

Agenda Item 13
Report PC19/20-35

Report to	Planning Committee
Date	16 January 2020
By	Director of Planning
Title of Report	Draft Design Brief for land at Old Malling Farm, Lewes, East Sussex
Purpose of Report	To approve the draft Design Brief for consultation and, subject to any necessary changes, to approve its use for development management purposes.

Recommendation: The Committee is recommended to:

- 1) Approve this draft Design Brief for consultation, subject to any comments of the Planning Committee being addressed (the wording of which is delegated to the Director of Planning in consultation with the Chair of Planning Committee).**
- 2) Delegate authority to the Director of Planning, in consultation with the Chair of Planning Committee, to consider the results of the consultation, make any minor changes and then approve the Design Brief for development management purposes as a material consideration in the determination of planning applications at Old Malling Farm. If major changes are required as a result of consultation a further report will be presented to Planning Committee.**

1. Summary

- 1.1 Design Briefs are an established method of providing guidance to developers, the local community and stakeholders on how a Local Planning Authority wishes to see a particular site developed. Design Briefs help shape proposals from an early stage in the design process, guide decision making and help speed up the overall planning application process. They are a proactive way of influencing the development of a particular site and, once approved, they are material considerations in the determination of planning applications.
- 1.2 The SDNPA adopted the South Downs Local Plan (SDLP) on 02 July 2019, which included a strategic housing allocation for between 220-240 dwellings at Old Malling Farm. The policy (SD76) included a requirement for the production of a Design Brief. Policy SD76 superseded the original allocation policy in the Lewes Joint Core Strategy namely Policy SP4.
- 1.3 It is intended that the draft Design Brief presented here in **Appendix 2**, is updated in response to any comments received from Planning Committee and that it is then subject to a consultation process running for six weeks. The consultation will invite feedback and comments from the Town Council, District Council, County Council, residents nearest the site and Friends of Lewes. Prior to the Design Brief being approved, final changes will be made as necessary following input and feedback received from the consultation.

2. Background

- 2.1 The SDLP and the Lewes District Joint Core Strategy 2016 before it, noted the potential for the development of the Old Malling Farm site to adversely impact the special qualities of the

National Park, for instance on landscape and views, recreational activities, tranquillity, wildlife and habitats and cultural heritage. Methods for mitigating an adverse impact were therefore agreed, through the Joint Core Strategy and then the Local Plan Examination, to be secured through a 'comprehensive and integrated design brief'.

- 2.2 SDLP Policy SD76, which is the Strategic Housing Allocation for land at Old Malling Farm, requires that the Design Brief "should be landscape and ecosystem services led and include a Green Infrastructure (GI) Strategy and Site Masterplan, both of which should be informed by suitable evidence on vehicular and non-vehicular access, arboriculture, drainage and flood risk, ecology, heritage, hydrology, lighting and views". It further states that the GI Strategy "should provide a suitable strategic multifunctional network linking together the site, Lewes and the surrounding open countryside".
- 2.3 The Design Brief is also required to "provide a suitable hierarchy of vehicular and pedestrian routes and an appropriate transition across the site in built form, fabric and density".
- 2.4 This draft Design Brief and Masterplan has been prepared by the current landowner, in collaboration with SDNPA Officers and following workshops with the Design Review Panel. Officers have been involved since early 2018, with a focus on ensuring the production of a Brief that demonstrates a landscape-led approach, and that the principles and strategies contained within the Brief are well evidenced and informed by the site and Lewes context.
- 2.5 Key specialist officers within the National Park Authority, including Landscape, Design and Conservation Officers have also been working with the landowner on the delivery of the Brief. Other SDNPA Officers may be consulted as part of the wider public consultation.

3. Design Brief – Old Malling Farm

- 3.1 The Brief starts with a summary of the key evidence associated with the site and its context, covering aspects including topography, landscape elements, perceptions and movement. It then analyses this evidence, drawing out challenges to address and opportunities, on which a series of Development Principles are based.
- 3.2 The bulk of the Development Principles form part of a GI Strategy, which responds directly to the highly efficient geology of the site for surface water drainage, and the wooded character of the site boundaries. This has resulted in a well-connected and multi-functional strategy, which will enable future applications to provide robust sustainable drainage systems (SuDS), capable of dealing with surface water at source, improved habitat connectivity throughout the site, and further tree planting, all of which will inform and support place-making. This has also helped to inform and define 4 distinct character areas within the site.
- 3.3 This GI Strategy, as well as other key landscape character elements, demonstrate the potential to create an attractive, distinctive and well-functioning residential place. There have been useful introductions to further this demonstration, including the inclusion of a Tree Planting Strategy and Boundary Treatment Strategy.
- 3.4 The allocation policy in the SDLP outlines the location of the vehicular access and indicates the amount of development appropriate for the site. These elements have been incorporated into the parameters of the Brief, alongside the GI principles. For example, the evidence has been used to indicate which areas may be able to support higher densities of housing and has contributed to the characterisation of 4 distinct areas within the site. The accompanying Development Brief Masterplan (**Appendix 3**) demonstrates how these principles come together spatially. This does not necessarily represent the final layout of the development, but rather confirmation of the ability to achieve the design principles within the site.
- 3.5 There has been much discussion between officers and the applicant regarding the level of detail and information that should be contained in the Brief. Throughout the process, officers have pressed for better demonstration of an understanding of the landscape-led approach. This has been to ensure comfort is provided that the proposed design interventions and principles are well informed and appropriate for the site conditions and context. Some of the key principles that have been worked on in detail are the response to the woodland edges, parking strategy and definition of the character areas, both to

demonstrate the landscape-led approach and that they can meet the requirements of policy SD76. Whilst it may be more desirable to ensure the woodland edge and residential curtilage are separated, the Brief provides a clear and informed response to the woodland edges, particularly where residential curtilage meets the site boundary. Officers consider that the approach outlined offers a reasonable response to the constraint, based on the evidence, which will enable further multifunctional benefits. There are other examples throughout the Brief of this approach.

- 3.6 There are some areas where minor changes may need to be discussed further, for example, the inclusion of GI within private spaces, the inclusion of tree planting within the archaeological area, as this might cause damage to below-ground remains; or strengthening the commitment to delivering zero carbon homes, rather than using zero carbon technologies. These can be addressed following the public consultation. Overall, the Brief is considered to establish a robust framework for delivering a landscape-led application and development.

4. Relationship to Application

- 4.1 An application for outline planning permission was submitted in November 2018 for the development of Old Malling Farm, for up to 226 dwellings (SDNP/18/06103/OUT). This application remains undetermined as there are a number of issues to be addressed, and the applicant has been focussing on progressing this Design Brief.
- 4.2 The Brief does not cover all the issues relevant to the consideration of a planning application (e.g. affordable housing, S106 requirements, highway safety), although there may be principles or interventions mentioned which could respond to these considerations. Therefore, by approving the Brief, Members are not indicating the planning application itself is acceptable, but that the Brief is an appropriate tool, which provides a framework for implementation of a high-quality, landscape-led development that will positively shape any application for the site.

5. Other Implications

Implication	Yes/No
Will further decisions be required by another committee/full authority?	Depending on the results of the consultation, the Design Brief may require further consideration by Planning Committee. The planning application associated with the site will also be determined by Planning Committee.
Does the proposal raise any Resource implications?	No – any further work on the Design Brief will be carried out by the applicant.
Has due regard been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	The Design Brief supports improvements to the built environment to improve access for all.
Are there any Human Rights implications arising from the proposal?	None.
Are there any Crime & Disorder implications arising from the proposal?	The Design Brief supports the orientation and layout of buildings to increase natural surveillance of public areas, in line with the principles of 'designing out crime'.
Are there any Health & Safety implications arising from the proposal?	None.
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy:	The Design Brief supports and encourages sustainable design to respond to climate change, helping us to live within environmental limits.

6. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
Design Brief is too prescriptive, making it impossible to deliver policy compliant development.	Unlikely	Minor	Officers have worked with the landowner to establish a balanced framework, the delivery of which has been reflected within a Masterplan. This helps establish a framework for any future developer of the site to take into consideration when progressing residential development of the site.
Design Brief is too vague, creating uncertainty for future developers and not providing suitable mechanisms to deliver a policy compliant scheme.	Unlikely	Minor	As above.
Failure to approve a Brief.	Unlikely	Moderate	Approve the Design Brief.

TIM SLANEY

Director of Planning

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Appendices

1. Site Location Plan
2. Old Malling Farm Design Brief
3. Design Brief Masterplan


SDNPA Consultees: Legal Services; Chief Finance Officer; Monitoring Officer; Director of Planning

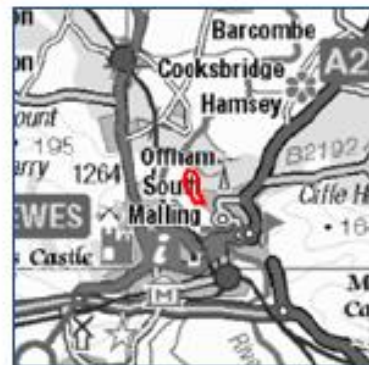
External Consultees: None

Background Documents: [South Downs Local Plan - Sites and Settlements](#) (Old Malling Farm starts on p41)

Site Location Plan



 SDNPA Housing Allocation



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