

# SDNPA Planning Committee – 12 March 2020

## Update Sheet



Agenda Item	Page No	Para	Update	Source/Reason
7	26	5.1	Two further letters of objection have been received expressing concerns that the current schools, doctors surgery, local shops and local road network will not be able to cope with the demand from the proposed development and that the scheme is out-of-character for the countryside which the SDNPA should be protecting.	Update
7	28	5.5	<p>An additional letter of objection has been received from the Friends of South Downs. In summary the letter requests the application is deferred to:</p> <ul style="list-style-type: none"> <li>• Remove all wood burning stoves from the proposal (due to air pollution);</li> <li>• 19% Reduction of (CO<sub>2</sub>) emissions is not enough;</li> <li>• Only 5% of the houses to be to Passivhaus standards, this is too low. Passivhaus Standards offer a design which should provide a zero carbon home.</li> <li>• To require further improvements to building construction (in terms of heating and ventilation) to meet the challenges of climate change</li> <li>• Remove all gas boilers from the scheme (as the Government is proposing to ban gas boilers from 2025), and</li> <li>• To require a full renewable energy proposal (such as communal storage of solar energy).</li> </ul> <p><b>Officer Comment:</b> The comments raised have been addressed within the report, however for clarification:</p> <ul style="list-style-type: none"> <li>• The proposal is for all dwellings to achieve net zero carbon (19% through energy efficiency of the built fabric and a further 81% reduction through the use of wood burning stoves and solar panels).</li> <li>• The proposed wood burning stoves will be ‘Ecodesign Ready’ which can reduce particulate emissions by 90% when compared to open fires and between 80-84% when compared to wood burners manufactured from 10 years ago. Ecodesign Ready is also currently exempt from any DEFRA permits and the standard is expected to become law in 2022. There has been no objection raised to the use of the stoves from Environmental Health Officers. In addition, the details of wood burning stoves are also controlled by recommended condition 16.</li> </ul>	Update

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			<ul style="list-style-type: none"> <li>The inclusion of 5% Passivhaus is considered to be of benefit to the scheme as this provision is currently beyond development plan policy requirements. In addition, whilst Passivhaus Standards are more energy efficient they are not zero carbon in their own right.</li> </ul>	
7	36	7.39	<p>Correction to last sentence of paragraph.</p> <p>'It is considered that the proposed information / educational pack to be provided to new residents (including how to behave <del>responsibility</del> <b>responsibly</b> when in the Cooksbridge Meadow Nature Reserve) is reasonable and appropriate and can be secured through the Section 106 legal agreement'.</p>	Typing Error
7	38	7.59	<p>Correction to first sentence of paragraph.</p> <p>'The NPPG goes <b>on</b> to state that VBC does not apply to buildings that are either currently or have recently been in active use, or have been abandoned'.</p>	Typing Error
8	74	4.2	<p>Additional comments received from the Authorities Design Officer:</p> <ul style="list-style-type: none"> <li>The contemporary building design is appropriate in this town centre location.</li> <li>The height and massing reflect the topographical changes in relation to the two streets and provides a presence on Southover Road that is currently absent.</li> <li>The curved wall design to individual houses is distinctive and but does not reflect anything specific to Lewes. The latest iteration of the building plans has simplified the design to reduce the number of potentially awkward left over spaces and has essentially created 4 pairs of semi-detached dwellings.</li> <li>The reduction in height by one floor of the block nearest the station platform results in a more appropriate massing next to the platform and avoids what would otherwise have risked being an overbearing relationship with the station.</li> <li>The flight of steps from the inner courtyard of the development up to the Garden Street junction with Southover Road creates an attractive and dramatic access which also provides a focussed view over the station and the hills beyond. This is in character with the Lewes experience of narrow focused views and celebrating the topography of the town.</li> <li>The combination of timber shingles with some flint and timber gate detail at ground floor will result in a quiet silver grey materiality as the timber weathers. This will reduce the building's apparent mass. The use of locally sourced chestnut or oak shingles would be preferable to the use of imported cedar, as the likely to be sourced from Canada and are not as long-lasting in the UK climate as oak and chestnut. The applicant should investigate sourcing from 'Grown in Britain' <a href="https://www.growninbritain.org/">https://www.growninbritain.org/</a>. This is not a characteristic material in Lewes town although there some examples of its use in the wider National Park.</li> </ul>	Update

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			<p>There would be more justification for its use as the main elevation material if there were clear Ecosystem Services and sustainable material benefits with oak or chestnut timber locally sourced.</p> <ul style="list-style-type: none"> <li>• There is a large amount of glazing which would be problematic in many parts of the National Park due to the dark night skies concerns, but this is visually appropriate in such a town centre location.</li> <li>• An explanation of how the rainwater goods will work is needed. This should be conditioned.</li> <li>• Photomontages or wireframes of the development proposals overlain on key views from public vantage points should be provided. Without these there is no evidence on the significance of any visual impact, particularly from long views.</li> <li>• The boundary wall to the site on Garden Street and the junction with Southover Road is shown as a flint stone wall referencing that bounding the Grange on the other side of the street. The quality of the build of this wall is critical to the success of the development at street level. A sample panel of hand laid flint (not flint panels) should be provided on site to test the quality of this element.</li> <li>• The concept of a specimen tree with seating on the stepped access vista is a positive one and serves to encourage some passive recreation and focus to the outside space. This tree should be a more significant tree variety than the suggested Pyrus ‘chanceleer’. This is a rather small and undistinguished variety which has a short lifespan. A long-lived tree variety sufficiently attractive to justify its specimen tree status should be selected. The planting detail for the proposed specimen tree is completely inadequate as we will need a non-compacted root soil volume of at least 20 cubic metres for a medium to large tree. This will need to be achieved through underground crating or other structural soil method. Other trees in hard surfacing will also need minimum root soil volumes appropriate to the ultimate size of the tree. This will need to be conditioned.</li> <li>• Trees framing stepped access should also be long-lived alternatives to Pyrus ‘chanceleer’.</li> <li>• Bringing the culverted stream out into an exposed channel at the southern boundary of the site is a really positive element and brings the sight and sound of running water to the external space. What is the nature of the ‘protective grill’? Is this covering the whole water course? Is this necessary? If not, a fully exposed stream would be a much more attractive proposal, although safety concerns may trump this objective. The group of alder next to the course of the stream is appropriate.</li> <li>• Grass planting along the stream course is not feasible or sensible here due to the very thin nature of the strip proposed. Some other ground cover more appropriate and, ideally riparian in nature should be proposed.</li> <li>• Granite sett paving in fan pattern with running bond detail is an attractive and robust solution to paving the inner courtyard.</li> </ul>	

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			<ul style="list-style-type: none"> <li>• Detail on green roof to car port required. This should be conditioned.</li> <li>• A drainage strategy demonstrating a sustainable drainage approach is needed.</li> </ul> <p><b>Officer Comment:</b> With the exception of boundary treatment details and flintwork samples no additional matters have been raised which have not already been considered acceptable or adequately conditioned. However, two additional conditions have been identified within the report update.</p>	
8	75	5.1	<p>Comments were received from the Friends of Lewes, the South Downs Society and the Lewes Conservation Area Advisory Group. These comments were incorporated within the representations but for Members reference please find comments separated below.</p> <p>Lewes Conservation Area Advisory Group – Strong Objection</p> <ul style="list-style-type: none"> <li>• The height of the proposed development is unacceptable.</li> <li>• Other elements including parking provision and traffic routing remain unsupportable.</li> <li>• The buildings will not weather well and the features will produce significant maintenance issues.</li> <li>• Buildings will be located at the bottom of embankments which will require fencing to stop people falling down resulting in a streetscape which “would be beyond belief”.</li> <li>• There is a lack of green space within the development with the roof gardens increasing the height of structures.</li> <li>• Blank walls would be forbidding to passing pedestrians.</li> <li>• Limited attention given to people with special physical needs.</li> </ul> <p>Friends of the South Downs – Object</p> <ul style="list-style-type: none"> <li>• The Lewes Neighbourhood Plan seeks smaller houses that meet local housing need. The four bedroom dwellings are too large for this site and smaller two storey pitched roof dwellings with ground level gardens would reflect neighbouring development.</li> <li>• Proposals do not comply with Policy PL1 A and PL1 B3.</li> <li>• Fails to provide any Lewes Low Cost Housing or to provide 50% affordable dwellings.</li> <li>• The development fails to reflect the character and appearance of the locality.</li> <li>• The low lying part of the site is vulnerable to flooding and accommodation is present at ground floor level for the flats.</li> <li>• Noise mitigation is required given proximity of the development to the railway line.</li> <li>• The proposed development has not been designed to be safely accessible to all members of the community.</li> </ul>	Clarification

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			<ul style="list-style-type: none"> <li>• The application proposes no measures for the recording of the WWI huts. The huts should also be offered to organisations with an interest in such structures rather than simply demolished and scrapped.</li> <li>• In terms of policy HC3 the development should not encroach upon views to the castle from the station, nor affect views to the Downs from Southover Road or impact upon the integrity of the chalk ridge.</li> <li>• Policy PL4 applies and the proposal has not incorporated any electrical generation via solar panels on the flat roofs nor have buildings been orientated so as to maximize solar gain. The proposed ground source heat pumps should be assessed in terms of their noise nuisance.</li> <li>• Cedar shingles usually require a dry climate to weather to grey and are not traditional. Flint panels are not a traditional feature. Brick and tile or slate roofs are more typical of this area.</li> </ul> <p>Friends of Lewes – Object</p> <ul style="list-style-type: none"> <li>• The proposal is an inappropriate design solution for this important site.</li> <li>• The development will block views from the top of Garden Street of the chalk face rising above the Cliffe contrary to policy SD6.</li> <li>• Concerns regarding the lack of relationship of the development within the immediate townscape context have been ignored along with the need to relate the development to the Garden Street frontage with its significant change of levels.</li> <li>• The development is contrary to policies ST3, H5 and policy SD6 of the SDNPA Local Plan.</li> </ul> <p><b>Officer Comment:</b> These points were already taken into consideration in the preparation of the recommendation report and therefore no additional comments are provided.</p>	
8	88	10.1	<p>Condition 4 amended to incorporate reference to green roofs:</p> <p>‘No development above slab level shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:</p> <ul style="list-style-type: none"> <li>i) Written specifications (including cultivation and other operations associated with plant and grass establishment;</li> <li>ii) Planting methods, tree pits &amp; guying methods;</li> <li>iii) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;</li> <li>iv) Retained areas of trees and hedgerows;</li> <li>v) Manner and treatment of existing frontage ditches and ha-ha feature;</li> <li>vi) Details of all hard-surfaces, including paths, kerb edges, access ways, boundary</li> </ul>	Update

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			<p>treatments, bin and cycle stores and parking spaces, including their appearance, dimensions and siting.</p> <p>vii) Details of the siting, specifications and management of the Sustainable Urban Drainage systems.</p> <p>viii) A landscape schedule and management plan designed to deliver the management of all new and retained landscape elements to benefit people and wildlife for a minimum period of 5 years including details of the arrangements for its implementation;</p> <p>ix) A timetable for implementation of the soft and hard landscaping works;</p> <p>x) A landscape plan with services shown; and</p> <p><b>xi) Details of green roofs.</b></p> <p>The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. 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.</p> <p>Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and provide a setting for the new development.'</p>	
8	94	Two new conditions after existing condition 32	<p>Two new conditions have been incorporated within the recommendation report in relation to boundary treatments and details of the proposed flint work.</p> <p>33) Prior to the commencement of the development hereby permitted details shall be submitted to and approved in writing by the Local Planning Authority of a plan indicating the positions, height, design, materials and type of all existing and proposed boundary treatments. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory development and in the interests of amenity and landscape character.</p> <p>34) Prior to the commencement of the development hereby permitted, a sample panel of hand laid flintwork (not flint blocks) shall be constructed on site and approved in writing by the Local Planning Authority. The flintwork comprised in the development shall be carried out and completed to match the approved sample flint panel, and shall be retained permanently as such.</p>	Update

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			Reason: In the interests of preserving the character and appearance of the Conservation Area and its setting.	
9	99	3.5	Correction to first sentence of paragraph. 'A Planning Performance Agreement (PPA) was agreed in December 2019 and a <del>revised planning application was updated</del> <u>plans were submitted</u> in January 2020.'	Clarification
9	101	4.3	'Finally, Officers and our Design Review Panel have secured a design code (in principle) for external wall and surface materials, improved parking arrangements and significantly increased green infrastructure assets within the car park area and roof zone of the main building ( <del>30% is new brown roof</del> <u>18.7% brown roof and 17.3% PV panels</u> )	Further details
9	102	5.1	Update to paragraph: ' <del>One</del> <u>Two</u> objections <del>has</del> <u>have</u> been received. A local business raised concerns over road congestion and car parking, and a local resident commented that <u>the current entrance to Aldi car park impedes traffic on the roundabout and needed to be moved further north on Brooks Road.</u>	Update
9	112	New condition Condition 20	'Development Shall not commence until details of a Local Labour Agreement have been agreed in writing with the Local Planning Authority. Reason: To ensure that local people benefit from the new jobs created at the new store.'	Omission
9	112	New condition Condition 21	'Prior to the opening of the store, location and details of the pedestrian directional signage in the car park shall be submitted to and approved in writing by the Local Planning Authority. The details as submitted shall be implemented prior to the car park coming into beneficial use and shall be retained thereafter. Reason: To enhance linkages between the store and Lewes Town Centre	Omission
10	115 & 120	Recommendation	<u>Corrections:</u> 1) That planning permission be granted subject to the completion of a Deed of Variation, the final form of which is delegated to the Director of Planning, to secure the previous S106 requirements in relation to the original planning permission SDNP/16/03835/FUL, which are:	Correction

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			<ul style="list-style-type: none"> <li>• Not to sever the legal ownership of the barn and tourist accommodation or any parts thereof from the remainder of the land (Broadview Farm).</li> <li>• Not to create any legal interest in the barn and tourist accommodation or any parts thereof <del>therefor</del> <b>thereof</b> separate from the remainder of the land (Broadview Farm).</li> </ul> <p>2) That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress has <b>not</b> been made within 6 months of the Planning Committee meeting of 12 March 2020.</p> <p>3) The conditions as set out in paragraph 11.1 of this report.</p>	
10	117	5.6	Response received from the County Council ecologist: No comments.	Update
10	117	5.5	<p>Further response received from EHDC drainage engineer: Comments.</p> <ul style="list-style-type: none"> <li>• Previously approved and submitted drawings appear similar in principle;</li> <li>• Surface water drainage was previously agreed on the basis that the access road would have French drains to discharge into the pond and petrol interceptor might be required; unclear if that was adopted;</li> <li>• Foul drainage appears generally as previously approved;</li> <li>• Applicant should submit a maintenance management plan to cover all drainage features and confirm responsibility post development.</li> </ul> <p>Officer comment: Details previously approved pursuant to the discharge of a planning condition relating to foul and surface water drainage include details of future maintenance and, as private drainage, it would be the Applicant's responsibility to maintain it.</p>	Update
10	117	Section 6	Two third party responses have been received from persons who have previously commented on the application. Concerns raised relate to the enforcement of original planning conditions relating to the access in particular, authenticity of the submitted pro-formas in support of the application, failure of the democratic process and that SDNPA planning policy was not fully considered by Members at the 16 <sup>th</sup> January planning committee meeting.	Update
10	119	9.11	<p>Amend paragraph on the basis that submitted external lighting details are acceptable:</p> <p>Conditions originally applied which required the submission of further details were satisfactorily discharged in December 2017 (application SDNP/17/03166/DCOND). As per the recommendation below, where those details are satisfactory the previous conditions have</p>	Update



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			<p>been re-worded to refer to the approved details, rather than require this information to be re-submitted in this current application or re-used to discharge the same conditions at a later stage. <del>Specifically, however, condition no.7 which relates to an external lighting scheme is required to be discharged because the previously approved details involved lighting attached to the originally approved building.</del></p>	
10	120	11.1	<p>Amended condition no.7 as follows on the basis that the submitted external lighting details are acceptable.</p> <p><del>Prior to the development being brought into use, details of external lighting to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the external lighting details as approved in application SDNP/17/03166/DCOND insofar as they are not superseded by the updated submitted outdoor lighting details for the farm shop/café building.</del> The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: To protect the amenity of future residents, create an appropriate public realm, and conserve dark night skies.</p>	Update
10	119	9.12	<p>It is noteworthy that the drainage officer has requested planning conditions relating to surface and foul water drainage to be imposed. However, they have not taken into consideration the details which have already been approved. An amended layout of the drainage scheme has been submitted to reflect the re-siting of the building, which does not involve significant changes. <b>The previously approved details have been raised with the drainage engineer and further comments received no longer raise an objection, but a maintenance management plan for the drainage has been requested.</b> Proposed condition no.6 requires the development to be undertaken in accordance with the previously approved details insofar as they are not superseded by the updated drainage layout plan, which is also referred to in the condition. <b>The previously approved details also include information on the maintenance of the drainage which is acceptable and no further information is proposed to be requested via a planning condition.</b></p>	Update

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11	168	4	<p>Environment Agency's (EA) consultation response received raising no objection to the application subject to a pre-commencement condition controlling details of the foul water scheme.</p> <p><b>Officer Comment:</b> The EA's suggested condition has been incorporated to the recommended set of conditions of paragraph 10.2.</p>	Update
11	168	4.1	<p>An additional consultation response has been received from Newton Valence Parish Council objecting the proposed development. In summary the letter refers to:</p> <ul style="list-style-type: none"> <li>• New drawings fail to meet the objections raised by the Landscape Officer.</li> <li>• The proposed housing development is purely a capital raising exercise, principally to fund the relocation of the grain dryer to Upper Yard.</li> <li>• The revised documents have made no attempt to address the residents' and Parish Council's objections.</li> <li>• 10 houses is disproportionate for the size of the settlement in absence of services and public transport. Transport pollution and negative impact to historic sunken lanes as result of development is envisaged.</li> <li>• Lower Yard is classified as Greenfield.</li> <li>• No housing needs assessment has been undertaken and the Local Plan shows no housing requirement in Newton Valence.</li> <li>• The proposal is non-compliant with SDLP policies SD1, SD2, SD3, SD7, SD8, SD9, SD10, SD19, SD20, SD21, SD25, SD26, SD27, SD28 and SD32.</li> <li>• There are still objections from Landscape Officer, Housing Development Officer, Countryside Services and Parish Council.</li> <li>• At a village consultation attended by 45 residents, the development proposal was voted unanimously against. A 50/50 split between favouring no houses at all or a smaller development.</li> </ul> <p>Subsequent to the above, a further comment has been received raising concern as to how the Newton Valence Village Plan (NVVP) has been considered in the assessment.</p> <p><b>Officer Comment:</b> The comments do not raise any new issues which have not already been addressed within the report. Whilst not explicitly referenced in Section 8, the NVVP has been taken into consideration in the assessment of this scheme.</p>	Update
11	170	5.1	To read (with added words underlined):	Update

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			87 third-party representations were received commenting on the proposal, of which 43 are objections, 43 are in support of the application, <u>of which 41 are identical pro-forma responses albeit individually signed</u> , and 1 comment is neutral.	
11	199	10	It was noted that the last sentence of paragraph 10 of Appendix 2 was incomplete, as it was missing a word. A complete version has been provided and the corrected paragraph ends as follows: 'No capital value would mean the WEP is <b>unimplementable</b> '.	Typing Error
12	209 & 210	1.1 2.3	A typing error was noted and "Seaford Parish Council" should read "Seaford <u>Town</u> Council".	Typing Error