

Report to	Planning Committee
Date	13 April 2017
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/16/06072/FUL
Applicant	J & H Robinson (Iford Farms) Ltd.
Application	Change of use of land, erection of twelve holiday lodges and a reception lodge, construction of internal access paths and parking for guests.
Address	Barn West of Swanborough Fishing Lakes, Newhaven Road, Swanborough, East Sussex

Recommendation:

- 1. That planning permission be granted subject to:**
 - i) Conclusion of satisfactory footpath and cycle provisions, including a requirement to enter into a s.106 agreement to secure delivery, and**
 - ii) Final comments of the highway officer being addressed satisfactorily, and**
 - iii) The conditions set out in Paragraph 10.1 of this report.**
- 2. That authority be delegated to the Director of Planning to refuse the application, with appropriate reasons if the S106 agreement is not completed or sufficient progress has not been made within 3 months of the 13 April Planning Committee meeting.**

Executive Summary

This application proposes the change of use of an undeveloped 2ha site for the siting of static timber holiday homes, a reception cabin and modest level changes in the countryside just above the floodplain of the River Ouse. Almost all of the site is outside the flood-risk area. The lodges would be for year-round use. The main issues are landscape impact and sustainable access.

Due to topography and tree screening the proposed development will be largely screened from wider views, but in a few places new tree and hedge planting is needed to increase this. In turn new planting will increase biodiversity value, including a replacement and extended hedge at the roadside, to provide improved visibility for vehicles.

Road access is via a concrete surfaced road leading from the C7 Kingston Road. The absence of roadside footpaths here means that there is unsatisfactory access for pedestrians and cyclists along the 50mph road. However, there are rural footpaths through the Estate land providing an alternative. Subject to selective extension of paths, the securing of long-term legal rights for their use and some sections of new surfacing (such as hoggins), these will improve linkage into the wider countryside in accordance with National Park purposes and policies. The site access is alongside a small school but neighbouring amenities are unlikely to be adversely affected.

The application is considered to increase much needed visitor accommodation in the area and be acceptable subject to additional landscaping and satisfactory footpath and cycle provisions around the site.

The application is placed before the Committee due to the important policy considerations.

I. Site Description

- I.1 The site comprises an irregularly-shaped, sloping field of approximately 2ha, located 2km to the south of Lewes. It is set among arable farmland which occupies the land above and the flood-plain of the River Ouse to the east of the C7 Kingston Road and Kingston and Swanborough villages.
- I.2 Access is via a single-width, semi-sunken concrete-surfaced lane, 'The Droveaway' some 300m in length, which proceeds eastward from a T-junction with Kingston Road. This serves an existing field gate to the site as well as Swanborough Fishing Lake approximately 50m to the east and a water treatment plant to the north. To the north of The Droveaway is Owlswick School set among its gardens, but this is accessed via a separate driveway onto Kingston Road, 80m to the north. To the south is arable land which includes a grass airstrip; a barn immediately outside the southern boundary is said to serve as a hangar for this.
- I.3 The site is roughly 300m long (its axis running north-west to south-east), and between 80 – 120m in width, although this narrows to a throat of 6-12m width, at the north west corner where a new access is proposed through the southern bank of The Droveaway.
- I.4 Site boundaries comprise mainly of post and wire fences but with a small deciduous woodland edge with tall trees and understorey growth along much of its north and eastern boundary with Swanborough Lake, which is part of a SSSI covering part of the floodplain, with a further chalk grassland SSSI at Iford Hill to the south. The edges of the Droveaway vary between areas of overarching mature trees, smaller, younger trees and sporadic hedges.
- I.5 Site levels range between 5m (Above Ordnance Datum) in the east and the 18m (AOD) in the west, so that there is a height difference of 13m across the width of the site. Within this are three roughly distinguishable natural terraces, the lowest is between 5-7m AOD in the east, another (only occurring in the southern part of the site) is approximately 25m to the west of this and is around 12m AOD. The uppermost terrace occupies the central and north western part of the site and is 13-15m AOD. There are also high spots of around 15m AOD at the southern end and north-west corner, including part of the location of the proposed access.
- I.6 A tarmac surfaced track runs the length of the site from the existing field gate in the north to the southern boundary. This passes along the western edge of the lower terrace and is separated from the upper terrace by a steep, grassed bank, containing sporadic clusters of young ash trees.
- I.7 A public footpath crosses the north-western tip of the site and The Droveaway. This continues northwards to Lewes and southwards across the adjoining field, where it divides; southward to Iford village and westward to Newhaven Road and Swanborough Village. Beyond Swanborough it continues as a bridleway, linking to the South Downs Way. Roadside cycle paths extend from Lewes along Kingston Road to its junction with Well-Green Lane and the Wyevale Garden Centre, approximately 300m north of The Droveaway. At this point the cycle path gives way to grassed verges.
- I.8 **Surrounding Landscape.**
- The wider landscape within which the site is located is described in the Landscape Character Assessment (SDILCA), as landscape type: 'Major Valley Sides'. This is characterised by valley sides of varying steepness and defined changes in slope at the edge of the floodplain and at the crests of the slopes above. Woodlands along the lower slope form a particularly distinctive edge to the floodplain, forming a tranquil, rural setting. Villages are surrounded by a field pattern of early enclosures.
- I.9 The site is immediately above the floodplain and below the crest of the slope. The woodland to its north and eastern sides provides a screen but there are some gaps and thinning through which are views towards Lewes town and Mount Caburn, although variously filtered and framed by trees and bushes. To the west the site is substantially below and screened by the crest of the slope, but with a line of sight to the South Downs Way to the north-west. At its southern end is the edge of the woodland boundary but with a gap through which the rolling, open arable land beyond are including an informal grassed airstrip close to the site

edge. This view also contains a modern barn which is used as a hangar, immediately outside the site boundary.

2. Relevant Planning History

- 2.1 A pre-application enquiry SDNP/15/06005/PRES was submitted in early 2016 for: Ten / twelve log cabins for tourist use next to the fishing lakes at Swanborough. The response expressed in-principle support for the use and form of accommodation, subject to sustainable access and environmental impacts, including landscape and biodiversity.

3. Proposal

- 3.1 Permission is sought for change of use of land from agriculture for the siting of twelve static, self-contained prefabricated timber lodges and a reception cabin for use a tourist accommodation. The proposed layout is shown at **Appendix 2**.
- 3.2 The lodges would be grouped in four locations along the three terraces. They would all be 3.4m height and 6.6m width but varying in length between 10.4 m and 12.9m. The range of sizes is:
- 2 x one-bed,
 - 7 x two-bed
 - 3 x three-bed
- 3.3 Each lodge would be mounted on a concealed steel frame supported by temporary concrete pads in small gravel filled pits. The corner of each lodge comprises a roofed veranda. Six lodges would be provided in the first year. The other lodges would be provided later subject to demand.
- 3.4 The reception cabin would be of a similar size, prefabrication and mounting., containing an office, reception area and store for maintenance equipment and the provision of essential supplies to guests at the site, (but also opportunity to serve existing users of the Estate's adjoining fishing lake if needed).. Iford Estate intend that a national holiday company would organise bookings, which would be available to all-comers.
- 3.5 Ground levels would be adjusted quite extensively by various minor lowering and raising (typically -0.5m to +1.2m) to create slightly softer contours.
- 3.6 A new access would be created at the north-west corner of the site, some 200m to the west of the existing field gate. This new access of 4m – 5m width would be formed through and over a short section of the southern bank of The Droveaway, with replacement planting to compensate for the loss existing sporadic hedge and small trees. It would cross the public footpath, which may involve altering its earth-and timber-steps and stile. The surface of the new access drive would be of reinforced permeable grid paving, filled with flint chippings.
- 3.7 A new internal access road of similar materials would lead from the new access across the upper terrace of the site to the reception cabin and the northern-most group of lodges. This would proceed southwards into the site, forking and narrowing and becoming a rolled hoggin surface. The existing internal access road would be part removed, the retained part being re-formed as a narrower, hoggin path. A lighting plan includes lighting bollards beside the paths and reception.
- 3.8 Twenty four parking spaces would be formed alongside the internal road; three separate ranks of 5no. spaces would be located at intervals along this road. Five of the cabins would have one or two spaces immediately alongside. All parking spaces would be grid paving with flint chippings.
- 3.9 The proposals include the removal of eighteen small trees in the centre of the site and planting of 250no. Indigenous trees in various places and 304 metres of indigenous hedging at the western boundary. No enclosures are proposed around individual lodges, although a small bin area is shown beside the reception.

4. Consultations

4.1 Highways – Interim comments

- Inadequate visibility to south of access junction with C7 Kingston/Newhaven Road
- Not readily accessible by all modes of transport:
 - Roadside paths should be provided along Kingston/Newhaven Road north and south to access bus-stops, services and the cycle path further north.
 - Bus services are less frequent than assumed.
 - Covered secure cycle storage needed
 - Recommends a minibus to collect holidaymakers from rail and bus stations
- Requests further traffic data, including comparable uses
- Concerns would currently lead to recommendation to refuse

4.2 Landscape Officer – Support

- Agrees with the submitted landscape assessment; the impact is of minor significance, or at worst from public viewpoints, negligible adverse.
- Additional woodland would reinforce the character of the wooded lower slope.
- Additional screen planting to the south east should be extended eastward to screen new cabins. Succession and understorey native planting is needed to the north east, not exotic species. Five trees to north-west should not be felled.
- Suggests that proposed parking spaces in a visually sensitive part of the site should be relocated
- Avoid domestic paraphernalia around cabins
- Full details of hard landscaping (chippings, paving, lighting bollards and timber), to be submitted.

4.3 Tree officer – Awaited (Members will be updated)

4.4 Access Officer – Comment

- Opportunities for access should provide access for cyclists and a link to Egrets Way. The County Council should be asked to adopt these.

4.5 County Rights of Way – Awaited (Members will be updated)

4.6 County Archaeologist – No objection

- Site is within an Archaeological Notification Area but unlikely to have archaeological impact.

4.7 County Ecologist – Awaited (Members will be updated)

4.8 Environment Agency – No objection

- Recommends conditions: lodges to be located as proposed and not in area of greater flood-risk; floor heights to be 300mm above ground level; other proposed mitigation to be carried out.

4.9 Environmental Health – Awaited (Members will be updated)

4.10 Regeneration and Investment officer - Support

- Strongly in favour; tourism is vital to local economy supporting 10.9% local jobs. Type of accommodation fits known market need, marketing information shows strong demand. Recommends strict occupancy conditions to avoid general residential use.

4.11 Sustainable Tourism officer - Support

4.12 Iford Parish Meeting – Support

Please give consideration to:

- Noise; restrict playing of music at late hours.

- Number of parking spaces (24no) is excessive. Reduce and encourage more sustainable modes.
- Public access improvements should be obtained; including new links to Egrets Way and South Downs Way, also signage, surfacing and safe road crossing improvements.
- Planning condition should limit number of cabins to 12, as proposed.
- Detailed design of cabins require care and should be required by planning condition, in particular limiting light pollution.

4.13 **South Downs Society - Observations**

- The Society recognises benefits in promoting enjoyment of the National Park.
- The site is visible from important vantages and buildings are an encroachment.
- Requests confirmation that only a small number of trees are removed and that new planting will take place.
- Detailed design should ensure acceptable appearance, access and impact on dark skies. Natural wood finish should be used.
- Improved footpath and cycle links should also be considered.

5. **Representations**

5.1 **District Councillor V Ient.**

Sustainable tourism supported but modifications needed without which proposal would not meet National Park purposes and sustainability:

- Access should be multi-modal, not only vehicular. Also should be for mobility scooters
- Several new footpath provisions are needed:
 - A footway along the access road
 - Footways along Newhaven Road north and south of the access road
 - A permissive footpath eastward to the river and Egrets Way
 - Signposting of existing permissive footpath Iford Farm to Lewes (Rise Farm)
- Green roofs should be used
- Final designs to be required by condition
- Limit number of lodges [to 12no.]
- Limit noise at all times, including restriction of external music at night (11pm onward)
- Limit external lighting and use slatted window shades to minimise spill from internal lights
- Incorporate renewable energy e.g. ground source heating.

Objection – 1 letter

- Loss of trees – too numerous. Tree survey needed.
- Brightly coloured lodges visible over long distance when seen from south and west especially the higher rank of lodges which represent too much development
- Internal lighting from lodges may affect dark skies.

Neutral

- Concern for amount of construction and customer traffic using access alongside boundary of neighbouring garden used by school and residents. In interests of safeguarding young people at school, proposal should not increase access to neighbouring land.

6. **Planning Policy Context**

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise, having regard to the NPPF. The statutory development

plan in this area comprises the Lewes District Local Plan Joint Core Strategy 2016 and saved policies of the Lewes District Local Plan 2003. The policies of relevance are listed below.

- 6.2 Policies of the Emerging South Downs National Park Local Plan, Preferred Options 2015 are of limited weight. These are also set out below.
- 6.3 Whilst there is no Neighbourhood Plan in place for this area, there is an Iford and Swanborough Village Plan 2015, which was prepared by the Parish Council. Whilst it has modest weight in Planning terms, it is notable that among its aims and objectives are matters which reflect those considered in the Highways and Access part of this report, as follows: 'ensuring the crossing of the C7 is safe, particularly at the Swanborough exit; to promote the provision of cycle ways; to preserve and improve the footways along the C7 and to support alternative forms of transport, such as car sharing, pool cars, taxis and other subsidised transport schemes'.

National Park Purposes

- 6.4 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.
- 6.5 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

- 6.6 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.
- 6.7 Paragraph 116 states that planning permission should be refused for major developments within designated areas such as the National Park except in exceptional circumstances and where it can be demonstrated they are in the public interest.. Consideration then has to be given as to whether this proposal is a 'major development' as referred to in paragraph 116 of the NPPF when considering the principle of development.
- 6.8 The NPPF does not provide a definition of what constitutes 'major development'. The Authority has sought legal advice on the definition of major development from James Maurici QC, the most recent guidance being given in October 2014. The Maurici legal opinion provides guidance on the definition of major development within National Parks. The opinion advises that major development is any development which, by reason of its scale, character or nature, has the potential to have a serious adverse impact on the natural beauty, recreational opportunities, wildlife or cultural heritage provided by a National Park. Obviously, the assessment of whether the proposal is major is therefore a matter of judgement based on all the circumstances, including the local context.
- 6.9 In consideration of this, the development comprises a modest number of lodges and its landscape implications are also considered to be modest and acceptable with additional planting. It does not therefore constitute major development under for the purposes of NPPF paragraph 116.
- 6.10 The NPPF para 28 supports tourism development which is sustainable, meets needs and respects the character of the countryside. For sustainable transport at paras 29 - 41 account should be taken of safe and suitable access to the site for all people, including improvements to the transport network. Development should be located and designed where practical to give priority to pedestrian and cycle movements, with access to high quality public transport with consideration of the needs of people with disabilities.

- 6.11 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.
- 6.12 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan. Relevant policies are below.
- 6.13 Policy 1 seeks to conserve and enhance the natural beauty and special qualities of the landscape and its setting, in ways that allow it to continue to evolve and become more resilient to the impacts of climate change and other pressures.
- 6.14 Policy 3 seeks to protect and enhance tranquility and dark night skies.
- 6.15 Policy 28 seeks to improve rights of way to provide a better connected and accessible network for a range of abilities and users, and to reduce conflict where it occurs.
- 6.16 Policy 29 seeks to enhance the health and wellbeing of residents and visitors by encouraging, supporting and developing the use of the Park as a place for healthy outdoor activity and relaxation.
- 6.17 Policy 30: Develop 'access for all' opportunities, particularly supporting those groups currently underrepresented in the National Park visitor profile.
- 6.18 Policy 31: Raise awareness and understanding about the National Park with consistent messages that inspire and celebrate a strong sense of place.
- 6.19 Policies 37 and 39 seek to encourage cycling for commuting and leisure and promotion of a seamless network. Also the management vehicle parking.
- 6.20 Policy 41: Maintain visitor enjoyment and influence visitor behaviour in order to reduce impacts on the special qualities and increase visitor spend in and around the National Park.
- 6.21 Policy 42: Develop a consistent and co-ordinated approach to the promotion and marketing of the South Downs National Park as sustainable visitor destination.
- 6.22 Policy 43: Support the development and maintenance of appropriate recreation and tourism facilities and visitor hubs, in and around the National Park, including a mix of quality accommodation, which responds to market demands and supports a sustainable visitor economy.
- 6.23 Policy 48 seeks to support the towns and villages in and around the National Park to enhance their vital role as social and economic hubs.

7. Planning Policy

- 7.1 The relevant policies of the Lewes District Local Plan Joint Core Strategy 2016 are:
 - CP5 – Visitor Economy
 - CP7 – Infrastructure
 - CP8 – Green Infrastructure
 - CP10 – Natural Environment and Landscape Character
 - CP12 – Flood Risk, Coastal Erosion, sustainable Drainage and Slope Stability
 - CP13 – Sustainable Travel.
 - CP14 – Renewable and Low Carbon Energy
- 7.2 The saved policies of the Lewes District Local Plan 2003 which are also relevant are:
 - ST1 – Infrastructure provision
 - ST3 - Design, Form and Setting of Development
 - ST5 – Access for people with limited mobility
 - ST11 – Landscaping of development
 - E16 – New Camping / Touring Caravan Sites
 - E19 – Static Caravan Sites
 - T1 – Travel demand management]
 - T10 – [Safe and secure pedestrian routes]
 - T14 – [Changes of use - Parking and sustainable access]

South Downs Local Plan: Preferred Options

7.3 The South Downs Local Plan - Preferred Options was approved for consultation by the National Park Authority on 16th July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2nd September to 28th October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the stage of preparation of the policies within the Preferred Options Local Plan, they are currently afforded limited weight and are not relied upon in the consideration of this application.

8. Planning Assessment

8.1 The site lies in a rural location just above the flood plain of the River Ouse and within the backdrop of the Downs to the north, east and west. This setting and its proximity to the South Downs Way, the town of Lewes, the coast and to some extent the adjoining fishing lake, provide considerable tourist opportunities along with important landscape considerations. Access is via a well-used road of 50mph, which suits vehicular access but brings some challenges for pedestrians and cyclists.

8.2 The site is not designated for nature conservation, although fringed by a small area of woodland and water which is part of a wider SSSI covering much of the floodplain to the east. Only a tiny part of the site is within an area of flood risk and no development is proposed here. Impact on neighbouring amenities is limited; the site is well away from residential areas although the Owlswick School immediately to the north of the access is part residential.

8.3 Therefore the main considerations in this case are:-

- i) Principle of development
- ii) Landscape and design
- iii) Highways and access
- iv) Neighbouring amenities
- v) Biodiversity
- vi) Drainage, flood risk and energy

Principle of Development

8.4 Policies CP5 and the Saved E16 support the provision of year-round tourism development which is needed in the National Park and is sustainable, appropriate and sensitive to its location in scale, type and appearance..

8.5 For proposed facilities which conform to the legal definition of a caravan, (which includes the proposed two-part mobile homes bolted together), there must be a proven, genuine need under saved policy E16, but subject to this proviso, the policy is supportive.

8.6 However, this support in E16 refers to touring caravans only and not to static holiday caravans, although by legal definition they are the same. For static holiday homes Saved policy E19 states that permission will not be granted for the establishment of new sites. The explanation given in the 2003 Local Plan is that static homes are considered obtrusive in the landscape and detrimental to the coastal and rural character of the Lewes District.

8.7 In consideration of this difference in stance between saved policies E16 and E19 and CP5, it is relevant that saved policy E19 dates from 2003 and referred to a wide area, including locations such as Peacehaven and its rural hinterland, where historically unplanned growth, including mobile homes, had impacted on the natural beauty of the coast. It is also significant that this policy pre-dated the emergence in recent years of new approaches to the design of static holiday homes, where innovations, as welcomed by policy CP5 in 2016, have led to more sensitively designed timber structures, and far more spacious less regimented site layouts than those of the past. For these reasons policy E19 is considered to have far less

relevance and weight than policy CP5, in considering this proposal.

- 8.8 It is therefore considered that the relevant policy issues here are whether the proposal fulfils a need in the National Park, and whether it is high quality, sustainable, sensitive and appropriate in scale, type and appearance to the landscape. Policy CP5 also requires that facilities should be retained for visitor use, for instance by the terms and conditions of any planning permission.
- 8.9 On the question of need both the National Park Sustainable Tourism officer and the District Regeneration and Investment Officer confirm that the type of accommodation fits a market for which there is strong demand in the Park. The proposal is for a range of sizes and would provide year round visitor accommodation, and planning conditions can be used to restrict it to holiday-makers but also allowing the reception facilities to be used by those fishing the adjacent lake, which is also part of the Estate.
- 8.10 Other landscape and design policies such as CPI0, CT2 and Saved ST3 & ST11 require that natural the landscape must be maintained and where possible enhanced or that development is otherwise resisted, mindful of the highest importance attached to landscape in these policies and the first purpose of the National Park. There should be appropriate landscaping and care for boundaries. Intensive car parking in prominent positions should be avoided. Hard and soft landscaping should enhance and complement development and there must be care for boundaries. These matters are considered in the landscape section below.
- 8.11 In terms of access and infrastructure, saved policies T1 and T10 require sustainable locations providing good access to services and provision for people with disabilities, unless the need for less sustainable location is overriding. Designs should prioritise walking, cycling and public transport.
- 8.12 The relationship between the site and access into the Park is an essential consideration under the second purpose of the National Park. Policies require that where appropriate, provision should be made for safe and secure pedestrian routes and bridleways, complementing the existing. The provision of rights of way improvements and access to riverbanks is among the green infrastructure possibilities required under policy CP7, and saved ST1 & ST5. This is considered in the Highways and Access section below.
- 8.13 In summary, the development provides a form of contemporary tourist accommodation in a range of sizes to meet the needs of a range of users; individuals, couples, families and groups. Policies are therefore supportive subject to detailed considerations, most importantly Landscape & Design and Highways & Access.

Landscape and Design

- 8.14 The site occupies sloping ground just above the flood-plain. These slopes are defined in the South Downs Integrated Landscape Character Assessment (SDILCA) as landscape type 'Major Valley Sides'. The substantial woodland screen along the east and north-eastern sides, of the site are a characteristic of this type and serves to screen the site from much of the flood plain beyond but with a few gaps providing filtered or framed views and glimpses towards Lewes and to Mount Caburn. Upslope of the site are arable fields bounded by hedges which the SDILCA identifies as a field pattern of early enclosures.
- 8.15 The three rough terraces within the site also face broadly east/north-east. The crest of the slope above them is at a height of 18m AOD, with much gentler slopes immediately northwards towards the Downs beyond. None of the roofs of the proposed lodges and reception would be above 17.95m AOD and therefore most of them would be obscured from views to the west. However, due to undulations, the proposed access and reception building have a line of sight to the South Downs Way.
- 8.16 As shown in **Appendix 2**, the proposed lodges and reception would be arranged roughly in four groups across the three terraces. Their external design is of vertical unstained timber, with dark painted steel window and door frames and chimney and a green roof. The reception cabin is similar in design and size. As it ages the timber and green roofs will blend with the hue of the woodland screen although there is some risk of eye-catching light-spill from the three or four main plate glass windows (typically 3m wide by 2m height) and covered veranda in each lodge, but this would be across a considerable distance.

- 8.17 Further detailed drawings of the reception and lodges would be secured by condition. These would show the precise cut & fill works to create the level for each, and how these would be sympathetically edged, (e.g. graded earth) to ensure that the supporting frame is concealed..
- 8.18 The level changes around the site would soften some of the steepest contours and are considered modest and sympathetic. No individual curtilages would be formed around the lodges.
- 8.19 The areas of parking and individual parking beside some of the lodges would use permeable grid paving with flint chipping
- 8.20 The scheme relies on the planting of approx. 250 new native trees (Oak, field maple, birch and others), to screen the new clustered parking and the new access. This is considered to mitigate the tree losses, including the five self-seeded ash trees in the centre of the site, as referred to by the landscape officer, which are lost to make way for the access road. New tree planting at the southern boundary would screen lodge no.12 from distant southern views. New trees in the central/southern area would filter distant views of lodge no. 7 from Mount Caburn. The tree officer's response will be reported as an update.
- 8.21 The proposed native hedgerow (304m long) at the southern boundary is also important. This would run along the crest of the slope in place of an existing wire fence. Together with the proposed trees it will filter the line of sight between the reception & access area and the South Downs Way. This boundary treatment is considered to be sensitive to the landscape pattern of old boundaries referred to in the SDILCA.
- 8.22 The landscape officer considers that the proposal would have impacts of a negligible adverse nature and minor significance. The suggestions of substituting some proposed non-native species with native ones, and the inclusion of appropriate under-storey and succession planting to the north east boundary, (to minimise the impacts of possible future losses of ash trees to die-back disease), could be secured by planning condition. This will increase the filtering of views to and from Lewes. Likewise it is recommended that a planning condition is used to require additional tree planting to that proposed, to filter the open view to Mount Caburn from the south east of the site.
- 8.23 At The Droveaway, the proposed access will necessitate cutting into part of the existing southern bank. This will have a noticeable but localised impact on the partially sunken lane, including loss of small to medium trees and bushes. Details of bridging across the ditch and treatment of the roadside slopes have been requested. Some hard-engineering is inevitable, particularly in bridging over the ditch, but the visible edges should appear sympathetic and capable of re-colonisation as part of a replanting scheme
- 8.24 Lighting proposals comprise a series of bollards and ground-mounted lights, the first at the new access point in the Droveaway, and thereafter along the internal access road and path to identify the reception cabin, each lodge and cluster parking. Each lodge would also have a two wall mounted lights. The views of the Dark Night Skies Officer are awaited and whilst concern has been raised that the proposal represents a potential excess of illumination and clutter it is considered that a suitable condition can ensure that lighting is appropriate for the location.
- 8.25 The applicant has prepared a ten year maintenance plan, which deals initially with ground preparation, planting, establishment and weed management. Thereafter the regime of pruning, grass-cutting, edging and similar activities. Further views of officers have been requested, to verify that, mindful of practicalities, this will retain a sufficiently natural and not overly-manicured appearance. This matter can be reasonably conditioned.
- 8.26 Overall, the landscape impact is considered acceptable. Whilst the development represents a new presence in undeveloped countryside, the site is relatively well screened from the wider landscape by the slope to the west and trees to the east and north. The height of the lodges sits below the slope of the crest and where there are lines of sight to the reception and a few of the lodges, new planting can improve filtering in the medium term. Releveling works are modest and sympathetic, although the new access from the Droveaway will make a

marked change in the short-term, until new planting develops.

Highways and Access

- 8.27 The combination of policies and the National Park's second purpose require that safe and secure access is provided, prioritising pedestrian routes and bridleways where feasible, complementing the existing. In summary, the provision of convenient access to the wider countryside, its landscape, rivers and settlements, as well as safe road access is essential to the success of tourist accommodation in the Park. **Appendix 3** shows existing footpaths, bridleways and cycle-path in the area
- 8.28 Subsequent to the Highway officer's comments, the applicant now proposes to increase road visibility to the south of the access junction at Kingston Road. This will necessitate the removal of part of a roadside hedgerow. A scheme of replanting behind the visibility splay would be an important next step in mitigation but it includes the possibility that the hedgerow could be made longer than the existing, closing the substantial gap south of the access.
- 8.29 The replanted hedgerow closer to the roadside hedges and trees of The Drove way is consistent with the pattern of early enclosures referred to in the SDILCA. It also creates a potential wildlife corridor, augmenting the benefit of the substantial new hedgerow planting at the western boundary of the site.
- 8.30 The Highway officer also suggests that footpaths should be created along Kingston Road, north and south of the site access, in place of the existing narrow verge. This is aimed at ensuring that pedestrians from the site can safely access Swanborough and Kingston villages and that the existing roadside cycle path to Lewes, which currently ends at a point 300m to the north, is continued southward the site for those accessing the site by bicycle.
- 8.31 In consideration of these suggestions, public footpath (no. I-1A / K-1) crosses the site, continues south towards Swanborough Village, a bus stop and the bridleway to the South Downs Way beyond. Northwards, it continues across fields towards Lewes, although by-passing Kingston Village. Accordingly, for those using the site on foot, and at least some bus users, there is an alternative to roadside walking along Kingston Road.
- 8.32 For cyclists there is no existing alternative. A partial answer may be to provide permissive rights for holidaymakers using bicycles to use the existing footpath to the south of the site (no. I-1A / I-2), across fields owned by the applicant. This would allow them to more-safely access Swanborough Village and the South Downs Way. Ideally a hoggin surface should be laid to facilitate cycle use.
- 8.33 To the north of the site the public footpath no. I-1A / K-1 is uneven and muddy. The introduction of a new roadside cycle path would appear to be the only way to make the 300m connection to the Lewes cycle-path. However, if such a path were provided it would be along a narrow verge with overhanging vegetation. The introduction of a formal bound surface here, (even if it might be achievable from a legal and land-ownership stance), would erode the informal character of the roadside and is also likely to be costly. Further discussion is being undertaken with the highway authority, but it is considered that there is currently little prospect that such a solution could be delivered by this development. An update will be given.
- 8.34 Access by holidaymakers on foot to Lewes can be achieved via the existing footpath no. I-1A / K-1
- 8.35 Access from the site to the wider Ouse Valley is currently also via footpath no. I-1A / K-1, but in order to reach the riverside path (and the future parallel Egrets Way, for cycles) and travel southward towards Newhaven holiday-makers have a circuitous route. They must first walk north from the site towards Lewes, crossing the A27 footbridge and then continue eastward parallel with the road to reach the riverside path and then head south. This route is considered to be inconvenient and with compromised amenity value.
- 8.36 A better route would be the existing permissive right of way (referred to as 'NMU' in Appendix 3) to the south, which leads eastward from Iford across the applicant's land, (and can be reached from the site via footpath (no I-1A / I-1B /)). However, this route is part of a

Stewardship Scheme, and is currently only secured for a few more years, s106 agreement could be used to ensure it is longer-term availability. In addition, a westward extension of this path would be needed to reach the riverside path. This is under discussion with the applicant.

- 8.37 Looking into the longer-term, a future option (via s.106 agreement) to allow for dedication link as a bridleway allowing for appropriate surfacing (such as hoggin), would provide access for cyclists, albeit there would still be a gap in cycle connection back to the site, but this would improve provision and amenity value, including a future cycle route from Egrets Way to Iford village.
- 8.38 Subject to the outcome of the discussions on these various foot and cycle path matters, it is considered that important, convenient and enjoyable connections into the countryside could be achieved in accordance with policies and National Park purposes
- 8.39 In consideration of the other points raised by the highway officer, the applicant has been asked to look again at the highway data used in the submitted highway report but it is considered that the now proposed visibility improvement will address an important part of the concern.
- 8.40 The lack of a potential roadside cycle connection to the north remains a weakness and for the sake of safety it is advisable that this be highlighted in the information given by the applicant/operator, to future holidaymakers. The applicants agree to provide bicycles for hire at the site, which can be stored in the reception cabin, so that holidaymakers who do not arrive by bicycles, can use them to access other countryside routes, for instance the South Downs Way, subject to the improvement to footpath I-1A described at 8.32 above.
- 8.41 In consideration of the officer suggestion for a minibus, the applicant has declined on the basis that the scale of development here, the cost and operation of this would be disproportionate. Clarification has been sought as to the frequency of bus services.
- 8.42 Access for people with disabilities has been included within the site, so that at least three lodges will have level or ramped access. Details can be required by planning condition.
- 8.43 In summary, the development has the potential to serve multiple transport modes and provide appropriate access to the countryside, subject to the achievement of access to the riverside and south (with future rights for cyclists and associated future surfacing); rights and surfacing for cyclists (the NMU path) and for road safety, the improved visibility splay. By comparison the remaining limitation for cyclists, the lack of a complete roadside cycle path, could be at least made known to future visitors in advance, to plan to their arrival journey appropriately.

Neighbouring amenities

- 8.44 The Droeway access abuts the boundary of the adjoining Owlswick School. Given the distance to the proposed lodges (150m and more), there is little risk of issues of noise or privacy between the two. However, mindful of the school's response, the applicant has been asked to consider raising and strengthening of the post and wire boundary fence along the Droeway
- 8.45 In terms of noise, given the very tranquil location and wide flood-plain, there is risk that amplified sound noise might carry. A condition can be used to prevent any fixed outdoor amplified sound system. The use of a management plan by condition can describe measures to ensure that noise is limited, particularly at night.

Biodiversity

- 8.46 A site survey has been submitted along with a report on a biodiversity in the wider vicinity, focused on Rise Farm to the north east. This found no reptile or amphibian interest at the site. Evidence of bats was found at the farm. The site, with its woodland edge and adjoining lake and flood-plain SSSI, would appear suitable for bat foraging. The County Ecologist view is awaited, but it is probable that importance will be placed on the retention of trees and hedges and control of lighting, which could be controlled by condition.

- 8.47 The site currently has low biodiversity interest. The proposals bring welcome opportunities for improved habits. The substantial new hedgerow planting and increased connectivity will create and extend wildlife corridors. New trees and understorey planting improve woodland succession and may strengthen bird-nesting and bat-foraging. The meadowland and chalk grassland planting and green roofs can add to the habitat of the SSSI chalk grassland to the south. The ten year maintenance programme for the site, with some adjustments, can ensure that these additions are established and suitably managed.

Drainage, flood risk and energy

- 8.48 Other than a small part of the south west corner the site is within flood zone one, with low flood risk. The south west corner is in zone three, with high risk. However, no development or increased levelling is proposed here and the development meets national sequential tests which steer development to low risk locations. Subsequent management of any residual risks (the 'exception test'), such as ensuring that lodges are sited outside of the flood risk area, can be managed by condition.
- 8.49 A precautionary flood evacuation plan has been recommended, but this appears to be based on a previous plan iteration in which one lodge was within zone 3. It is unlikely that this precaution is still needed but the point is being checked with the EA.
- 8.50 The development uses SUDS drainage; permeable surfaces throughout and green roofs, which avoid increased run-off. Details of the ditch crossing at the new access are awaited, to ensure that this remains effective. Foul drainage is via a new sewer to the treatment site further north. Construction will be required to ensure that trees, including roots, are protected during installation works.
- 8.51 Policy CP14 encourages the use of renewable energy opportunities. This strengthens the importance of footpath and cycle connections, to encourage visitors to make non-car trips during their stay. Site gradients favour gravity drainage for the proposed sewer. Opportunities for solar energy are limited here, due to the risk of reflection particularly to the north/north east, albeit filtered views. An informative can be added to encourage standards of insulation which minimise the amount of internal heating during winter months, although it is considered likely that occupancy rates will be less at this time.

9. Conclusion

- 9.1 The siting of static homes of this scale, design and layout is considered to be a sensitive approach to tourist accommodation in the countryside. It makes use of topography and woodland to limit impacts in the landscape. Additional tree and hedge planting can filter most of the remaining sight lines. It is therefore supported.
- 9.2 In terms of access, the sight line at Kingston Road can be improved and hedging replaced and extended behind this line. Footpath and cycle improvements are possible and with the agreement of the Estate, could be secured by s.106 agreement. These are important in connecting the site to the countryside for users on foot and cycle, in accordance with National Park purposes and policies.

10. Recommendation

- 10.1 Application SDNP/16/06072/FUL is recommended for approval subject to conclusion of satisfactory footpath and cycle provisions, including s.106 within 3 months, after which the application may be refused if sufficient progress has been made to secure this, and subject to the following conditions:

- 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)./ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 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 these Applications'.

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

- 3) The holiday lodges hereby approved shall not be used at any time for any purpose other than as holiday accommodation. They shall not be used for any other purpose in Class C3 (dwellinghouses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (As Amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: This development in the countryside, outside of any identified settlement, is only acceptable as holiday accommodation for use by short term visitors to the area to meet the second purpose of the National Park: the promotion of opportunities for understanding and enjoyment of the special qualities of the Park by the public. Other forms of residential development would be contrary to policies and purposes and would constitute an unsustainable form of development.

- 4) The holiday lodges hereby approved shall not be occupied by any person, group or their dependants, for a period of more than 28 days in any twelve month period. A register of the occupancy of the cabins shall be maintained and kept up-to-date by the operator of the units, that shall be made available to the Local Planning Authority upon request (within 14 days of a written request being made). It shall record the names and addresses of all visitors and their arrival and departures dates.

Reason: To ensure that practical and permanent management measures are in place to control the short term visitor accommodation for use by short term visitors to the area.

- 5) The reception cabin shall only be used for purposes ancillary to use of the site for the siting of holiday lodges or ancillary to fishing, (such as reception and visitor-only needs supplies and storage, including cycle storage) and not as holiday or other residential accommodation.

Reason: To ensure that the service building and facilities on site remain as ancillary facilities for short term visitors to the site, and to avoid an unsustainable form of development.

- 6) The number of holiday lodges on the site, shall at no time exceed 12no, and no touring caravan or tents shall be placed or used on the site.

Reason: To control the intensity of use, its landscape impact and traffic generation.

- 7) If the holiday lodges and / or reception are no longer required or used for holiday purposes, they shall be removed from the site, along with the hard-surfaces permitted as part of this development (including parking spaces, access road and internal pathways) and the site shall be restored within a period of three months in accordance with details, including planting, which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: This development in the countryside, outside of any identified settlement, is only acceptable as holiday accommodation for use by short term visitors to the area to meet the second purpose of the National Park. To ensure restoration of the site when no longer needed for this specific purpose.

- 8) Notwithstanding section 55 of the Town and Country Planning Act, (as amended), or the Town and Country Planning (General Permitted Development) Order 2015, or any in any statutory instrument revoking and re-enacting that Order with or without modification), none of the following shall be erected or installed on the site:

- fences or other means of enclosure around any of the lodges of reception cabin hereby approved, or other enclosures within the site,

- satellite dishes,
- porches or other similar attachments or enlargements to the holiday lodges or reception cabin,
- awnings,
- decking,
- Free-standing signboards,
- External amplified sound systems,
- External lighting, (other than as expressly approved in this notice of planning permission)

without the prior written approval of the Local Planning Authority.

Reason: Further works and development may adversely affect the character and appearance of this development, the landscape and its tranquillity.

- 9) Prior to the siting of the first holiday lodge or the reception cabin hereby approved, a schedule and samples of external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out strictly in accordance with the approved details.

Reason: In the interests of amenity, the landscape and National Park Purposes.

- 10) Prior to the siting of the first holiday lodge or the reception cabin hereby approved, an amended landscape drawing, including further tree and hedge screening, and at the existing woodland edge succession and understory planting, and at the site access to Kingston Road new hedging, also details of all hard surfaces, (including edges formed by changes in levels), shall be submitted to and approved in writing by the Local Planning Authority. The planting shall be carried out during the first planting season following the installation of the first holiday lodge or the reception cabin and thereafter any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any residual landscape impact.

- 11) Landscape maintenance shall be carried out in accordance with submitted Landscape Management Plan.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any residual landscape impact.

- 12) Prior to the first use of the first holiday lodge hereby approved, a site management plan shall be submitted to and approved by the Local Planning Authority, including the following:

- Site management practices to minimise risk of noise, especially during the hours of darkness
- Arrangements for bicycle hire and storage
- Information to be provide to visitors in advance referring to:
 - the limitations of cycle access to the north
 - local visitor attractions and access to walking, cycling, horse-riding and public transport routes
 - arrangements for bicycle hire

These details shall be implemented and adhered to in the operation of the development hereby approved.

Reason: To ensure that visitors are informed of access to the site and recreational and educational activities in the National Park,. In accordance with National Park purposes.

- 13) Prior to the commencement of development, details of access for people with disabilities shall be submitted to and approved in writing by the Local Planning Authority.

The details shall be implemented and retained in perpetuity as part of the development hereby approved.

Reason: To ensure provision for people with disabilities in accordance with National Park purposes.

- 14) No development shall take place unless and until further details of tree protection to be implemented for the duration of development works and aftercare, (in accordance with BS5837: 2012 Trees in relation to design, demolition and construction) have been submitted to and approved in writing by the Local Planning Authority. This shall include protection during any excavation works.

The approved details shall be adhered to during the course of development and aftercare.

Reason: to safeguard trees which are an integral part of the character of this important pastoral landscape.

- 15) The development hereby approved shall be implemented in full accordance with the recommendations and conclusions of the Biodiversity report and Ecological reports submitted with this application.

Reason: In the interests of biodiversity, to manage any residual risk and to enhance the ecological value of parts of the site.

11. Crime and Disorder Implications

- 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. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality 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 updating of the agent and discussion of issues during the course of the application.

TIM SLANEY

Director of Planning

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Appendices:

1. Site Location Map
2. Proposed layout
3. Footpaths and bridleways
4. Plans referred to

SDNPA Consultees: Legal Services.

Background Documents:

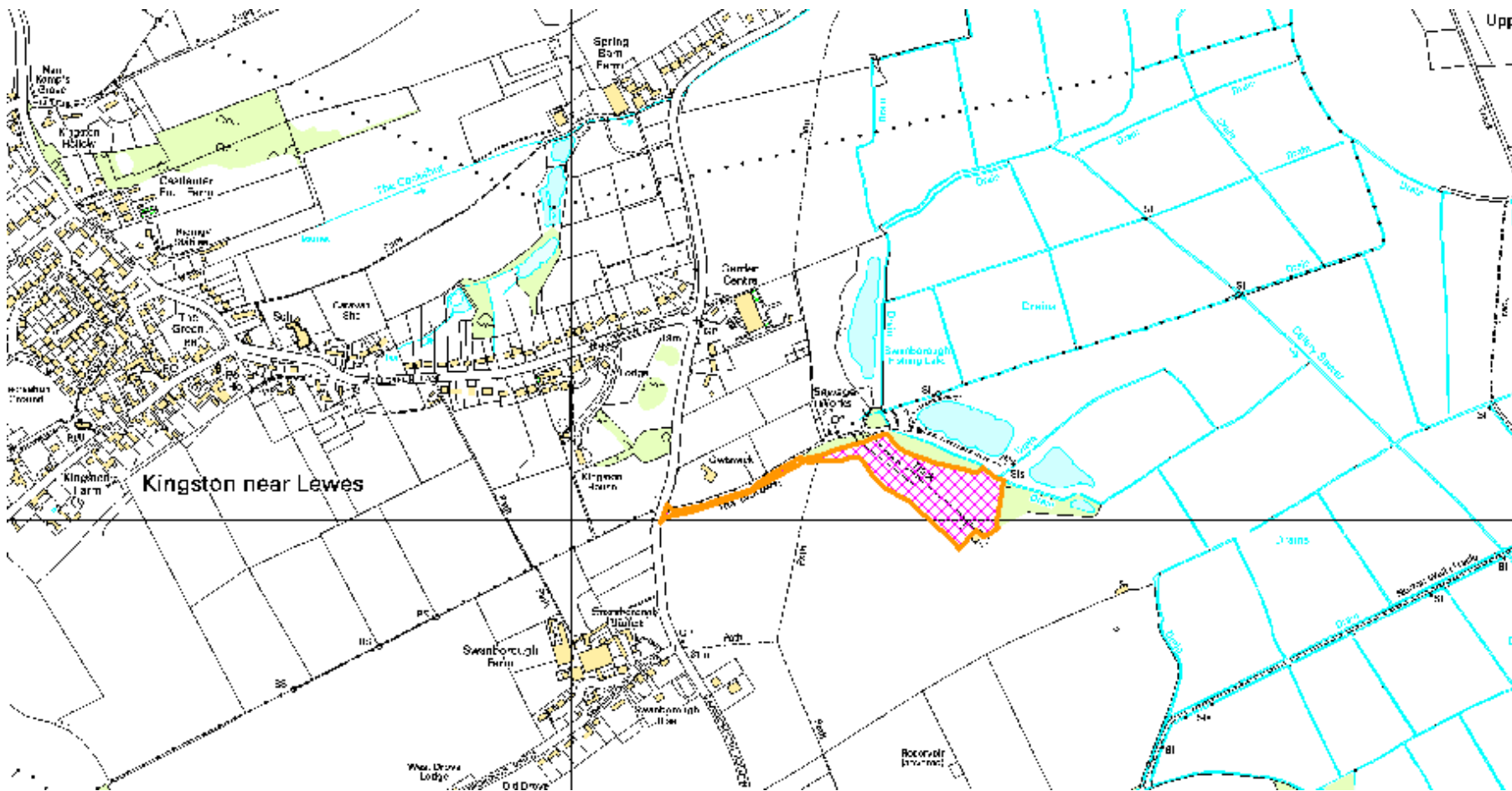
[All Planning Application and Listed Building Consent plans, supporting documents, consultation and third party responses](#)

[National Planning Policy Framework, 2012](#)

[National Planning Practice Guidance](#)

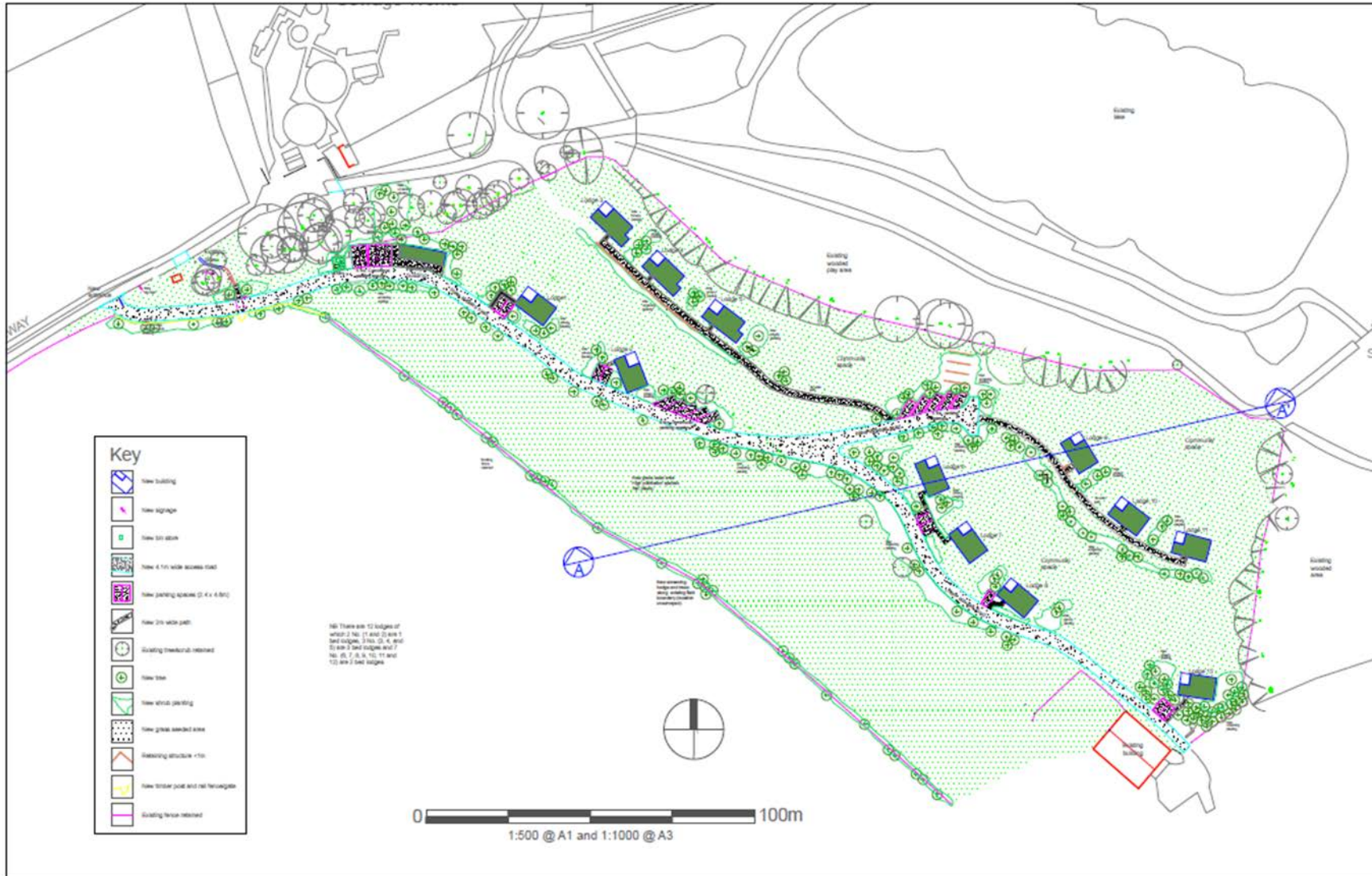
[SDNP Partnership Management Plan](#)
[Lewes District Local Plan Joint Core Strategy 2016](#)
[Lewes District Local Plan \(2003\)](#)
[Lewes District Council Saved Policies](#)
[Iford and Swanborough Village Plan 2015](#)

Agenda Item 10 Report PC25/17 Appendix I Site Location Map



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Agenda Item 10 Report PC25/17- Appendix 2 Proposed General Arrangement Plan





Agenda Item 10 Report PC25/17 Appendix 4
Plans Referred to in Consideration of these Applications

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

Plan Type	Reference	Version	Date Plan Received	Status
Plans	4796/01		21.12.2016	Approved
Plans	4976/02		21.12.2016	Approved
Plans	4976/03		21.12.2016	Approved
Plans	HLA 175 04	A	21.12.2016	Approved
Plans	HLA 175 05	A	21.12.2016	Approved
Plans	HLA 175 06	A	21.12.2016	Approved
Plans	HLA 175 07	A	21.12.2016	Approved
Plans	HLA 175 08	A	21.12.2016	Approved
Plans	HLA 175 R005	A	21.12.2016	Approved
Documents	CBA 50718		21.12.2016	Approved
Documents	HLA 175 R006	A	21.12.2016	Approved
Documents	SXBRC/16/17		21.12.2016	Approved
Documents	Reptile Survey		21.12.2016	Approved
Documents	Landscape Information		21.12.2016	Approved
Documents	Landscape and Visual Impact		21.12.2016	Approved
Documents	Landscape Assessment		21.12.2016	Approved
Documents	Capacity Study		21.12.2016	Approved
Documents	Area Profile		21.12.2016	Approved
Documents	2782		21.12.2016	Approved
Documents	Planning Statement		21.12.2016	Approved
Documents	HLA 175 PSC01		21.12.2016	Approved
Documents	Preliminary Ecological Appraisal		21.12.2016	Approved
Documents	Hoseasons Information		21.12.2016	Approved
Documents	Landscape Institute Advice Note		21.12.2016	Approved
Documents	2016/01		21.12.2016	Approved

