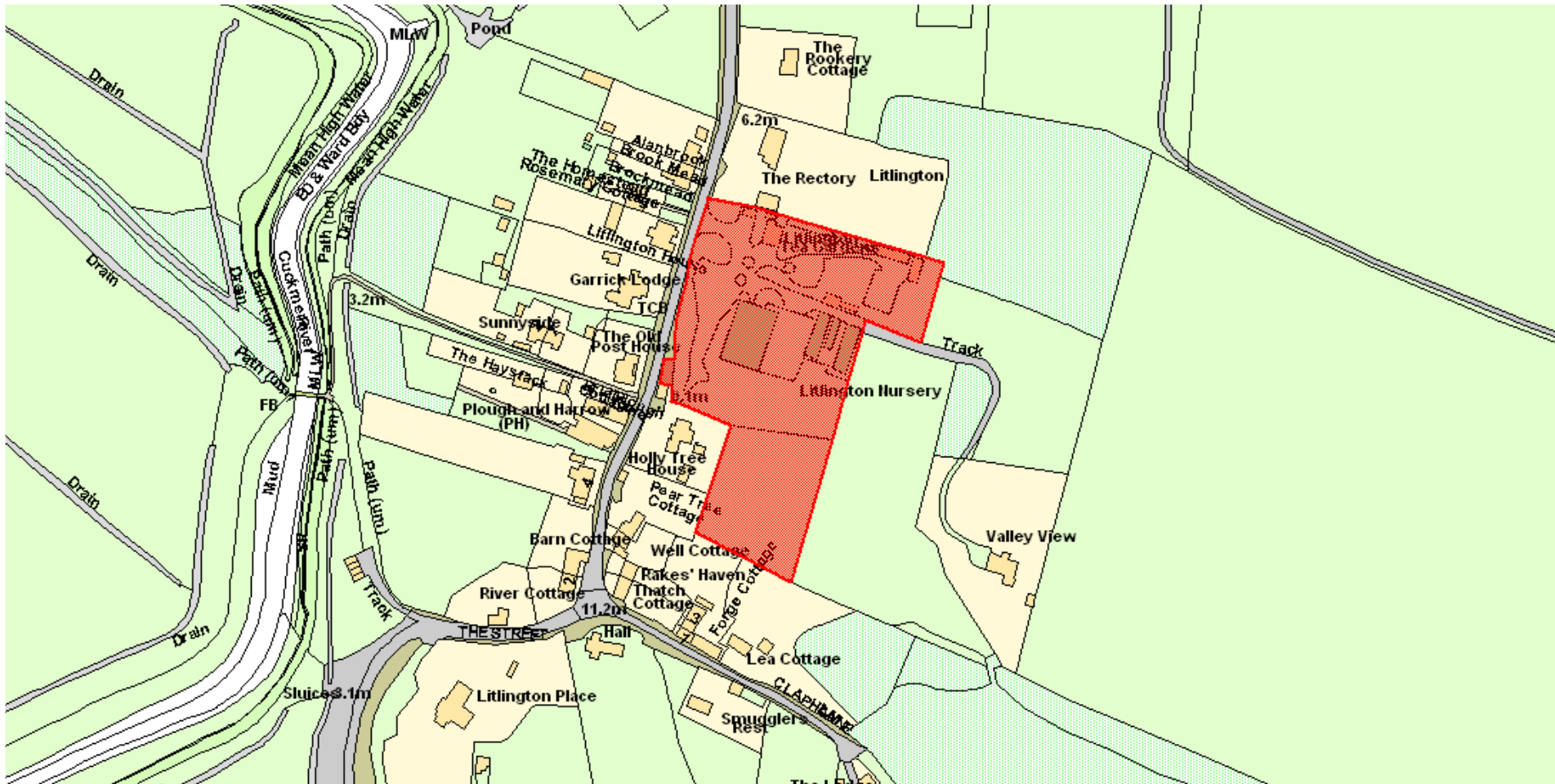
- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of pre-application advice from the SDNPA Development Management Officer regarding the need to address the concerns raised by the Planning Inspector in terms of demonstrating the functional need and in terms of the siting and scale of the proposed dwelling.

Tim Slaney

Director of Planning

South Downs National Park Authority

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Appendices	I. Site Location Map
SDNPA Consultees	Director of Planning & Legal Services.



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