



Agenda Item 11
Report PC19/20-50

Report to	Planning Committee
Date	12 March 2020
By	Director of Planning
Local Authority	East Hampshire District Council
Application Number	SDNP/19/03160/OUT
Applicant	Mr H Janson
Application	Outline: redevelopment of existing redundant farmstead with ten two storey dwellings (4 x 2 bed; 3 x 3 bed and 3 x 4 bed) six double car ports, parking area and upgraded access after demolition of existing buildings.
Address	Lower Yard, Selborne Road, Newton Valence, Alton, Hampshire.

Recommendation for SDNP/19/03160/OUT:

- 1) That outline planning permission be granted subject to:**
 - **The completion of a Section 106 legal agreement, the final form of which is delegated to the Director of Planning, to secure the delivery of two affordable dwellings and two key estate workers' dwellings;**
 - **The completion of bat and reptile surveys and provision of a suitable policy compliant mitigation and enhancement strategy, the consideration of which is delegated to the Director of Planning; and**
 - **The conditions, substantially in the form set out in paragraph 10.2 of this report along with any additional conditions, the form of which is delegated to the Director of Planning' to address those mitigation matters that arise from the completion of bat and reptile surveys and strategy.**
- 2) That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if:**
 - a) The S106 Agreement is not completed or sufficient progress has not been made within 6 months of the 12 March 2020 Planning Committee meeting.**
 - b) The bat and reptile survey and provision of a suitable policy compliant mitigation and enhancement strategy is not completed or sufficiently progressed within 6 months of the 12 March 2020 Planning Committee meeting.**

Executive Summary

The application site is a redundant farmyard. Outline planning permission (with appearance reserved – will all other matters for determination) is sought for the redevelopment of the yard for 10 new dwellings. The proposed development will deliver 2 affordable and 2 estate workers' dwellings and will generate necessary funds to implement the action plan of the endorsed Newton Valence Farm Whole Estate Plan (WEP).

The principle of development is given positive regard as the redevelopment of Lower Yard does materially and financially contribute to the delivery of the endorsed WEP and the SDNP Partnership Management Plan, as well as make good use of a redundant agricultural site.

Extensive negotiations and iteration of plans have resulted in a layout that has been positively influenced by the local landscape character and enhances public views, albeit some concerns have been raised in regard to the scale of buildings by the Landscape Officer. However, this can be overcome with high quality architectural details, which are to be assessed at reserved matters stage.

The scheme will deliver affordable housing in compliance with the development plan (subject to tenure details which are to be agreed) although the proposed housing mix does not precisely meet the policy requirements of the Development Plan.

Insufficient ecological information (bat and reptile surveys) was submitted with the application and therefore until these surveys are completed and satisfactory mitigation and enhancement is submitted and agreed, the SDNPA will not determine the application.

This application has demonstrated that it will deliver multiple ecosystem services and green infrastructure enhancements on site. The application has demonstrated, that matters relating to the protection of dark night skies, hard and soft landscaping, trees, parking, drainage, pollution and impact on neighbouring amenity are policy compliant.

Despite the proposal's conflict with Development Plan policy, insofar as it relates to housing mix, there are material considerations which warrant a decision other than in accordance with the Development Plan.

The application is placed before the Committee due to the significance of local interest and unique policy implications.

1. Site Description

- 1.1 Lower Yard was formally part of the dairy and arable farming activities of Newton Valence Farm, now largely redundant with occasional use of some buildings for agricultural storage. The site represents a negligible portion of the whole farm, which extends over 1200 acres. The site features a range of 10 large and medium sized agricultural outbuildings of no architectural or historic value, as well as large areas of concrete hard standing, gravel tracks and debris mounds.
- 1.2 Lower Yard is accessed from one main vehicular access from Selborne Road on the eastern corner of the site, where the road joins public footpath no. 10a. This junction is surfaced with a mix of tarmac and concrete slab.
- 1.3 There are several public rights of way in the locality, being public footpath no. 10a the closest to the site, adjoining its north-east boundary. Public footpath no. 10b starts at the Lodge (to the south of site) and follows the historic route to the east, towards the registered park and garden of Newton Valence Place.
- 1.4 The topography of the site falls down towards the north-west, from the highest point along Selborne Road on its south-east corner. Vegetation on site is scarce with the exception of the some overgrown areas. Most of the vegetation is located along boundaries of the site, consisting of an established hedgerow along three boundaries and mature trees along footpath 10a and the track to the south which historically led to Newton Valence Place.
- 1.5 Overall, the site is visible from Selbourne Road and the immediate footpaths above-mentioned, as well as other public rights of way to the north of the site and on higher ground level, although views are more limited. No views of the site can be achieved from the conservation area, registered park and garden and church.
- 1.6 The site is in proximity to Upper Yard, the main activity hub of the farm, as well as other farm cottages. It is served by basic infrastructure (road access, electricity, water supply, telephone and broadband) and is located in a relatively short driving distance from Selborne, where public transport and community services are available.

2. Relevant Planning History

- 2.1 The most recent planning history relating to Lower Yard consists of the following two pre-application enquiries:

SDNP/17/06513/PRE Proposed five dwellings at Lower Yard.

- 2.2 Advice stated that in principle, the redevelopment of Lower Yard is likely to be supported subject to development proposals being landscape-led and compliance with the WEP and SDLP. The SNDPA would expect any development proposals to clearly demonstrate an understanding of the ecosystem services and for it to set out multiple benefits that could be delivered through any scheme.
- 2.3 Although Lower Yard has already been developed, it would not be classified as “brownfield” land since this excludes agricultural buildings. The site would be classified as “greenfield”.
- 2.4 The SDNPA advised that the form and character of any future development proposals would need to be underpinned by strong landscape evidence, which should be gathered first and actively used to inform the layout and design. The scheme proposed was unlikely to be supported as it is not truly landscape-led. The main concerns with the scheme were the following:
- a) Suburban character scheme in a rural setting is to be resisted;
 - b) There is no rationale for large detached dwellings, as the local area features modest in size semidetached dwellings with a strong relationship with the road;
 - c) The development should be contextual and could possibly take cues from the pair of dwellings to the north;
 - d) Gardens should not incorporate boundary treatments;
 - e) Formal access (and tree lines) were considered incongruous with the local context;
 - f) Trees on site have important amenity value and should be retained;
 - g) Existing buildings (such barn) could be retained for car parking or storage;
 - h) Characteristic elements of the historic parkland to the south-west should be retained.

SDNP/18/06058/PRE Redevelopment of redundant farm yard with ten dwellings and garages at Lower Yard and a pair of dwellings to the east of Goldrige Cottages.

- 2.5 The pre-application proposals benefited from advice from the Design Review Panel (DRP). The Panel advised the following:
- a) The landscape analysis was too focused on visual analysis and should incorporate landscape characteristics as well as consider ecological constraints and opportunities, including green infrastructure. Topography should also be included in the analysis.
 - b) The two new dwellings north of Goldrige Cottages was not agreed.
 - c) New highways interventions would lead to suburbanisation of the lane and the existing access should be maintained.
 - d) The scheme should use carports and not individual garages, which suburbanise the proposal.
 - e) The farmyard arrangement was welcomed, but buildings were of similar size and appearance arranged in plots of similar size, sited at similar distances. This layout was of suburban character.
 - f) Cottages at the front would normally front on the access road (into the farmstead)
 - g) The view corridor is a less significant design consideration.

3. Proposal

- 3.1 The proposal consists of:
- The demolition of the existing agricultural buildings and clearing of the site.
 - The erection of 10 new dwellings, of the following mix:
 - 2 two-bedroom dwellings restricted to estate workers, to be owned and managed by the Newton Valence Farm for rent to their staff;
 - 2 two-bedroom affordable dwellings;

- 3 three-bedroom and 3 four-bedroom open market dwellings.
 - The erection of associated car-ports for vehicle parking.
 - Associated earthworks and landscaping, mainly consisting of the creation of a new pond, the erection of low retaining walls, fencing, permeable surfacing, drive, yards, green open spaces as wildlife buffer and associated planting.
- 3.2 This application seeks outline planning permission. Notwithstanding, detailed matters regarding means of access, layout, scale and landscaping are subject to consideration on this application, whilst details of appearance would be subject to consideration via a reserved matters application should outline planning permission be granted.
- 3.3 The proposed development seeks to deliver affordable and estate workers' dwellings and to generate necessary funds to implement the action plan of the Newton Valence Farm Whole Estate Plan.
- 3.4 The application has been accompanied with a series of plans indicating layout and access, as well as landscaping. Floorplans and elevational drawings of buildings reflecting their appearance are illustrative only.
- 3.5 This proposal has benefited from pre-application advice and extensive negotiations with SDNPA officers through the life of the application.

4. Consultations

4.1 Newton Valence Parish Council: Objection.

- The Parish Council initially objected to the application and they raised several concerns, which have remained in the subsequent rounds of consultation. The last consultation response raised the following concerns:
 - Lack of compliance of proposals with the South Downs Local Plan and the endorsed Newton Valence Farm Whole Estate Plan.
 - The erection of 10 dwellings in Newton Valence is disproportionate for a hamlet of its size. The proposed development would not be sustainable as there are no public transport services in Newton Valence and limited community infrastructure and services.
 - Potential negative impact on historic sunken lanes and additional pollution caused by increased traffic.
 - No housing need assessment has been undertaken and the Local Plan shows no housing need in Newton Valence.
 - The revised drawings have not attempted to address the concerns raised by residents' objections.
- The Parish Council raised concerns with the level of consultees which required additional information and that no progress had been made in order to address their concerns.

4.2 Design Officer: Comments:

- The courtyard layout has followed a logical farmstead pattern of built form around a central open space. There is a gap in the built form along the western edge, maintaining views of the communal space and wider landscape.
- There is an appreciation and understanding of the local character, aiding the siting and relationship between buildings.
- It has a generously sized courtyard, where new homes overlook the open space, this will create an intimate neighbourly environment and it responds to a key view of the site.
- The proposed five units along Selborne Road aid identity and contributes to the rural character of the lane.

- Surface water drainage need to be addressed at a reserved matter application.
- Appearance is not being considered as part of this application, but parameters have been set out. There are reservations with building heights, particularly with buildings 'style A', which create an awkward uncharacteristic arrangement. A farmstead typology would have a more distinctive hierarchy of building scales with varying heights and widths.
- Further justification for the type and detailing for each of the buildings (details and materials) should form part of the reserved matter application, as this will be key to the final success of the scheme.
- Overall, there is satisfaction with the siting of buildings and layout. However, to ensure its final success, a design code should be requested by way of a condition to guide subsequent reserved matters applications.

4.3 Landscape Officer: On balance objection:

- Principle of development and consolidation farming practice of the Estate onto a single site are supported. This is accepted in visual terms.
- A farmstead/yard typology to inform development at depth is agreed.
- Positive aspects of the proposal include:
 - Retaining existing access and amalgamation of parking into a single building.
 - Not widening the lane with a pavement and provision of a shared space for vehicles and people. Adhering to the principles of 'Roads in the South Downs' report, avoiding a negative suburbanising effect upon the road.
 - Dwelling addressing the lane positively reflecting pattern of dwellings along the road.
 - New green infrastructure, farm pond, green roofs, the overall ratio between open space to dwellings and retention of hedgerow along the road. Provision of food production space (orchard) for small dwellings.
 - Lack of front gardens within the courtyard.
- Negative aspects of the proposal:
 - The farmstead currently fall into the category of 'residential character with some hints of agricultural typology'.
 - The lack of hierarchy of buildings and response to landform contribute to suburban characteristic and fail to respect the site's strong rural character.
 - The retention of a vista has erroneously driven the layout.
 - The landscape evidence has not clearly driven this scheme nor applied. Buildings are of similar scale, which happen to be arranged around a yard.
 - Landscaping/planting details fail to maximise benefits: lawn areas as opposed to species-rich grass.
- Surface water drainage – There is no clear assessment of flood risk and the layout appears to have not responded to it either.
- Management and maintenance – Further consideration to ecosystem services and wildlife should be given. A Landscape Environmental Management Plan should be conditioned to address these issues.
- Ecosystem services – a significant number of opportunities are missed. E.g. use of local materials, surface water flooding, carbon storage, rainwater harvesting, grey water reuse.

4.4 Tree Officer: No objection subject to condition.

4.5 Ecology: Comments:

- Two of the buildings are considered to offer potential for roosting bats (one with direct evidence of bats). Further bat surveys are recommended.
- Areas of the site are suitable for common reptiles and further surveys are recommended.
- Any outstanding ecology surveys should be completed prior determination.

4.6 **Highways:** No objection subject to conditions.

4.7 **Public Rights of Way:** Objection:

- Changes to the surfacing of public footpath 10a would not normally benefit the public unless made to an adoptable standard and adopted by the Highway Authority.
- No support to the installation of a gate on public footpath 10a.
- Proposals for the delivery of a permissive bridleway from the disused railway are not detailed or deliverable.
- A contribution is sought towards surface improvements of 800m of the promoted Writers Way on bridleways 10 and 13 in Farringdon for cycling and horse riding access.

4.8 **Whole Estate Plans Team and Major Planning Projects (SDNPA):** Comments:

- Both Estate workers' and affordable dwellings should be secured in perpetuity.
- There is no overarching strategy that clearly demonstrates how/what Estate-wide environmental and recreational benefits (particularly improvements to the Public Rights of Way network) are being secured.

4.9 **Housing Enabling Officer:** Comments:

- Support to the current provision of affordable and estate workers' dwellings.
- Requires details of tenure and occupancy conditions secured in a legal agreement.

4.10 **Drainage:** No objection subject to condition.

4.11 **Lead Local Flood Authority:** No objection subject to conditions.

4.12 **South East Water:** No objection.

4.13 **Environmental Health:** No objection subject to conditions.

4.14 **Waste:** No objection – referred to guidance.

5. Representations

5.1 87 third-party representations were received commenting on the proposal, of which 43 are objections, 43 are in support of the application and 1 comment is neutral. These representations are summarised below:

Principle

- Unsustainable location. There are not sufficient facilities and infrastructure available in Newton Valence. Not exceptional development in the countryside.
- How this scheme comply with the purposes of designation of the National Park?
- Impact on tranquillity of the area. Increased noise.
- No need for housing. No provision of affordable housing.

Landscape and design

- Out of keeping density of development. Suburbanisation of the landscape. Disproportionate amount of development
- Impact on public views from footpaths, especially during the winter months.
- Light pollution and impact on dark skies.

Ecology

- Irreversible impact on ecology. Consideration to be given to the loss of species and enhancement of habitats.

Highways and accessibility

- Roads in the area unsuitable for large vehicles. Increased damage to rural roads. Dangerous crossings and junctions in the village, especially for pedestrians and cyclists. No pavements for pedestrians.
- Increased vehicular movements.
- The scheme does not minimise the need to travel with private vehicles neither promotes sustainable transport.

Other

- Housing located in an area prone of flooding.
- Carbon footprint generated by the development. Mitigation of climate change. Major development should be carbon neutral.
- Increased pollution.
- Conflict with the guidelines of the Newton Valence Village Plan.
- Estate workers dwellings being rented/sold in the past.
- Harmful impact from construction works.

Support

- Provision of worker dwellings for members of staff of the Newton Valence Farm and capital return to implement the Newton Valence Farm Whole Estate Plan.
- The provision of two affordable dwellings is supported.
- Residential traffic generates less nuisance and traffic than existing, being less disrupting overall. Traffic likely to be directed towards the A32 rather than through village centre.
- Proposal to visually improve existing site. The proposed dwelling sit well with the landscape.
- Appropriate level of parking proposed, therefore no obstructing the road.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory Development Plan comprises of the South Downs Local Plan 2014-2033. The relevant policies are set out in section 7 below.

National Park Purposes

- 6.2 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.

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

- 6.3 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 in February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF

states at paragraph 172 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.

National Planning Policy Framework (NPPF) 2019

6.4 The National Planning Policy Framework has been considered as a whole. The following NPPF sections have been considered in the assessment of this application:

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Building a strong, competitive economy
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

Relationship of the Development Plan to the NPPF and Circular 2010

6.5 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.

The South Downs National Park Partnership Management Plan 2020-2025

6.6 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans “contribute to setting the strategic context for development” and “are material considerations in making decisions on individual planning applications.” The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant outcomes include: Outcome 1: Landscape and Natural Beauty; Outcome 2: Increasing Resilience; Outcome 3: Habitats and Species; Outcome 5: Outstanding Experiences; Outcome 6: Lifelong Learning; Outcome 7: Health and Wellbeing; Outcome 8: Creating Custodians; Outcome 9: Great Places to Live; and Outcome 10: Great Places to Work.

Whole Estate Plans

6.7 A Whole Estate Plan (WEP) aims to enable collaboration between individual estates/large farms and the National Park Authority to achieve the ambitions of the Farm/Estate and the purposes of the National Park, and deliver the Partnership Management Plan. A WEP is a non-statutory plan not focused on or to be limited to planning matters but rather the whole husbandry of the Estate – farming, woodland management, conservation, access provision etc. An endorsed Whole Estate Plan is a material consideration in determining planning applications within the farm/estate and provides a solidly understood contextual background to any development proposals.

Other relevant evidence document

- Newton Valence Village Plan (2015)
- Roads in the South Downs (2015)
- South Downs Integrated Landscape Character Assessment (2011)

7. Planning Policy

7.1 The following policies of the South Downs Local Plan 2014-2033 are most relevant:

- SD1 – Sustainable Development
- SD2 – Ecosystems Services
- SD4 – Landscape Character
- SD5 – Design
- SD6 – Safeguarding Views
- SD7 – Relative Tranquillity
- SD8 – Dark Night Skies
- SD9 – Biodiversity and Geodiversity
- SD10 – International Sites
- SD11 – Trees, Woodland and Hedgerows
- SD12 – Historic Environment
- SD17 – Protection of the Water Environment
- SD19 – Transport and Accessibility
- SD20 – Walking, Cycling and Equestrian Routes
- SD21 – Public Realm, Highway Design and Public Art
- SD22 – Parking Provision
- SD25 – Development Strategy
- SD26 – Supply of Homes
- SD27 – Mix of Homes
- SD28 – Affordable Homes
- SD32 – New Agricultural and Forestry Workers' Dwellings
- SD34 – Sustaining the Local Economy
- SD44 – Telecommunications and Utilities Infrastructure
- SD45 – Green Infrastructure
- SD48 – Climate Change and Sustainable Use of Resources
- SD49 – Flood Risk Management
- SD50 – Sustainable Drainage Systems
- SD54 – Pollution and Air Quality
- SD55 – Contaminated Land

8. Planning Assessment

Background

- 8.1 The Newton Valence Farm Whole Estate Plan (WEP) was endorsed by the South Downs National Park Authority (SDNPA) on the 19 September 2017.
- 8.2 Extensive pre-application advice has been given since the endorsement of the WEP on the suitability of developing sites within the estate for the purpose of a direct delivery of the WEP's vision and action plan, as well as providing a source of capital investment to enable this. Newton Valence Farm aims to adopt environmental management and farm practices that support the special qualities and Purposes of the National Park as well as to deliver projects that benefit the environment and recreational opportunities of the National Park within the estate.
- 8.3 Following a series of pre-application enquiries (see planning history – Section 3), Lower Yard was identified as the only suitable site for redevelopment of all proposed, as it has been previously developed and buildings were not considered of special aesthetic, historic or architectural value. The principle of redevelopment was considered to be likely acceptable

once the SDLP was adopted and Policy SD25 carried full weight. Notwithstanding this, officers raised fundamental concerns at pre-application stage with the initially proposed suburban layouts for new residential development and required for any design to be landscape-led.

- 8.4 Extensive negotiations have taken place during the life of this application between officers and Newton Valence Farm to ensure that development proposals are landscape-led, address concerns raised by consultees and identify the actions of the WEP that this development will facilitate.

Policy context

- 8.5 Policy SD25 of the South Downs Local Plan 2014-2033 (SDLP) sets out the development strategy of the National Park, resisting development outside the defined Settlement Policy Boundaries. Exceptionally, Policy SD25 states that development will be permitted outside settlement boundaries where it complies with relevant policies of the SDLP and responds to the context of the relevant area. Policy SD25 also states that, in considering development proposals outside settlement boundaries within rural estates and large farms, positive regard will be had to development proposals part of a Whole Estate Plan that have been endorsed by the SDNPA. Positive regard will also be had to proposals that deliver multiple benefits in line with the purposes and special qualities of the National Park and in regard to ecosystem services.
- 8.6 The supporting text of Policy SD25 refers to Whole Estate Plans, highlighting the important role that estates and farms play in the conservation of the landscape, the development of a sustainable rural economy and ecosystem services. Whole Estate Plans may demonstrate particular material considerations, relating to the purposes and special qualities of the National Park that justify development outside of settlement boundaries. Weight is only given by the SDNPA to such plans once they have been endorsed.
- 8.7 In this instance, the acceptability of the principle of development outside settlement boundaries has been assessed using core and strategic policies SD1, SD25 and SD34 of the SDLP and the endorsed WEP as to consider the proposal's compliance with the development strategy of the National Park.
- 8.8 Policy SD34 of the SDLP is relevant in the assessment of this application as it relates to sustaining the local economy and supports proposals that foster the economic and social well-being of local communities. In particular, it supports proposals that promote and protect business linked to farming, a key sector in the National Park. This policy is in accordance with the spatial strategy of a medium level of development dispersed across the National Park and should be read in conjunction with Policy SD25.

The Newton Valence Farm Whole Estate Plan

- 8.9 The Newton Valence Farm Whole Estate Plan was endorsed by the SDNPA Policy and Resource Committee on 19 September 2017. The WEP sets out the context and background for the evolution and diversification of Newton Valence Farm and it is supported with an ecosystem services analysis and as well as an action plan of projects and their contribution towards the National Park special qualities.
- 8.10 The plan sets out the vision for Newton Valence Farm, which consists of creating a socially, financially and environmentally sustainable, robust and diversified farming business, with a group of associated businesses contributing to and enhancing the primary farming activities. Associated businesses include sport, leisure and tourism facilities, commercial and residential property lets, which together provide a secure and viable future for the estate, its employees and the local economy. The farm seeks to contribute to local employment, community needs and the conservation and enhancement of the natural environment.
- 8.11 The 'Relationship with Newton Valence Farm Whole Estate Plan Statement' (**Appendix 2**) submitted with the application has highlighted the actions of the WEP that have been already implemented since endorsement. It also identifies a need for further funding to start and complete projects that are expected to be carried out within the first 5 years' timeframe of delivery of the WEP. A series of projects awaiting for funding have been outlined in this

application, which include, although not limited to: the implementation of more sustainable farming practices and associated facilities and machinery, provision of affordable and estate workers' dwellings, improvement of existing shooting facilities, energy audit and installation of renewable energy and water harvesting across the farm, new permissive footpath, etc.

- 8.12 The SDNPA WEP Team have commented on the proposal and have requested the affordable and estate workers' dwellings to be secured in perpetuity. This will be secured through a legal agreement, which is part of the recommendation. The WEP Team has raised discomfort with the absence of a strategy for securing the environmental and recreational benefits of the WEP. This concern is acknowledged, but the actions of the WEP cannot be legally tied to the delivery of the Lower Yard site. Notwithstanding this, Whole Estate Plans are monitored by the SDNPA to understand their level of implementation and success. Based on the information provided with the application and in the absence of evidence to confirm otherwise, there is no obvious limitation that would impede revenue from the development to be used for the delivery of the action plan within the context of the farm priorities over the WEP plan period.

The principle of development

- 8.13 Lower Yard has been previously developed with what mostly are redundant agricultural buildings. Although previously developed, the site is not classified as "brownfield" land because it contains agricultural buildings. Notwithstanding this, the site does not currently positively contribute to the special qualities of the National Park and offers opportunities for improvement of the local landscape character and local public views. The site also offers the opportunity to clear pollution from ground and buildings and provide significant ecological and visual enhancements.
- 8.14 The application site is located outside of any Settlement Policy Boundary, as defined in the Policies Map and Policy SD25 of the SDLP, where the principle of development is generally resisted. Notwithstanding this, the proposal relies on the exception of Policy SD25.3 with regards to efficient use of land for the delivery of the Whole Estate Plan. The proposal has identified the suitability of re-develop Lower Yard, as a mechanism to deliver benefits to the National Park and the Newton Valence Farm directly on site and indirectly across the farm.
- 8.15 Having examined the information submitted with the application, including the 'Relationship with Newton Valence Farm Whole Estate Plan Statement' (**See Appendix 2**), the proposal has been shown to contribute to raise funding for the delivery of the WEP, including the implementation of actions such outlined above across the farm. The redevelopment of Lower Yard also demonstrates the delivery of a number of actions of the WEP directly on site, such the provision of 2 affordable homes, 2 estate workers' dwellings, expanding the residential lets portfolio and improving the immediate public footpath amenity value.
- 8.16 In the assessment of the principle of development, the SDNPA has also given consideration to Policy SD34 (Sustaining the Local Economy), which supports the farming consolidation and diversification aspirations of the WEP, as well as paragraphs 83 and 84 of the NPPF in relation to supporting a prosperous rural economy and requirements for those developments supported by local business and community needs in the countryside.
- 8.17 In particular, the NPPF covers site sustainability in the rural area and recognises the challenges of rural sites due to their lack of available public transport and connection with settlements. However, paragraph 84 acknowledges that in these circumstances, developments should ensure sensitivity to its surroundings and not to have an unacceptable impact on local roads as well as explore opportunities to make the location more sustainable. These points are assessed in relevant paragraphs below.
- 8.18 The proposal will directly and indirectly contribute to a local business and communities, and will deliver a wide range of benefits to the National Park. The development proposed is sensitively designed to blend with its surrounding landscape and no harm to the road network has been identified. It has been demonstrated that the residential scheme has taken all reasonable opportunities to make this scheme more sustainable, given its location. Furthermore, the proposal will contribute to substantial environmental improvements

across 1200 acres of the Newton Valence Farm, which outweigh the sustainability concerns raised with the site location, complying with the aims of the NPPF and the Local Plan.

- 8.19 Overall, the WEP is a mechanism for Newton Valence Farm and the SDNPA to deliver the SDNP Partnership Management Plan, which the Local Plan enables through Policy SD25 of the Local Plan. Through the proposed development, the National Park Authority will support Newton Valence Farm to consolidate farming practices, diversify, and invest in conservation and benefits to the local community in form of housing and recreational opportunities, all within the agreed framework of the endorsed WEP. The redevelopment of Lower Yard does materially and financially contribute to the delivery of the endorsed WEP and the SDNP Partnership Management Plan. Therefore, the principle of a new development to facilitate its delivery is positively viewed and accepted.

Housing mix

- 8.20 Policy SD27 of the SDLP requires of a residential development of 10 dwellings to comply with an open market housing mix with a predominance of 2 and 3 bedroom dwellings and a small proportion of dwellings of 1 and 4 bedrooms. For affordable units, small and medium homes should predominate in the mix.
- 8.21 The required policy mix for affordable housing is:
- 1 bedroom dwellings: 35% (may be substituted with 2 bedroom dwellings);
 - 2 bedroom dwellings: 35%;
 - 3 bedroom dwellings: 25%;
 - 4 bedroom dwellings: 5%;
- 8.22 For open market housing, the mix of units should be of:
- 1 bedroom dwellings: at least 10%;
 - 2 bedroom dwellings: at least 40%;
 - 3 bedroom dwellings: at least 40%;
 - 4+ bedroom dwellings: up to 10%;
- 8.23 This proposal comprises 10 dwellings of the following housing mix:
- 2 bedroom dwellings (4 units, 40%)
 - 3 bedroom dwellings (3 units, 30%)
 - 4 bedroom dwellings (3 units, 30%)
- 8.24 No objection has been raised by the Housing Enabling Officer to the proposed mix. However, the above mix does not comply with the requirements of Policy SD27, although still provides a high proportion of small affordable dwellings (2-bedroom units). The main variation from the required mix is a predominance of 3 and 4 bedroom open market dwellings and the absence of open market small units. A more varied housing mix should be proposed to meet Policy SD27, however non-compliance with Policy SD27 has to be weighed with other material considerations. In this case, the delivery of the WEP and the acceptability of the built form and proposal overall in the landscape is a fundamental materials consideration which will be given weight in the planning balance.

Affordable and estate workers' dwellings

- 8.25 In terms of affordable housing requirements, Policy SD28 of the SDLP states that developments of 10 dwellings would need to contribute with 4 affordable units, of which 2 of them should be of rented affordable tenure.
- 8.26 Supporting text of Policy SD25 states that where new dwellings are proposed as part of a WEP, these should meet the priority housing need of the area, hence affordable homes or accommodation for full-time rural workers.
- 8.27 Consideration has been given to the estate workers dwellings need and the lack of affordable housing in relation to low salary scales in the farming sector, which were identified in the Newton Valence Farm WEP. Limited consideration has also been given to

the draft Affordable Housing Supplementary Planning Document (SPD), given its emerging status.

- 8.28 The development at Lower Yard will contribute with 2 affordable homes and 2 estate workers' dwellings to be managed by Newton Valence Farm and rented to workers. Estate workers' dwellings are considered to be affordable if they comply with the tenure requirements of the SDLP and draft Affordable Housing SPD. The level of affordability of both regular affordable homes and estate workers' dwellings will depend on their tenure, which is yet to be agreed, although the estate workers' dwellings are to be managed the farm and rented to staff.
- 8.29 The Housing Enabling Officer supports the proposal given that it is in support of the WEP's identified need for workers' dwellings and will provide affordable housing in accordance with the requirements of Policy SD28 of the SDLP, subject to tenure compliance. The Housing Enabling Officer has also provided to the applicant a series of registered providers which may be interested in taking the affordable units for affordable rent. Progress is expected to be made in this regard in preparation to a legal agreement.
- 8.30 As required and defined in the SDLP and draft SPD, tenure, occupancy conditions and local connection criteria will be part of a Section 106 legal agreement. Therefore, the proposal meets the requirements of Policy SD28 with regards to affordable housing contribution, subject to tenure details.

Landscape and design considerations

- 8.31 The site falls within Landscape Character D4a Newton Valence Downland Mosaic (Enclosed) of the South Downs Integrated Landscape Character Assessment (ICLA) 2011. The settlement pattern of the area is characterised by scattered farmsteads and hamlets, including the village of Newton Valence. The relationship of the local agricultural landscape, the modern ribbon development and the designed parkland is well defined and does not include transitional spaces. Selborne Road functions as a strong dividing feature of its own enclosed and intimate character.
- 8.32 The local landscape contains farmsteads based on L-shaped typologies around working yards enclosed on three sides. The main farmhouse usually set the priority in the hierarchy of buildings and stands separate from the working yard, surrounded by garden land with trees for shelter, and often approached along a tree lined drive. Workers' cottages are also found in local farmsteads and are typically associated (but not linked) to working yards. Many of these overlook rural lanes but are accessed from secondary farm tracks.
- 8.33 With regards to Local Plan, Policy SD4 relates to landscape character and states that development proposals will only be permitted when they conserve and enhance landscape character. Policy SD5 (Design) should be read together with SD4 and requires for development proposals to adopt a 'landscape-led' design approach and seek to enhance local character and distinctiveness of the area as a place where people want to live and work now and in the future. Policy SD6 is also relevant as it refers to conserving and enhancing key views.
- 8.34 At pre-application stage, whilst the principle was accepted, concern was raised with new development at depth beyond what typically constitutes ribbon development along Selborne Road. This is due to buildings sited in significant depth from the road is not characteristic in the area, with exception of some farmsteads. The Landscape Officer accepted that, in order to mitigate landscape character impacts, the design of the scheme could follow two different landscape cues from the local context: a) new dwellings along Selborne Road, following the settlement pattern across the road (e.g. cottages to the north and south), and b) create a farmstead typology development at rear of the site, informed by local landscape evidence.
- 8.35 Initial pre-application proposals were assessed by the SDNPA's officers and the Design Review Panel, and gave advice (summarised in Section 2 – Planning History), mainly objecting to suburban development in this rural location and requiring the development to be contextually sensitive.

- 8.36 The Landscape and Visual Impact Appraisal and Design and Access Statement submitted with the application, set out the landscape evidence that informs the design. In view of these and the revised plans, it is agreed that most relevant cues from the local farmstead context have been considered and incorporated in the revised layout. Buildings have been sited along Selborne Road following the ribbon pattern of similar residential development in the area. With regards to the development at depth, buildings have been sited forming a yard, resembling working yards from the local area. The yard is open on its western side and connects with its surrounding agricultural landscape.
- 8.37 Access remains as existing (reverted from initial proposals for new accesses), which is supported by the Landscape Officer. By retaining the existing vehicular access, an efficient use of the land is made which enables the retention of existing established hedgerow along the road. Other benefits of retaining the access are the absence of a new bell mouth opening on Selborne Road, culverts and changes to the existing green verge and ditch along the road. Furthermore, surfacing materials of the new drive are appropriate and contribute to create a hierarchy of spaces and routes within the site, which is context sensitive.
- 8.38 The layout and landscaping proposed result in a variety of open multifunctional spaces. Whilst small dwellings along the road would have modest gardens, these will be complemented with the shared open orchard across the drive. This area of the scheme has been well informed by landscape evidence and it follows the character and design cues from worker cottages within the area.
- 8.39 Dwelling C2 (farmhouse) is sited at the end of the drive and will have a large garden with tree planting that follows from the landscape evidence. It results in a relatively prominent dwelling, which will set the priority in the hierarchy of buildings in the area as it is located at the highest ground level of the site and would be separated from the yard.
- 8.40 Development at depth, in the form of a courtyard, provides private gardens to all dwellings, but the layout keeps a significant amount of open space for multiple uses. The central yard would function as a flexible active space shared by residents. The open areas closer to the wester and south edges, will add ecological and landscape value as well as a suitable visual transition from built to natural environment.
- 8.41 Boundary treatments are considered to be appropriate as they reflect local context. The parkland estate railing along the historic drive (south boundary) reflects the route that historic led to registered park and garden of Newton Valence Place. Whilst fences are kept to a minimum, native hedgerows will divide private gardens, softening the visual impact of the compartmentalisation of the site.
- 8.42 Consequently the proposed amount of open spaces and landscaping strategy is appropriate, subject to planting and materials details to be provided, which are secured via condition.
- 8.43 Proposals have substantially evolved in layout design since pre-application stage as well as during the life of the current application. Notwithstanding the substantial positive evolution of the scheme, the Landscape Officer objected to the last iteration of drawings being considered for decision. The reasons for the objection are outlined in section 4 of this report, although the main issue, is the lack of a clear building hierarchy within the courtyard.
- 8.44 Officers understand the view adopted by Landscape and Design Officers, and consider that a clearer difference in depth and height of buildings may have contributed to a more distinctive arrangement that better reflects the intended farmyard character. Weight has been given to the specialists' advice and it is considered that the insufficient hierarchy of buildings leads to harm to the farmstead typology sought. However, as the Design Officer noted, the architectural language of buildings (details and materials) are key to the final success of the scheme, even with homogeneousness of building heights. For that reason, it is considered that appropriate landscape-influenced buildings can be achieved with high quality architectural detailing and materials, to ensure the scheme's final success.
- 8.45 In order to achieved design quality and mitigate the harm identified by the insufficient hierarchy of buildings, the Design Officer recommended the inclusion of a design code condition pre-submission of any reserved matters application. However, the final appearance

of buildings is a reserved matter and is not assessed at this stage and the design code mechanism is not considered to be a necessary condition, as the appearance of buildings will be fully assessed at reserved matters stage.

- 8.46 This proposal has evolved in the last years from a wholly suburban scheme to a layout that acknowledges and responds to the rural landscape character of Newton Valence, albeit areas of improvement have been identified by the Landscape and Design Officers. Having weighed all landscape and design considerations stated above (including the poor current landscape value of the site, ecosystem and green infrastructure improvements), the proposal is considered to, on balance, respect local character and positively contribute to the appearance of the local area. Consequently, the scheme is compliant with policies SD4 and SD5.

Appearance of buildings

- 8.47 This outline application does not go into the assessment of the appearance of buildings, as it is a reserved matter. Therefore elevations drawings submitted with the application are only indicative and would not be approved under an outline planning permission. Elements such main elevations, openings, architectural details and materials would form part of a reserved matter application and are not assessed at this stage.
- 8.48 Without pre-judging the indicative elevations, officer are concerned with the architectural language shown on indicative elevations, which do not seem to be positively influenced by the agricultural surrounding context neither to positively respond to local landscape sensitivities. Therefore, it will be expected that the forthcoming reserved matters application addresses this concern and are of high quality design.
- 8.49 The Design Officer has provided advice on the expected level of information to be submitted at a later stage and has confirmed the relevance of the reserved matters phase as to successfully achieve a well-designed development that is landscape led.
- 8.50 An eventual reserved matters proposal should achieve high quality design in order to mitigate the harm caused by the homogenous height of buildings. The SDNPA expects that any reserved matter application is supported by relevant landscape and architectural information and provides the following: external built form of buildings, including roof zones, their architectural details, openings, recesses, rainwater goods and harvesting, decoration, lighting, materials, finishes and textures, amongst other relevant details.

Ecosystem Services

- 8.51 Policy SD2 of the SDLP relates to ecosystem services and states that development proposals will be permitted where they have an overall positive impact on the ability of the natural environment to contribute goods and services. This is to be achieved through high quality design and delivering all opportunities to manage natural resources sustainably.
- 8.52 The application has been accompanied with an Ecosystem Service Statement (ESS), plans and other application supporting information which set out a series of on-site actions such:
- a) Use of previously developed site and no encroachment onto of agricultural land or areas which positively contribute to the landscape or natural capital. A sustainable management and maintenance of the site is controlled via the Landscape Environmental Management Plan (LEMP).
 - b) Protection and retention of existing mature hedgerows and trees. Provision of new green infrastructure and wildlife corridors. Use of native species. Appropriate species' mitigation and enhancements as well as biodiversity net gain (yet to be agreed once surveys are completed).
 - c) No further use of existing private water supply will contribute to conserve ground water resources. Foul and surface water drainage will be controlled by condition to ensure quality of water is improved.
 - d) No river/stream flood risk identified on site. Surface water drainage to be based on sustainable drainage systems. Sustainable manage surface water through capturing water

at source on green roofs, infiltration of permeable surfaces and new pond. Rainwater harvesting, which is to be included in a reserved matters application.

- e) Sustainable construction methods and materials as required by Policy SD48 of the SDLP and secured by condition. New planting on site which contributes to climate regulation.
- f) Carbon storage through significant increase of vegetation on site and through sustainable construction details secured by condition.
- g) Retention of agricultural land, provision of wildflower planted areas adjacent to fields, investigation and clearance of ground pollution from site.
- h) Provision of a communal kitchen garden/orchard.
- i) Reduced ground pollution. Light pollution to be controlled by conditions. Potential reduction of noise pollution from site due to change of use of land.
- j) Provision of living space within a natural environment.
- k) Residents' immediate access to the public right of way network and the recreational opportunities of the National Park.

8.53 The Landscape Officer considers that not all opportunities to deliver ecosystem services have been considered in the ESS and that some easy benefits have been missed. Notwithstanding this, it is acknowledged that the reserved matters application will complete the ecosystem services provision. Furthermore, actions for the benefit of ecosystem services submitted in support of this application are considered to have an overall positive impact on the natural environment, especially given the poor current conditions of the site. A series of conditions regarding sustainable construction, planting details, materials specifications, etc. will ensure that any remaining opportunity to benefit ecosystem services is incorporated.

8.54 Consideration should be given to the improvements to ecosystems services across the wider Newton Valence Farm. The endorsed WEP contains an analysis of ecosystem services across the farm and identifies opportunities and threats to these services. The action plan attached to the WEP follows from this analysis and will contribute to meet those opportunities. This development proposal indirectly contributes to the delivery of wider ecosystem services throughout the whole Newton Valence Farm.

8.55 It is therefore concluded that the proposed development will, directly on site and indirectly through the implementation of the WEP, have an overall positive impact on the ability of the natural environment to contribute to goods and services and therefore it meets the requirements of Policy SD2.

Green infrastructure

8.56 The existing site does not significantly contribute to the green infrastructure network of the National Park, only some of the boundaries provide some level of green infrastructure through hedgerows and mature trees. Notwithstanding this, the level of green infrastructure on site is poor. Policy SD45 of the SDLP requires for development proposals to demonstrate that they maintain or enhance existing green infrastructure assets and provide new green infrastructure of improvements to green assets and green linkages.

8.57 The proposal intends to revert the poor green infrastructure value of the site by enhancing existing assets and creating new. This is done through the retention of all mature vegetation (trees and hedgerows along boundaries) and the reinforcement of existing vegetation with additional planting.

8.58 Most of the site is covered by hard standings, gravel and buildings. Proposed new green infrastructure is extensive on site and it mainly consists of the creation of a wide multifunctional buffer area along the western boundary of the site, which will also function as wildlife corridor and open shared space for sustainable surface water drainage. In addition, an area mixed with trees, grass and hedges crosses the site from north to south, visually splitting the site into two character areas (courtyard and Selbourne Road zones) but also providing green linkages throughout the site. Other green infrastructure improvements

include additional open grass space to the south of the courtyard and outside of private gardens.

- 8.59 It is important to highlight that almost the entirety of the green infrastructure assets (existing and proposed) will fall outside of private gardens, which would facilitate good management by a management company or similar and avoid encroachment of activities and domestic paraphernalia into green infrastructure. Access to green infrastructure spaces remains available to all residents of Lower Yard. Consequently, open access to green infrastructure outside private gardens will contribute to its long terms success.
- 8.60 It is therefore concluded that the proposed scheme is compliant with Policy SD45 of the SDLP as it will enhance existing green infrastructure on site and will provide new multifunctional linkages across the site, which will benefit wildlife, surface water drainage, climate regulation and residents' well-being.

Ecology

- 8.61 The application was accompanied with a Preliminary Ecological Appraisal and Preliminary Roost Assessment Report (July 2019). These were examined by the District's Ecologist who has provided comments objecting to the determination of the application prior to further surveys being completed and appropriate mitigation and enhancement for wildlife species being agreed.
- 8.62 The Preliminary Ecological Appraisal Report confirmed that Lower Yard features areas suitable for common reptile habitat within the site and areas adjacent to it. Therefore, clearance of grass and tall vegetation have the potential to injure or kill any reptiles that may be present at the time of clearance. The report recommends that further surveys should be undertaken in order to clarify the presence or likely absence of reptiles on site.
- 8.63 Furthermore, surveys have identified two buildings on site as offering low to moderate and high suitability, respectively, for roosting bats. The demolition of buildings as part of the redevelopment of Lower Yard would have the potential to injure or kill bats. The submitted Roost Assessment Report recommends to undertake further surveys of the buildings suitable for roosting bats following best practice guidelines. If bats are found, further surveys will be required to support the planning application and an application for a European Protected Species Mitigation license.
- 8.64 It is expected that these surveys are undertaken within the next available surveying season, which will approximately commence in April for reptiles and May for bats, depending on weather and temperature. These surveys have already been commissioned.
- 8.65 Given the overall limited conservation value of the site, it is likely that protected species are not present or harm can be appropriately mitigated. However, the SNDPA must await the receipt of suitable up-to-date information to continue the ecological impact assessment of the site. Once all information is submitted, the SDNPA will be in a position to assess the scheme against Policy SD9, which relates to biodiversity. It is proposed that this assessment is delegated to the Director of Planning.
- 8.66 In the absence of the above relevant surveys, the SDNPA will not determine the planning application favourably as it would not be in a position to determine the impact of the development on protected species and overall biodiversity and the conditions that may be necessary in order to make the proposed development acceptable. Therefore, the recommendation of this application is conditional, subject to submission of up-to-date relevant ecological information (reptile and bat surveys) and a strategy that demonstrate that proposals retain, protect and enhance biodiversity and incorporate opportunities for net gains, meeting the requirements of Policy SD9 of the SDLP.

Relative tranquillity and dark night skies

- 8.67 The application site is located within the Dark Night Skies Zone EI (a), the 2km Buffer Zone (intrinsic rural darkness), immediately adjacent to the boundary of the Dark Sky Core which is immediately to the east of the site. The area is also in an area of medium to low level of relative tranquillity as shown in the SDNP Tranquillity Study.

- 8.68 Policy SD7 of the SDLP states that development proposals will only be permitted where they conserve and enhance the relative tranquillity of the National Park. Whilst the site is within a highly tranquil area of the National Park, the replacement of the existing unsympathetic buildings and hard standing areas with the new residential development would be visually less intrusive in the landscape. The change of use of the site from an agricultural work yard to residential would not necessarily involve higher levels of noise, but possibly an enhancement of quietude in the absence of heavy vehicles and machinery.
- 8.69 Policy SD8 relates to the conservation and enhancement of the intrinsic quality of the dark night skies, and the integrity of the Dark Sky Core. The existing site does not count with any apparent external lighting and no external lighting is proposed. The lighting statement submitted with the application adopts appropriate principles with regards light pollution, given the sensible location of the site. These include the absence of new external lighting, the use of low transmittance glass for windows and doors, use of dimmers, motion sensors and timers when necessary and automatic settings to close blinds to avoid internal light transmission. These principles are considered acceptable and a condition is attached to the planning permission to ensure that any external lighting would comply with the above-mentioned principles and the SNDP Dark Night Skies Technical Advice Note.
- 8.70 Given the above, no light pollution is expected as result of the proposed development. The proposal has demonstrated that the level of tranquillity and dark night skies will be conserved and enhanced on site and therefore its compliance with Policies SD7 and SD8.

Sustainable construction

- 8.71 The SDNPA encourage all new development to incorporate sustainable design features, as appropriate to the scale and type of development. Residential development should meet minimum sustainability credentials to meet requirements of Local Plan policies SD2 (Ecosystem Services) and SD48 (Climate Change and Sustainable Use of Resources).
- 8.72 The proposed layout and landscaping proposed have demonstrated to meet the requirements of Policy SD2 expected from an outline application – as above mentioned. Notwithstanding this, due to the outline nature of the proposal – in which appearance is not assessed, the assessment on compliance with policies SD2 and SD48 will be completed at reserved matters stage. For instance, materials to be used, construction methods and final architectural details of buildings, which play a significant role in the mitigation and adaptation to climate change and ecosystem services.
- 8.73 Notwithstanding the above, a standard condition (as worded in the Sustainable Construction Technical Advice Note) is attached to the outline planning permission to secure compliance with Policy SD48 in terms of energy efficiency, renewable energy, water consumption, use of resources and waste management.

Surface and foul water drainage

- 8.74 Policy SD17 states that development proposals that affect groundwater and surface water, will be permitted provided that there is no adverse impact on the quality of the groundwater source, and provided that there is no risk to its ability to maintain a water supply. Policy SD50 (Sustainable Drainage Systems) supports development proposals that ensure against the increase of surface water run-off, taking account of climate change.
- 8.75 Lower Yard is not located within the Environment Agency's Flood Risk Zone I (low risk), although its surface water flood risk varies from very low to high across the site given the topography and hard standings. The surface water drainage strategy is based on infiltration on site and has been informed by infiltration testing. This approach is supported by the Lead Local Flood Authority and the District's Drainage Engineer. A details drainage layout design backed with calculations and winter monitoring is required prior commencement of works on site. This requirement has been incorporated in the form of a pre-commencement condition, as requested by consultees.
- 8.76 It has been confirmed that drinking water will be supplied from the South East Water company network and not from the existing borehole on site, which historically served farm buildings. This approach is supported by the District's Environmental Health Officer. South

East Water has also confirmed that the proposal is not likely to risk their groundwater or surface water supplies.

- 8.77 It is expected that homes would be connected to the main sewer for grey water when this is available. However, no public sewer is available in Newton Valence and therefore foul water should be drained alternatively using methods that comply with Policy SD17 with regards to groundwater.
- 8.78 The proposal would deal with foul water by using a private sewage treatment plant. The Environment Agency and District's Drainage Engineer were consulted on this application and concluded that in the absence of a mains connection, the principle of a package treatment plan is acceptable and that details of the foul water drainage scheme should be controlled by condition. Consequently, a pre-commencement condition is attached. The Environment Agency and District's Drainage Engineer will be consulted at the discharge of conditions stage to ensure that the system is acceptable and does not diminishes ground and surface water quality.

Access, traffic and public right of way

- 8.79 The Local Highway Authority raised no objection to the proposed development, and has requested that the access is constructed as per details submitted and a construction management plan are controlled by condition. These have been included in conditions.
- 8.80 The proposal would involve the retention of the existing access to Lower Yard on its existing position, which is supported by the Landscape Officer as it would avoid visual alterations to the road scene and the retention of the mature hedgerow along Selborne Road. The vehicular access would be nevertheless, upgraded with new surfacing and improved drainage. The existing bar gate that encloses the site and public footpath 10a will be relocated and recessed as part of the proposal.
- 8.81 The application has been accompanied with a Transport Statement which has been reviewed by the Local Highway Authority. Having examined the access proposed and Transport Statement, the Local Highway Authority is satisfied that the level of trips generated by the proposed 10 dwellings will not result in a significant impact on the local highway network from a safety and capacity perspective. Consequently, the proposal is in accordance with Policy SD19 in terms of a safe and efficient operation of the road network.
- 8.82 Policy SD21 requires to give consideration to historic rural roads and the impact of development proposals on biodiversity, landscape and the amenity vale and character of these roads. 'Roads in the South Downs' is referred in Policy SD21, as it is an essential piece of guidance developed by the SDNPA in partnership with local highway authorities and provides advice and best practices on highway design within the National Park.
- 8.83 Based on the submitted information and the comments made from the Local Highway Authority and the Landscape Officer, it is considered that the proposed access will not lead to harm to the value of Selborne Road. Moreover, the expected traffic generated by 10 dwellings would be minimal when compared with the potential traffic generated if the agricultural yard were in full use. Given that the proposed use would involve smaller vehicles than agricultural ones and only a small increase of movements, the scheme will not lead to harm to other historic roads within the area. Therefore the proposal is compliant with Policy SD21.
- 8.84 Public footpath 10a joins Selborne Road at the same vehicular access of Lower Yard. Given that the traffic generation is considered to be minimal from the potential capacity of the current site, no adverse impact is expected for users of the public right of way. The Public Rights of Way Officer objected to the new surfacing of the access, however, considering that these will significantly improve the existing poorly maintained mix of tarmac, concrete and dirt. A condition has been included to control surfacing materials.
- 8.85 Proposals will deliver a series of small improvements to the existing footpath 10a, such the erection of new sign post at the Selborne Road junction, new appropriate surfacing and planting a new native hedgerow along the north side of the footpath, as well as reinforcing

the existing hedgerow within the site. Visually, the scheme will give users an enhanced approach to Newton Valence when approaching the village from the north.

- 8.86 Notwithstanding the Public Right of Way Officer's comment on the absence of enhancements to the network, these are unsubstantiated since several enhancements are proposed as part of this application as previously mentioned. In addition, improvements to the network within the Newton Valence Farm are included in the action plan of the WEP such as new public footpath links and the permissive access along the dismantled railway Wickham to Alton, which is an aspirational non-motorised route in Policy SD20 of the SDLP.
- 8.87 The Public Right of Way Officer has also raised doubts with the deliverability of the proposed WEP permissive bridleway on the disused railway due to insufficient appropriate funding allocated in the WEP action plan. This amount shown on the action plan is an estimated cost only and the development should generate substantial revenue as to facilitate its appropriate delivery. Furthermore, the consultee requests a financial contribution to surfacing improvements to footpaths that 1.6 km away from the site and have no direct relationship with it. Therefore given the fact that these are not directly related to the proposed development, there is no compelling reason to include this contribution in a legal agreement.
- 8.88 Policy SD20 relates to the protection of the amenity value of public rights of ways. The SDNPA is, consequently interested in the material impact of the proposed development on the amenity value and tranquillity of, and views from, public footpath 10a. Significant consideration has been given in the assessment of the residential development to the impact on public views, but also to the most immediate quality of experience for walkers. This development would lead to the removal of a visually unsympathetic group of buildings and its replacement with a visually cohesive scheme informed by landscape character evidence and provides significant green spaces that would visually improve the visual experience of footpath users.
- 8.89 Regarding the use of the footpath where it joins Selborne Road, no safety conflict between vehicles and walkers is expected as appropriate visibility splays have been provided and no concern has been raised by any of the consultees. The footpath will remain accessible and a new appropriate upgrading in landscape terms will contribute to the long life of the footpath and, an easier management and better coexistence with the residential development.
- 8.90 It is concluded that the proposed development would not lead to harm to the street scene and will benefit users of the local public right of way network, being consistent with Policy SD21 of the SDLP and Purpose 2 of the designation of the National Park.

Parking provision

- 8.91 The Local Highway Authority have raised no objection to the proposed parking provision.
- 8.92 Vehicle parking is provided in a mix of arrangements. The small dwellings along Selborne Road have been provided with a shared parking yard accessed from the rear. A total of 8 parking spaces for four 2-bedroom dwellings is considered appropriate and would not result in overspill parking on the road. The main house (unit C2) would have a double green roof car port attached to the house which would be for private use only. The main courtyard would feature a long car barn which provides parking for all dwellings within the courtyard, with the exception of unit C1 which counts with a separate double green roof car port attached. The proposed parking provision is considered sufficient for residents but also for visitors and delivery vehicles as both yards are sufficiently large as to accommodate other vehicles in an informal and occasional basis.
- 8.93 Provision of electric vehicles charging points is intended for all dwellings, therefore details are controlled by condition. Similarly, application documents state that cycle storage would be provided mostly within car ports/car barns mostly. Details of the cycle storage are controlled by condition.

Impact on amenity of local residents

- 8.94 The site is far enough from properties on the opposite side of Selborne Road (over 30 metres from the new dwellings to neighbours Reed Cottage) as to not result in any unacceptably adverse overlooking impact. Furthermore, new planting is proposed along the boundary and retention of hedgerows and trees will contribute to soften presence of the new buildings. The new dwellings sit distant enough from the properties to the north and south (Goldrige Cottage and The Lodge respectively) so as not to cause, loss of privacy, loss of light that would harm residents' living conditions. Buildings would be of equivalent height as houses in the area and their scale it not considered to be overbearing. It is therefore considered that the proposed dwellings will not cause an unacceptable overlooking, overshadowing and overbearing impact on neighbours.
- 8.95 A construction management plan would control, by condition, the times of construction and construction operational arrangements, in order to avoid environmental harm and residential amenity disturbance.

Contaminated land

- 8.96 The site, as previously developed with farm buildings, has the potential to suffer from ground pollution and some buildings have been confirmed in the submitted Environmental Desk and Preliminary Desk Studies as having asbestos. The Environmental Health Officer has assessed these reports and agreed with their findings as well as recommended a series of conditions for the clearance of pollution from site, which mainly consists of asbestos fibre, radon gas, debris and fuel spillage. These conditions have been incorporated in the recommendation and satisfy the investigation and remedial requirements of Policy SD55 with regards to contaminated land.

9. Conclusion

- 9.1 Proposals will deliver affordable and estate workers' housing as well as open market dwellings in Lower Yard. New dwellings outside settlement boundaries are exceptionally permitted, however the principle of re-development of Lower Yard is considered to positively contribute to achieve the vision and complete the action plan of the endorsed Newton Valence Farm Whole Estate Plan. This development will materially deliver the Whole Estate Plan on site and indirectly throughout the whole farm, resulting in great environmental and recreational benefits in accordance with the purposes of the National Park.
- 9.2 The scheme does not meet the precise housing mix requirements of Policy SD27 of the SDLP, but has been found compliant with the remaining Development Plan. Having given consideration to the implementation of the Whole Estate Plan, which is a material consideration, it is considered that, on balance, the proposal is acceptable. It is therefore recommended that outline planning permission is granted subject to the satisfactory completion of the outstanding ecology and affordable housing matters set out in this report.

10. Reason for Recommendation and Conditions

- 10.1 It is recommended to grant outline planning permission subject to:
- The completion of a Section 106 legal agreement, the final form of which is delegated to the Director of Planning, to secure the delivery of two affordable dwellings and two key estate workers' dwellings.
 - The completion of bat and reptile surveys and provision of a suitable policy compliant mitigation and enhancement strategy, the consideration of which is delegated to the Director of Planning; and
 - The conditions, substantially in the form set out in paragraph 10.2 of this report along with any additional conditions, the form of which is delegated to the Director of Planning' to address those mitigation matters that arise from the completion of bat and reptile surveys and strategy; and

That authority be delegated to the Director of Planning to refuse the application with

appropriate reasons if:

- The SI06 Agreement is not completed or sufficient progress has not been made within 6 months of the 12 March 2020 Planning Committee meeting.
- The bat and reptile survey and provision of a suitable policy compliant mitigation and enhancement strategy is not completed or sufficiently progressed within 6 months of the 12 March 2020 Planning Committee meeting.

10.2 Proposed conditions:

1. Applications for the approval of the matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than whichever is the later of the following dates:-

- (i) three years from the date of this permission, or
- (ii) two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

Sustainable construction

3. Prior to the commencement of the development hereby permitted detailed information in a design stage sustainable construction report in the form of:

- a) design stage SAP data
- b) passive house certificates
- c) Site Waste Management Plan
- d) design stage BRE water calculator
- e) product specifications
- f) Grown in Britain or FSC certificates;
- g) sustainable material strategy
- h) building design details
- i) layout or landscape plans

demonstrating that the dwelling has:

- a) reduced predicted CO2 emissions by at least 19% due to energy efficiency and;
- b) reduced predicted CO2 emissions by a further 20% due to on site renewable energy compared with the maximum allowed by building regulations
- c) EV charge point for every home
- d) 5% of dwellings and at least one dwelling are passive house certified
- e) predicted water consumption no more than 110 litres/person/day
- f) separate internal bin collection for recyclables
- g) SWMP and at least 50% of construction waste diverted from landfill;
- h) private garden compost bin

and evidence demonstrating:

- i) sustainable drainage, enhanced green infrastructure and GI linkage and adaptation to climate change
- j) selection of sustainable materials

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these agreed details.

Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

Construction management plan

4. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:
 - (i) the anticipated number, frequency and types of vehicles used during construction;
 - (ii) the method of access and egress and routeing of vehicles during construction;
 - (iii) the parking of vehicles by site operatives and visitors;
 - (iv) the loading and unloading of plant, materials and waste;
 - (v) the storage of plant and materials used in construction of the development;
 - (vi) the erection and maintenance of security hoarding;
 - (vii) effective vehicle wheel-cleaning facilities to be made available throughout construction;
 - (viii) the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
 - (ix) details of public engagement both prior to and during construction works;
 - (x) temporary arrangements for access and turning for construction traffic for each part of the site; and
 - (xi) protection of trees and hedgerows to be retained.

Reason: In the interests of highway safety and the amenities of the area and having regard to National Policy Guidance contained in the National Planning Policy Framework 2019. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

Foul and surface water drainage

5. No development approved by this permission shall be commenced until full details of the proposed means of foul drainage disposal have been submitted to and approved in writing by the Local Planning Authority. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall be take place until the approved works have been completed. The foul drainage system shall be retained as approved thereafter.

Reason: In order to secure a satisfactory standard of development that meets the requirements of Policy SD17 of the South Downs Local Plan 2014-2033. To ensure that the proposed non-mains drainage system does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework. And Position Statement G of the 'Environment Agency's approach to groundwater protection'. It is considered

necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

6. No development approved by this permission shall be commenced until details of surface water drainage, which shall follow the principles of sustainable drainage, have been submitted to and approved by the Local Planning Authority. These should include:
 - a) Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
 - b) Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage system and inform the design of the surface water drainage strategy. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus 40% climate change allowance) rainfall events. The drainage features should have the same reference that the drainage layout.
 - c) Groundwater monitoring should be undertaken between autumn and spring, which should demonstrate that there will be at least 1m unsaturated zone between base of the infiltration structures and the highest recorded groundwater level.
 - d) Evidence that runoff exceeding design criteria has been considered. Calculations and exceedance flow diagram/plans must show where above ground flooding might occur and where this would pool and flow.
 - e) Information evidencing that the correct level of water treatment exists in the system in accordance with the Ciria SuDS Manual C753.
 - f) Maintenance regimes of entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element. Evidence that those responsible/adopting bodies are in discussion with the developer.
 - g) Finished ground floor levels of any proposed residential development must be sufficient to ensure that surface water does not pose a flood risk in the 1 in 100-year event.

The development shall be built in accordance with these agreed details.

Reason: To ensure satisfactory surface water drainage that meets the requirements of policies SD17 and SD50 of the South Downs Local Plan 2014-2033. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

Hard and soft landscaping

7. Notwithstanding the details shown on the approved plans no development shall commence unless and until a detailed scheme of hard landscape works has been submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in accordance with the approved development. Once implemented they should be retained.

The scheme design shall include the following details:

- a) Details of existing trees and other vegetation to be retained in the scheme and methods/measures for the protection of trees during and after construction;
- b) Proposed and existing levels and contours, including retaining walls;
- c) Layout of surfaces including materials, permeability, kerbs, edges, steps, retaining walls, ramps;
- d) Schedule of surfacing materials;

- e) Boundary treatments details including gates and doors.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

- 8. Notwithstanding the details shown on the approved plans no development above slab level shall commence unless and until a detailed scheme of planting proposals have been submitted to and approved in writing by the Local Planning Authority. All such work as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

The scheme design shall follow the principles of the submitted Ecosystem Services Statement (February 2020) and include the following details:

- a) Layout of planting to show plant species, nursery planting sizes, locations, densities and numbers
- b) Tree pit designs for each size of tree planting proposed including guying/support method, tree pit size, details of backfill material, irrigation design, surface treatment according to location;
- c) Areas of grass & specification for seeding or turfing as appropriate
- d) Written specification for soil amelioration including cultivations, planting methodology, establishment maintenance Operations proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports.);
- e) Any bunding or swales (including cross sections).

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character.

- 9. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the Local Planning Authority prior occupation of the development. The content of the LEMP shall include the following:
 - a) description and evaluation of features to be managed;
 - b) ecological trends and constraints on site that might influence management;
 - c) aims and objectives of management;
 - d) appropriate management options for achieving aims and objectives;
 - e) prescriptions for management actions, together with a plan of management compartments;
 - f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period;
 - g) details of the body or organisation responsible for implementation of the plan;
 - h) ongoing monitoring and remedial measures.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character and conserve and enhance the ecological standard.

- 10. Prior to the commencement of the development hereby permitted, measures for the protection of the trees to be retained as outlined in the submitted Arboricultural Impact Assessment and Method Statement (Helen Brown Treescapes – 17 June 2019) shall be implemented. These measures shall be retained until the completion of works.

Reason: In the interests of the amenity and the landscape character of the area. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

Access and parking

11. No development shall start on site until the access, including the footway and/or verge crossing has been constructed and lines of sight of 2.4 metres by 29 metres provided in accordance with the approved traffic plan ref. 022.0022.003. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 1 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

Reason: To provide satisfactory access and in the interests of highway safety. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

12. No enclosure or infilling of the sides/fronts of the car-ports/car-barns hereby approved shall take place without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to ensure a satisfactory development in the interest of amenity, character and appearance of the area.

13. Before the development hereby permitted is first brought into use, details for the provision of cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage details shall be implemented prior to the occupation of the development and thereafter retained.

Reason: To provide for alternative and sustainable modes of transport.

External lighting

14. No external lighting shall be installed within the site unless further details of the lighting have been submitted to, and approved in writing by the Local Planning Authority. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the amenity of future residents, create an appropriate amenity space and conserve dark night skies of the South Downs National Park, in accordance with National Park Purposes and the NPPF.

Land contamination

15. No development shall commence until a Contamination Phase 2 intrusive report has been submitted to and approved in writing by the Local Planning Authority, detailing all investigative works and sampling on site, together with the results of the analysis. The findings shall include a risk assessment for any identified contaminants in line with relevant guidance.

Reason: In the interests of amenity, soil and water quality and to protect the health and future occupiers of the site from any possible effects of land contamination in accordance with local and National policy. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

16. If the Phase 2 report identifies that site remediation is required then no development shall commence until a Remediation Scheme has been submitted to and approved in writing by the Local Planning Authority detailing how the remediation will be undertaken, what methods will be used and what is to be achieved and any ongoing monitoring shall be specified. A competent person shall be nominated by the developer to oversee the implementation of the Remediation Scheme. Thereafter the approved remediation scheme shall be fully implemented in accordance with the approved details.

Reason: In the interests of amenity, soil and water quality and to protect the health and future occupiers of the site from any possible effects of land contamination in accordance with local and National policy. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

17. In the event that contamination not previously identified is found at any time when carrying out the approved development then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works.

Refuse and recycling bins

18. The development hereby permitted shall not be brought into use unless and until details of refuse and recycling storage have been submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling storage facilities shall be implemented prior to the occupation of the development and thereafter be retained.

Reason: To preserve the residential and visual amenities of the locality.

Removal of permitted development rights

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development falling within the following Classes of Schedule 2 of the Order shall be carried out without the prior written approval of the South Downs National Park Authority: Part 1 Classes A, B, C, D, E and F, and Part 2 Class A.

Reason: To ensure the appearance of the development is satisfactory in accordance with the purposes of the South Downs National Park.

20. Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no gates, fences, walls or other means of enclosure and no building as defined in Section 336 of the Town and Country Planning Act 1990 shall be erected at the site, unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: To enable the Local Planning Authority to regulate and control the development of land in the interest of the appearance of the development and to ensure that development is satisfactory in accordance with the purposes of the South Downs National Park.

Informatives

- I. Environmental Health recommends developers follow the risk management framework provided in CLR 11 Model procedures for the Management of Land Contamination when dealing with land affected by contamination. A leaflet entitled "Development on Potentially Contaminated Land" is available as a download on the following East Hampshire District Council website
<http://www.easthants.gov.uk/sites/default/files/documents/ContaminatedLandGuide.pdf> and which contains a template for a Completion Statement. This should be completed by the applicant at the end of the development, regardless of whether contamination was investigated/discovered on site. Approval of this statement will enable discharge of the unsuspected contamination condition.

11. Crime and Disorder Implication

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

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. 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 provision of extensive advice from the SDNPA Design, Landscape, Development Management Officers and the opportunity to provide additional information to overcome critical issues and the opportunity to amend the proposal to add additional value as identified by SDNPA Officers and consultees.

TIM SLANEY

Director of Planning

South Downs National Park Authority

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Appendices	1. Site Location Map 2. WEP Relationship
SDNPA Consultees	Legal Services
Background Documents	Planning application (documents, representations and consultation responses) https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage South Downs Local Plan 2014-2033 https://www.southdowns.gov.uk/planning/south-downs-local-plan_2019/ National Planning Policy Framework (2019) https://www.gov.uk/government/publications/national-planning-policy-framework--2 The South Downs National Park Partnership Management Plan (2014-2019) https://www.southdowns.gov.uk/national-park-authority/our-work/partnership-management-plan/ English National Parks and the Broads: UK Government Vision and Circular (2010): https://www.gov.uk/government/publications/english-national-parks-and-the-broads-uk-government-vision-and-circular-2010 South Downs Integrated Landscape Character Assessment (2011) https://www.southdowns.gov.uk/planning/planning-advice/landscape/ Newton Valence Village Plan 2015

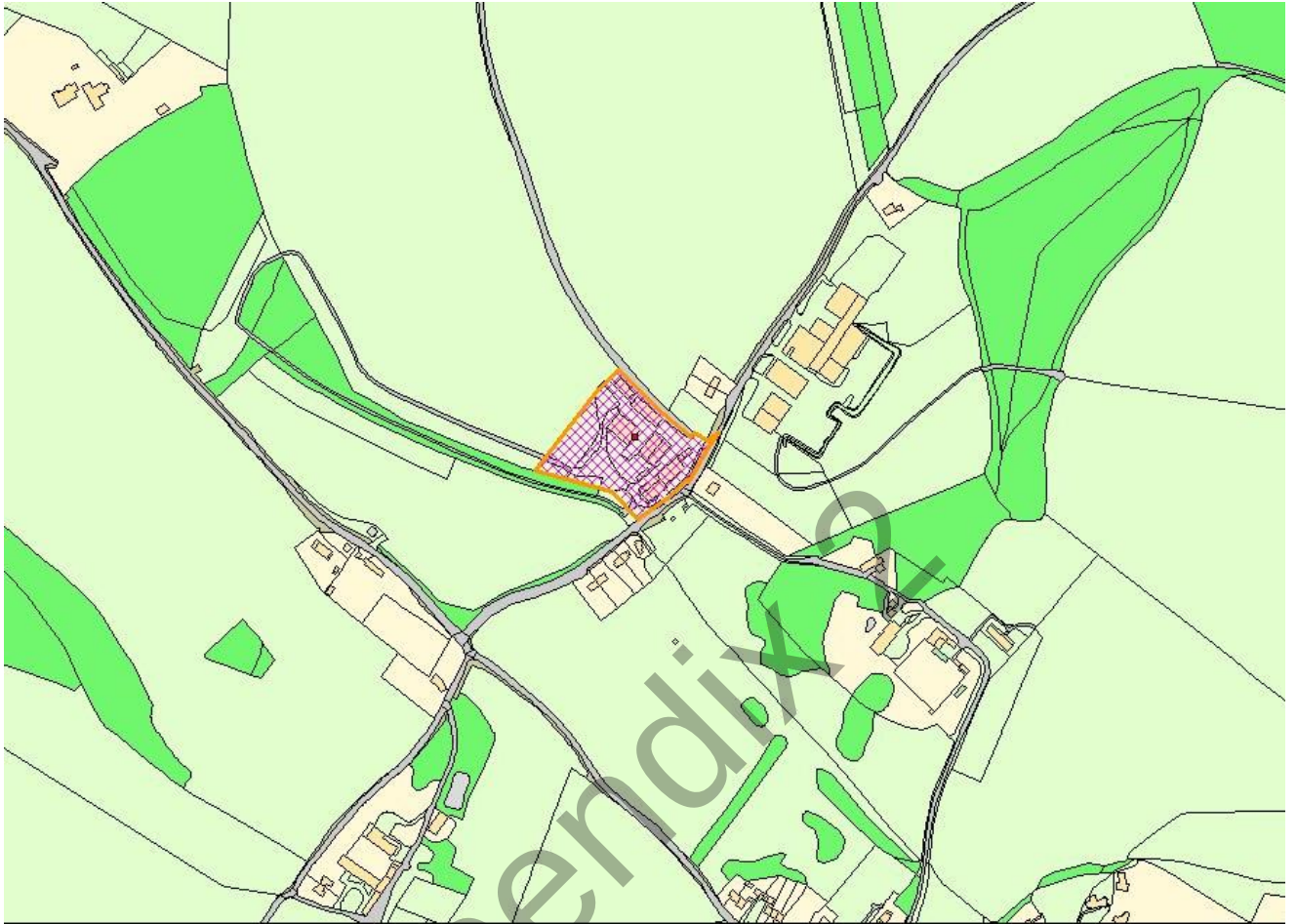
<https://www.southdowns.gov.uk/wp-content/uploads/2018/06/Newton-Valence-Village-Plan.pdf>

Roads in the South Downs 2015

<https://www.southdowns.gov.uk/wp-content/uploads/2015/09/Roads-in-the-South-Downs.pdf>

Appendix 2

Agenda Item 11 Report PC19/20-50 Appendix 1
Site Location Map



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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	An additional letter of objection has been received from the Friends of South Downs. In summary the letter requests the application is deferred to: • Remove all wood burning stoves from the proposal (due to air pollution); • 19% Reduction of (CO₂) emissions is not enough; • 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. • To require further improvements to building construction (in terms of heating and ventilation) to meet the challenges of climate change • Remove all gas boilers from the scheme (as the Government is proposing to ban gas boilers from 2025), and • To require a full renewable energy proposal (such as communal storage of solar energy). Officer Comment: The comments raised have been addressed within the report, however for clarification: • 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). • 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.	Update

Agenda Item	Page No	Para	Update	Source/Reason
			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.	
7	36	7.39	Correction to last sentence of paragraph. 'It is considered that the proposed information / educational pack to be provided to new residents (including how to behave responsibly responsibility responsibly when in the Cooksbridge Meadow Nature Reserve) is reasonable and appropriate and can be secured through the Section 106 legal agreement'.	Typing Error
7	38	7.59	Correction to first sentence of paragraph. 'The NPPG goes on to state that VBC does not apply to buildings that are either currently or have recently been in active use, or have been abandoned'.	Typing Error
8	74	4.2	Additional comments received from the Authorities Design Officer: - The contemporary building design is appropriate in this town centre location. - 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. - 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. - 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. - 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. - 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' https://www.growninbritain.org/ . This is not a characteristic material in Lewes town although there some examples of its use in the wider National Park.	Update

Agenda Item	Page No	Para	Update	Source/Reason
			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. • 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. • An explanation of how the rainwater goods will work is needed. This should be conditioned. • 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. • 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. • 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 'chance' variety. 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. • Trees framing stepped access should also be long-lived alternatives to Pyrus 'chance'. • 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. • 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. • Granite sett paving in fan pattern with running bond detail is an attractive and robust solution to paving the inner courtyard.	

Agenda Item	Page No	Para	Update	Source/Reason
			• Detail on green roof to car port required. This should be conditioned. • A drainage strategy demonstrating a sustainable drainage approach is needed. Officer Comment: 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.	
8	75	5.1	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. Lewes Conservation Area Advisory Group – Strong Objection • The height of the proposed development is unacceptable. • Other elements including parking provision and traffic routing remain unsupportable. • The buildings will not weather well and the features will produce significant maintenance issues. • 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”. • There is a lack of green space within the development with the roof gardens increasing the height of structures. • Blank walls would be forbidding to passing pedestrians. • Limited attention given to people with special physical needs. Friends of the South Downs – Object • 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. • Proposals do not comply with Policy PL1 A and PL1 B3. • Fails to provide any Lewes Low Cost Housing or to provide 50% affordable dwellings. • The development fails to reflect the character and appearance of the locality. • The low lying part of the site is vulnerable to flooding and accommodation is present at ground floor level for the flats. • Noise mitigation is required given proximity of the development to the railway line. • The proposed development has not been designed to be safely accessible to all members of the community.	Clarification

Agenda Item	Page No	Para	Update	Source/Reason
			• 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. • 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. • 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. • 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. Friends of Lewes – Object • The proposal is an inappropriate design solution for this important site. • The development will block views from the top of Garden Street of the chalk face rising above the Cliffe contrary to policy SD6. • 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. • The development is contrary to policies ST3, H5 and policy SD6 of the SDNPA Local Plan. Officer Comment: These points were already taken into consideration in the preparation of the recommendation report and therefore no additional comments are provided.	
8	88	10.1	Condition 4 amended to incorporate reference to green roofs: ‘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: i) Written specifications (including cultivation and other operations associated with plant and grass establishment; ii) Planting methods, tree pits & guying methods; iii) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate; iv) Retained areas of trees and hedgerows; v) Manner and treatment of existing frontage ditches and ha-ha feature; vi) Details of all hard-surfaces, including paths, kerb edges, access ways, boundary	Update

Agenda Item	Page No	Para	Update	Source/Reason
			treatments, bin and cycle stores and parking spaces, including their appearance, dimensions and siting. vii) Details of the siting, specifications and management of the Sustainable Urban Drainage systems. 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; ix) A timetable for implementation of the soft and hard landscaping works; x) A landscape plan with services shown; and xi) Details of green roofs. 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. Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and provide a setting for the new development.'	
8	94	Two new conditions after existing condition 32	Two new conditions have been incorporated within the recommendation report in relation to boundary treatments and details of the proposed flint work. 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. Reason: To ensure a satisfactory development and in the interests of amenity and landscape character. 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.	Update

Agenda Item	Page No	Para	Update	Source/Reason
			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 revised planning application was <u>updated plans were</u> submitted 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 (30% is new brown roof <u>18.7% brown roof and 17.3% PV panels</u>)	Further details
9	102	5.1	Update to paragraph: ' One Two objections has <u>have</u> been received. A local business raised concerns over road congestion and car parking, and a local resident commented that the current entrance to Aldi car park impedes traffic on the roundabout and needed to be moved further north on Brooks Road.'	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

Agenda Item	Page No	Para	Update	Source/Reason
			- Not to sever the legal ownership of the barn and tourist accommodation or any parts thereof from the remainder of the land (Broadview Farm). - Not to create any legal interest in the barn and tourist accommodation or any parts thereof separate from the remainder of the land (Broadview Farm). 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 not been made within 6 months of the Planning Committee meeting of 12 March 2020. 3) The conditions as set out in paragraph 11.1 of this report.	
10	117	5.6	Response received from the County Council ecologist: No comments.	Update
10	117	5.5	Further response received from EHDC drainage engineer: Comments. - Previously approved and submitted drawings appear similar in principle; - 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; - Foul drainage appears generally as previously approved; - Applicant should submit a maintenance management plan to cover all drainage features and confirm responsibility post development. 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.	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 th January planning committee meeting.	Update
10	119	9.11	Amend paragraph on the basis that submitted external lighting details are acceptable: 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	Update

Agenda Item	Page No	Para	Update	Source/Reason
			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. 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.	
10	120	11.1	Amended condition no.7 as follows on the basis that the submitted external lighting details are acceptable. 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. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority. Reason: To protect the amenity of future residents, create an appropriate public realm, and conserve dark night skies.	Update
10	119	9.12	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. 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. 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. 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.	Update

Agenda Item	Page No	Para	Update	Source/Reason
11	168	4	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. Officer Comment: The EA's suggested condition has been incorporated to the recommended set of conditions of paragraph 10.2.	Update
11	168	4.1	An additional consultation response has been received from Newton Valence Parish Council objecting the proposed development. In summary the letter refers to: • New drawings fail to meet the objections raised by the Landscape Officer. • The proposed housing development is purely a capital raising exercise, principally to fund the relocation of the grain dryer to Upper Yard. • The revised documents have made no attempt to address the residents' and Parish Council's objections. • 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. • Lower Yard is classified as Greenfield. • No housing needs assessment has been undertaken and the Local Plan shows no housing requirement in Newton Valence. • The proposal is non-compliant with SDLP policies SD1, SD2, SD3, SD7, SD8, SD9, SD10, SD19, SD20, SD21, SD25, SD26, SD27, SD28 and SD32. • There are still objections from Landscape Officer, Housing Development Officer, Countryside Services and Parish Council. • 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. 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. Officer Comment: 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.	Update
11	170	5.1	To read (with added words underlined):	Update

Agenda Item	Page No	Para	Update	Source/Reason
			87 third-party representations were received commenting on the proposal, of which 43 are objections, 43 are in support of the application, of which 41 are identical pro-forma responses albeit individually signed, 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 unimplementable '.	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