

Report to	<b>Planning Committee</b>
Date	<b>12 November 2020</b>
By	<b>Director of Planning</b>
Local Authority	<b>Chichester District Council</b>
Application Number	<b>SDNP/20/03676/FUL</b>
Applicant	<b>Montagu Developments Limited</b>
Application	<b>Erection of 14 no. dwellings with associated access, parking and landscaping.</b>
Address	<b>Land at Limbourne Lane and The Fleet, Fittleworth, West Sussex.</b>

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**Recommendation:**

- 1. That planning permission be granted subject to:**
    - i) 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 the following:**
      - a) 7 affordable dwellings, of which 5 of social rented tenure and 2 of shared ownership;**
      - b) A financial contribution of £4,000 towards traffic calming measures in the area;**
    - ii) The conditions as set out in paragraph 10.2 of this report.**
  - 2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the S106 Agreement is not completed or sufficient progress has not been made within 6 months of the 12<sup>th</sup> November 2020 Planning Committee meeting.**
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**Executive Summary**

The application site is located within the settlement policy boundary of Fittleworth and it is allocated for housing in the Neighbourhood Development Plan. The principle of development is acceptable; however, the site is also in a sensitive rural location.

Following extensive pre-application advice with officers, the scheme has evolved to address key landscape sensitivities, resulting in layout and buildings that respond to their context. Importantly, the development will successfully deal with the ongoing water logging problems of the site in a sustainable manner and will not increase flood risk in the area.

The proposals will also provide a safe access and movement for all, including pedestrians and users of the local bus services. Furthermore, it will contribute to the Parish Council's aspiration of traffic calming measures along the A283 and it will also deliver affordable units and a mix of homes in line with policies of the Development Plan.

The applicant has sought to address the concerns raised by officers at pre-application stage, and officers have no fundamental objections to the final proposal. Having assessed the scheme on its own merits, officers consider that, the proposal is acceptable and permission is therefore recommended.

This application is placed before the Committee due to the significance of the development proposal in the delivery of the housing strategy of the Development Plan and on account of the degree of local interest.

## **I. Site Description**

- 1.1 The application site relates to the land north of the Fleet and west of Limbourne Lane. It is a prominent location in terms of public views as it is visible from the Fleet (A283). The site is of an irregular shape with some areas of overgrown grass, scrub and mature Oak trees along its boundaries, with the exception of the northern boundary which features a hedge and two trees. Mature trees along the public boundaries are characteristic of the site and contribute to the local rural character and street scene.
- 1.2 The site is surrounded by 20<sup>th</sup> Century development across the Fleet and some ribbon development along the western side of Limbourne Lane as well as large areas of woodland to the north and east. Access is currently gained from Limbourne Lane, although there is an underused and overgrown vehicular access off the Fleet too.
- 1.3 It should be noted that the area is in a sensitive location on the edge of Fittleworth. The site is partly located within an area subject to surface water flooding, and an area of unconsolidated sand (Mineral Safeguarded Area). Whilst within a settlement boundary, street lighting is absent from this area and Fittleworth is located within the Intrinsic Rural Darkness zone. The application site is also within the 12km buffer for Ebernoe Common SAC, 6.5km buffer for The Mens SAC and 5km buffer for the Arun Valley SPA.
- 1.4 The site shows signs of standing water in the wet months within the lower areas of what is a relatively flat site. There are also signs of surface water flooding on Limbourne Lane after heavy rains. There is a pond in the north-west corner of the site, connected to a network of ditches that surrounds the site parallel to its east, south and west boundaries and the Fleet Stream which is culverted under the road to the south.
- 1.5 The site falls within landscape character area M1: North Rother Valley Sandy Arable Farmland, as classified in the South Downs Integrated Landscape Character Assessment 2011 (SDILCA). Fittleworth is a village that lies on the edge of the North Rother Valley. Its historic core is characterised by a linear pattern of development following the north to south route of B2138, whilst the post 1800s expansions run east to west route along the A283 (the Fleet). The predominant building materials are local sandstone, brick, wood and clay tiles with some use of slate too. There is also a predominance of two storey buildings within the village, with the exception of two modest areas of bungalows.
- 1.6 This area of Fittleworth scores as having a low tranquillity value in the Tranquillity Study 2017. The site is also approximately 350 metres away from the Fittleworth Conservation Area. No historic environment constraints are identified excepting the historic Limbourne Lane.

## **2. Relevant Planning History**

- 2.1 The most recent relevant planning history relating to the application site consists of the following pre-application enquiry:  
SDNP/19/01949/PRE Erection of 14 dwellings with associated access and landscaping.
- 2.2 After extensive discussions and negotiations, officers agreed that the access arrangement (as currently proposed), in principle responded to landscape context, and the latest layout iteration had responded well to concerns previously raised. Notwithstanding this, further advice was given and minor changes were recommended to the layout. The applicant then entered into extensive work with the CDC Drainage Engineer to find a suitable drainage strategy for this site.
- 2.3 The pre-application advice did set out the requirements for future applications, such as to demonstrate that the scheme has an overall positive impact on ecosystem services, to mitigate and enhance biodiversity (including net gain opportunities) and to achieve sustainable construction standards. Officers also advised to amend the housing mix to make it compliant with SDLP and NDP aims and policies.

- 2.4 Officers recommended to submit a planning application once all the issues raised had been successfully addressed.

### **3. Proposal**

- 3.1 The proposal consists of the erection of 14 new dwellings with associated access, vehicle parking and landscaping. The proposal entails:

- 7 of the 14 units to be affordable – 5 of which of social rented tenure and 2 of shared ownership. The remaining 7 dwellings would be open market units.
- A balanced mix of homes: one 1-bedroom units, four 2-bedrooms units, eight 3-bedroom units and one 4-bedroom dwelling. A variety of house types: flats, bungalows, terraced and semi and detached homes.
- Open spaces include a shared space for vehicles and pedestrians, private gardens for all dwellings (except flats) and a green open space to the north west. It also includes a segregated route for pedestrians connecting the Fleet and Limbourne Lane.
- A total of 32 vehicle parking spaces for residents and visitors, cycle storage and EV charging points on all dwellings.
- Two new vehicular accesses to the site: from Limbourne Lane, serving plots 13 and 14, and from the Fleet, serving plots 1 to 12.
- 1 dwelling full Passive House certified, green roofs, a total of 39% CO<sub>2</sub> reduction via energy efficiency and renewable energy measures as well as the absence of plastic on the schedule of materials.
- Minor changes to the landform, repairs to the existing water infrastructure and new means of surface water drainage through the use of SuDS features: an attenuated discharge of surface water to the on-site pond, which has an unrestricted discharge to the local network of watercourses.
- Ecological mitigation and enhancement measures, including a scheme of biodiversity net gain. No street lighting proposed.
- A financial contribution of £4,000 towards traffic calming measures.

### **4. Consultations**

- 4.1 **Fittleworth Parish Council:** Holding objection:

- The Council welcome the way in which the developer has engaged with the village, but would like to raise points to be addressed before supporting the application.

#### Surface water drainage and flooding:

- The site suffers from high groundwater table and the site is often subjected to standing water. No mention is made of the fact that the upstream part of this water course is draining a large area to the north of the site.
- Although the SuDS are welcomed, they do not ensure that sufficient on-site attenuation is provided for water entering the site from the stream.
- It is important that WSCC and CDC are satisfied that the current issues with surface water drainage through the village will not be made worse through the development.

#### Highways safety

- Insufficient attention has been paid to pedestrians and cyclists, including those that need to cross from the pavement to the relocated bus stop.
- The Parish Council wish to see the speed limit lowered to 30mph and a defined crossing point. This is supported with a Technical Note submitted by the Parish Council.

#### Design and density

- There is no objection to the principle of 14 dwellings. However, sufficient outdoor space should be made available for amenity, water storage and biodiversity. There is concern with the two flats not enjoying private amenity space.

- Sufficient parking space should be ensured.
- The affordable units seem cramped at the rear of the site. The Parish Council would support their relocation to also relieve pressure on the occupants of adjacent neighbours.
- The Parish Council would be interested in the introduction of Fittleworth Stone to root the development in place and the use of timber on secondary buildings. The Parish Council is not convinced about the introduction of green roofs.

#### Biodiversity

- The Parish Council supports Natural England's comments.

#### 4.2 **Design Officer:** Comments:

- The scheme is broadly based on the principles set out at pre-application stage. The proposal follows the landscape-led approach which demonstrably informs the architectural design of buildings and spaces, in line with SDLP policy SD5.
- Internal space dimensions meet and exceed nationally described space standards.
- Buildings are taller than we would normally expect given the type and form of the building. A variation of building heights and roof forms across the site is welcomed.
- Private gardens appear to be adequately sized and they will function well, although plots 9 and 10 are relatively small. There is no private garden for plots 6 and 7.
- Main vehicular access point relocated from Limbourne Lane to the Fleet. This is a key design intervention agreed at pre-application stage and has significantly transformed the development. The benefit of the proposed access is supported by best practice guidance and advice contained within 'Roads in the South Downs'.
- Convenient and direct connection to the village. Generous natural surveillance to public areas. The parking strategy supports safe pedestrian movement.
- The narrative for public realm design sets out the right principles, but the detailed design has failed to adapt this to the public realm opposite to plots 8-11 and 1-3. A condition is suggested to define public and private areas and to improve the design quality of the public realm on those areas.
- Materials for construction and architectural details should be controlled by condition. The introduction of locally sourced stone on external walls and boundary walls will improve design quality.
- The Sustainability and Energy Statement data is in line with the requirements set out in SDLP policy SD48
- Buildings will, over time, integrate into their surroundings and will form an integral part of the settlement in the future.

#### 4.3 **Landscape Officer:** Neutral comment.

- Challenging allocation site in terms of achieving a successful integration of the scheme into the village and dealing with high groundwater levels.
- The access and broad layout are supported by landscape evidence.
- The use of the pond to manage surface water is positive. However, the open space planting is driven by amenity rather than its semi-natural character. Details of pond details and headwall design are required.
- Altering landform is not compatible with conserving and enhancing the character of the place. The SDNPA should control through a robust condition the following: a) material sourced responsibly; b) raise land with reference to existing landform – as opposed to creating platforms; c) provide existing and imported soils pH, and N, P and K values; d) soil imported to be of same characteristics. This will ensure new planting to be successful and characteristic to the site.
- The layout is acceptable. Additional accesses would be normally resisted, but in this instance, the tree-lined character of the Fleet is important to conserve and enhance, so building addressing the road as means of reducing hardstanding was not an option. The

planting should emphasise the Fleet and not the site's entrance. The access is engineered and generates negative landscape effects by virtue of suburban pavement and loss of trees.

- The landscaping scheme should be revised in order to generate characteristic planting that speaks of Fittleworth and its landscape context.
- The site offers many opportunities to deliver ecosystem services. The Ecosystem Services Statement fails to identify the majority of existing interventions and small ways in which the site could generate benefits.
- The broad principles of the scheme are supported, but many of the details and missed opportunities let it down. However, most of these can be secured via conditions.

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

- The access design for this application is based on and meets the standards for a 40mph road, in this respect the LHA would be in no position to object on highway safety grounds to the access proposal. However, the developer is prepared to offer a contribution of £4,000 to assist in taking up the opportunities for sustainable travel by contributing towards traffic calming in the area to assist the Parish and their aspirations.
- The proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. There are no transport grounds to resist the proposal.

**4.5 Drainage:** No objection subject to conditions.

**4.6 Lead Local Flood Authority:** No objection.

**4.7 Environment Agency:** No objection.

**4.8 Tree Officer:** No objection subject to condition.

**4.9 Ecology:** No objection subject to conditions.

**4.10 Natural England:** No objection subject to conditions.

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

**4.12 SDNPA Planning Policy:** Comments:

- Improvements made to the housing mix and the provision of affordable homes are supported.
- Officers question the height of some buildings, require biodiversity enhancements and better joined up green infrastructure.
- The use of SuDS and improvements to the pond are welcomed.
- Building materials should be carefully selected to ensure the development is in-keeping.
- The development should where possible seek to retain trees, particularly on its edge.
- Proposals comply with the highways safety requirements of the FNDP.

**4.13 Housing Officer:** No objection.

**4.14 Waste Team:** No objection.

**4.15 Southern Water:** No objection subject to conditions.

**5. Representations**

1 letter of support

12 neutral representations

- Traffic calming measures and adequate pedestrian crossing and bus stop are essential. There is a need to reduce the speed limit from 40mph to 30mph in order to enhance highway safety.
- The development should address surface water drainage on the western end of the site to avoid future problems.

- There is no clarity on whether the open space will be open to the public.
- Additional units provided beyond 12 dwellings are supported.
- Only local people should be allowed to apply for affordable housing to avoid young people moving to cheaper areas.
- The use of traditional materials is welcomed but there is less support for the monotonous design of houses. There are high blank walls that are obtrusive. Buildings do not show features as per expected in a rural village.
- The revised access via the Fleet is welcomed. The site should consider parking for visitors.
- The area should remain free of street lighting.

#### 26 letters of objection

- Excessive number of dwellings on site. The proposed density is out of keeping with the landscape. There is an opportunity for lower density and more open spaces. The current proposal will change the character of the area. Fittleworth's facilities won't be able to cope with the development.
- The proposal does not meet policy SD3 SDLP (Major Development).
- Highways safety concerns due to high speed of vehicles on the Fleet and proposed new access. Expected increase in traffic. Road speed needs to be lowered from 40mph to 30mph. There is also need for traffic calming measures. Access on Limbourne Lane will make the junction with the Fleet more dangerous.
- Drainage problems within the site and Limbourne Lane, which could also lead to flooding problems downstream. The site is unsuitable for building on due to flooding. The culvert below the Fleet should be replaced. There is standing water within the site on a regular basis after heavy rain fall.
- Need for clarity of whom is responsible for the appropriate maintenance and management of the drainage of the site and its enforceability. There should be provisions to safeguard the watercourse from pollutants.
- Inadequate provision of parking and relocation of the bus stop.
- Accesses are not in-keeping with the character of the area.
- Buildings should be low in height. Houses are uniform in style and they don't use traditional materials.
- Loss of privacy and light to neighbouring properties to the north. Impact on neighbouring hedge and structural stability of buildings. Potential impact on private views.
- The development will not satisfy the need for affordable housing in the village.
- Ecological impact concerns given its sensitive location. Planting species should enhance the ecological value of the site. Light pollution will affect bats.

## **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 the **South Downs Local Plan 2014-2033** and the **Fittleworth Neighbourhood Development Plan 2018-2033**. The policies of most relevance here 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 are of particular relevance here and 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
- Facilitating the sustainable use of minerals

#### 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.

#### West Sussex Joint Minerals Local Plan (2018)

- 6.6 Policy M9: Safeguarding Minerals.

#### The South Downs National Park Partnership Management Plan 2020-2025

- 6.7 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 9: Great Places to Live

#### Other relevant documents

- South Downs Integrated Landscape Character Assessment (2011)
- National Design Guide (2019).
- Affordable Housing SPD (2020)
- Sustainable Construction SPD (2020)

## **7. Planning Policy**

7.1 The following policies of the South Downs Local Plan 2014-2033 are considered of particular relevance here:

- 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
- 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
- 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

7.2 The following policies of the Fittleworth Neighbourhood Development Plan 2018-2033 are considered of particular relevance here:

- FITT1 – Landscape Character
- FITT2 – Biodiversity
- FITT3 – Water and Utility Infrastructure Management
- FITT5 – Design of New Development
- FITT7 – New Housing Development
- FITT8 – Sites Allocated for Housing Development



## **8. Assessment**

### Background

- 8.1 This application has benefited from pre-application advice and opportunities to address officers concerns through the life of this planning application. The SDNPA and applicant have worked proactively to achieve a good development proposal that is considered to meet the requirements of the Development Plan and address comments made by consultees and other third parties.
- 8.2 Pre-application advice was given in early 2020, in which officers and the applicant agreed a preferred layout and vehicular accesses to the site. No building plans and elevations were submitted at pre-application stage although it was known that the style of buildings would be of traditional forms and materials.
- 8.3 During this application, further negotiations took place to incorporate sufficient vehicle parking on site, to clarify elements of the sustainable drainage system, use of local materials and boundary treatments, the size of buildings and other matters such levels, planting and sustainable construction details. The result of these negotiations is a detailed and complete residential scheme that is fully assessed below.
- 8.4 Although this is major development for the purposes of the Development Management Procedure Order (more than 10 dwellings), the proposal does not constitute major development for the purposes of the NPPF and policy SD3 of the Local Plan.

### Principle of development

- 8.5 Policy SD25 of the South Downs Local Plan (SDLP) sets out the development strategy of the National Park, and it states that the principle of development within a series of settlements will be supported provided that the development is of a scale and nature appropriate to the character and function of the area, and that it makes an efficient and appropriate use of suitable land.
- 8.6 The application site is located within the Settlement Policy Boundary of Fittleworth, which is listed as one of the settlements where the principle of development is supported. The site is also allocated for housing in policy FITT8 of the Fittleworth Neighbourhood Development Plan (FNDP).
- 8.7 Policy FITT8 of the FNDP states that the land at the corner of Limbourne Lane and the Fleet is allocated for about 12 homes provided that:
- At least 50% of the units (i.e. homes) are affordable housing and secured as such in perpetuity;
  - The type and tenure of the housing reflects local need, in particular for family dwellings;
  - The development is designed to retain trees and other vegetation on the site with amenity value and ensure there is no hard urban edge within this sensitive street scene;
  - Due to the water logging issues on site a Flood Risk Assessment and Strategy must be produced to ensure that surface water and ground water on the site can be adequately managed and will not cause flooding further down the Fleet Stream;
  - Each unit incorporate a private and secure garden area;
  - Safe vehicle access to the A283 and pedestrian access to the bus stop and village facilities must be provided;
  - Appropriate design and mitigation should be put in place with regard to impacts on bats, including retaining key features used by bats, and avoiding light spill onto key features within or outside of the boundaries of the development site;
  - An Ecological Assessment should be carried out to establish if any priority species are present and to identify suitable mitigation; and
  - A survey by a suitably qualified ecologist should be undertaken to support a planning application to assess the existing and likely barbastelle bat habitat.

- 8.8 This residential development will deliver 14 new dwellings in Fittleworth, therefore meeting and exceeding the SDNPA overall provision for approximately 6 net additional homes over the 2014-2033 period, as envisaged in policy SD26 of the SDLP (Supply of Homes). It also meets and partially fills the estimated housing need of up to 31 dwellings of the parish, as stated in the Neighbourhood Development Plan. Whilst slightly above the 12 homes of the allocation policy, this is an approximated estimation subject to other considerations, such as landscape context. The principle, use and quantum of development is acceptable and meet policies SD25 and SD26 of the Local Plan and FITT8 of the FNDP.

Layout and building design: impact on landscape character and views

- 8.9 The site, as existing, contributes to the rural character of the area due to the lack of development and characteristic mature tree line along the Fleet and Limbourne Lane. Since pre-application stage, officers and the applicant have worked to identify the most suitable access and layout for development, as well as opportunities for alleviating surface water issues and providing biodiversity enhancements through a well-designed layout.
- 8.10 Policies SD4 and SD5 of the SDLP require any development proposal to adopt a landscaped approach and respect the local character. Any proposal should also conserve and enhance landscape character. Policies FITT5 and FITT8 require proposals to ensure that there is no hard urban edge within the street scene, the scale and density of development be suitable for the location, adequate circulation and parking provision, private and secure gardens, all of which should be compatible with future residents uses and safe for children. They also seek to improve connectivity by foot and public transport to facilities. Finally, the FNDP requires developments to incorporate traditional materials and boundary treatments that are in-keeping with the area.
- 8.11 The proposed layout splits the development into two areas of different character which are served by two separate accesses. Plots 1 to 12 are located within an area accessed off the Fleet. This access arrangement reflects the character of a perpendicular junction, as seen on the 20<sup>th</sup> century development across the road. This new access is, however, narrower and with a limited pavement, in an effort to reduce its suburban appearance and impact on what is at the moment a predominately rural site. The amount of pavement has been limited to one side of the access to reduce its visual and landscape impact, while providing a safe route for pedestrians to cross the road and wait for the bus at the relocated bus stop.
- 8.12 Another access is proposed on Limbourne Lane, only serving plots 13 and 14. This will be a understated access which would be of similar appearance and dimensions as those found along Limbourne Lane. It was considered that the character of this historic road should be conserved, and therefore, officers discouraged the applicant from the initial disproportionate single access to the site via Limbourne Lane. This would have led to an unacceptable suburbanising effect on this sensitive lane, significantly eroding landscape character.
- 8.13 Policy FITT8 of the FNDP requires development proposals to avoid a hard urban edge to the site. The current access and layout arrangements have positively protected the existing tree line along the roads, however felling those trees that are necessary to guarantee a minimum visibility splay for vehicles egressing the site. In addition, the street scene will be restored with new medium sized trees to be planted in a recessed line along the Fleet. The overall edge of the development will be characterised by a natural appearance, with existing ditches along boundaries retained, and pedestrian routes set back from the road. Buildings will be positioned between 15 and 20 metres away from the road, leaving an appropriate gap between for green infrastructure and to conserve this valuable street scene.
- 8.14 The layout also comprises an arrival space that splits into two shared routes for pedestrians and vehicles, where the use of surfacing materials provide a hierarchy of spaces. The Design Officer commented that some of the initially discussed principles of the layout had been lost in the latest detailed layout iterations. These design principles consisted of a differentiation of spaces: a focal point at the entrance and a yard space at the rear, forming a shared space for parking and amenity. Whilst this is understood, it is also considered that the layout currently proposed is appropriate and that some of these concerns can be overcome with a control of the hard and soft landscaping and materials (subject to condition).

- 8.15 Open space is provided throughout the development in the form of public realm and private gardens. All houses will have a decent-sized garden with the exception of plots 9 and 10, where gardens are relatively small. However, these are small and medium sized homes and will be complemented with good public realm on site. Similarly, flats in plots 6 and 7 do not have private gardens, but will have available an open amenity space on site. Policy FITT8 of the FNDP requires all dwellings to have private and secure gardens. Notwithstanding this, given the proposed public open space and the presence of open recreational facilities in walking distance, the garden provision is considered to be, on balance, acceptable.
- 8.16 Whilst the Parish Council have shown some concern with the density of development, it is considered that the ratio of built environment and open space is appropriate in the landscape context and does not result in overdevelopment of the site.
- 8.17 The open space near the pond is attractive, accessible and comfortable to use for all residents. It will also provide, together with the conditioned planting strategy, significant biodiversity improvements and recreational opportunities. It will also be tucked away from the road and vehicular access, being safe for children, while benefiting from natural surveillance.
- 8.18 Parking areas are mostly hidden from the public realm, between buildings and within carports, but remaining visible from homes ensuring a degree of surveillance. This is supported.
- 8.19 Buildings are arranged addressing the public realm, being both well positioned, making a good use of their orientation in relation to the sun path. Buildings also are of a variety of sizes and typologies: detached, semidetached houses and bungalows. Roof heights vary from 7.1 metres high bungalows to a maximum of 9 metres of height (plot 6 and 7). The Design Officer previously commented that some buildings were of too high and elevations of plots 8-12 were ill-proportioned. These have been amended together with the height of plot 14. Some buildings remain of relatively high roof, but it is considered that given their general arrangement, spacing between buildings, the lower level of the site in respect to its surroundings, that they are of a scale that would not detract from the character of the area.
- 8.20 The proposed buildings are of a traditional style and incorporate traditional architectural details in their design such as working chimneys, porches, timber badge boards, fascias and soffits, casement windows, dormers and brick cill details, among others. This approach is supported and it is in line with the FNDP and SDLP policies. Moreover, following comments from the Parish Council, the applicant has amended elevations, removing the initially proposed side glazed panels to front doors. This is considered to be an improvement in buildings' appearance. Robust conditions will control the architectural detailing.
- 8.21 The Neighbourhood Development Plan requires for the development to use traditional materials, such as brick and clay tiles, which are the main materials for the proposed buildings. These will also be complemented with Fittleworth Stone, which will be used for construction of boundary walls. Carports are to be built of a timber structure and timber cladding to add distinctiveness and a variety to the pallet of materials of the whole development. Whilst comments were made by the Parish Council and the Design Officer of the benefit of adding more distinctiveness and local materials to the pallet, some of these comments were made before the last iteration of plans received, which incorporate local stone and use of timber. It is considered that the development is in-keeping with the local style and use of materials and therefore in line with the FNDP's requirements. Conditions will control materials and a sample panel of stonework.
- 8.22 Boundary treatments have been amended in response to the Landscape Officer's comments and the FNDP requirements. Close boarded fencing addressing the public realm and green infrastructure has been replaced with a combination of hedges, post and rail fences and Fittleworth Stone walls. This arrangement is considered to be appropriate to the local character and beneficial to surface water drainage and green infrastructure.
- 8.23 Overall, the application's supporting information explains the design rationale well, it also encompasses the SDLP landscape-led approach to design, demonstrably informing the architectural design of buildings and the spaces in-between them, in line with SDLP policy

SD5. The development will conserve and enhance the landscape character of the area and will be compliant with policies SD4 and SD5 of the SDLP.

- 8.24 Visually, the site is prominent but views are limited to its immediate context only and they affect vehicle, bike and foot receptors along the roads. The tree line and additional tree and understory planting will also filter views from the south and east. Views from the wider landscape are not achieved due to the lower topography of the site and surrounding wooded areas. The submitted Landscape and Visual Impact Assessment concludes that visual effects will be neutral to minor adverse in the short term, and moderately beneficial to neutral over time, once planting matures. Officers agree with this conclusion and consider that the proposal will preserve the scenic quality of the National Park, in accordance with policy SD6 of the Local Plan.

Affordable housing and housing mix

- 8.25 The proposal has been assessed against policies SD27 (Mix of Homes) and SD28 (Affordable Homes) of the Local Plan. Policy SD27 requires of a residential development of 14 new dwellings to comply with an open market housing mix with a predominance of 2 and 3 bedroom dwellings. Policy FITT8 of the FNDP also states that the type and tenure of housing should reflect local need, in particular for family dwellings.
- 8.26 Policy FITT8 FNDP requires a minimum of 50% of new homes to be provided as affordable homes on-site in perpetuity, of which Policy SD28 SDLP specifies that a minimum of 75% should be of rented affordable tenure. The affordable housing mix should make provision for small and medium homes (1 to 3 bedrooms).
- 8.27 The table below illustrates the proposed market and affordable housing provision and mix of homes.

Proposed housing mix				
Size	Market mix	Affordable (Social rented mix)	Affordable (Shared ownership)	Total
1 bed	0	1	0	1
2 bed	1	2	1	4
3 bed	5	2	1	8
4 bed	1	0	0	1
Total	7 units - 50%	5 units – 71%	2 units – 29%	14 units
		7 units – 50%		

- 8.28 As shown above, the affordable housing provision meets the 50% requirement and it is broadly in line with the affordable tenure mix requirement, providing a 71% of affordable homes of social rented tenure. This is the SDNPA's preferred form of rented affordable tenure as they are most affordable to those in greatest need. The proposal, although not exactly compliant with the 75% tenure target by 4%, will deliver affordable homes in line with the purposes of the Development Plan.
- 8.29 The proposed distribution of affordable houses is acceptable as they are well integrated in the northern cluster of the site and are indistinguishable in design and materials from the market housing. All dwellings meet minimum nationally described space standards and they are accessible to meet the needs of people who are less mobile.
- 8.30 The Housing Enabling Officer supports the proposal given that the mix of market and affordable homes has taken into consideration the local need identified in the FNDP. To summarise, the development will add to the housing stock in Fittleworth units that will be of

a varied range of sizes and affordability so as to meet requirements of families and older people who wish to downsize. It will also deliver flats at an affordable cost and small/medium houses for first time buyers. The proposed mix also contributes with an identified need for variety in the typology of dwellings: flats, houses and bungalows. An appropriate balance between local need and policy SD27 requirements have informed the currently proposed housing mix, which is considered acceptable.

- 8.31 As required and defined in the SDLP and Affordable Housing Supplementary Planning Document, occupancy conditions and local connection criteria will be part of a Section 106 legal agreement. Therefore, the proposal meets the requirements of the Development Plan with regards to the affordable housing contribution.

Surface and foul water drainage

- 8.32 Policy SD50 (Sustainable Drainage Systems or 'SuDS') supports development proposals that ensure against the increase of surface water run-off, taking account of climate change. Furthermore, Policy SD49 states that proposals should seek to reduce the impact and extent of flooding. Policy FITT8 of the Neighbourhood Plan acknowledges water logging issues on site and requires for the development to ensure that surface and groundwater can be adequately managed, not leading to flooding further down to the Fleet Stream.
- 8.33 The application site is located within the Environment Agency's Flood Risk Zone 1 (low risk), although mapping indicates there is some risk of surface water flooding affecting the site. However, this appears to be highly localised to the existing pond area and not within the developed portion of the site.
- 8.34 Officers acknowledge the water logging concerns raised by the local community in the FNDP and in several representations. Site visits and photographic evidence have shown that the southern part of the site is subject to flooding. As confirmed in the Drainage Strategy, this problem has arisen due to poor maintenance of the existing ditch network and pond and the lack of a culvert across the existing field access off the Fleet. Unfortunately, the lack of ongoing maintenance and update of the existing drainage infrastructure has resulted in localised water logging. The proposed development aims to revert the current situation, with adequate repairs, maintenance and additional SuDS features: mainly an attenuation tank and a pond. Once ditches are cleared and current obstructions removed (as proposed), then the water would follow the natural path towards the Fleet Stream.
- 8.35 An on-site infiltration system only has been demonstrated to be unviable, given the shallow groundwater table on site. Therefore, the drainage strategy consists of a surface water system that discharges water at a restricted rate into the existing pond, via an underground attenuation tank.
- 8.36 Another cause for local flooding issues in both Limbourne Lane and The Fleet is poorly located and maintained road gullies. These gullies are to be lowered to the correct level and cleaned, to become significantly more effective, thus localised ponding on the road would not occur on a regular basis.
- 8.37 Furthermore, ditches and the pond will benefit from de-siltation and regular maintenance, which are clearly needed given the poor conditions of the existing water infrastructure on site and water logging issues.
- 8.38 The drainage strategy demonstrates that the SuDS features can accommodate the water from a 1 in 100-year critical storm events, plus additional climate change allowance. Furthermore, the pond will provide additional storage for any rainfall events that occur when the water level in the pond is below the level of the outlet. Proposals also include the re-grading of two ditches in localised areas, increasing their capacity, and approximately 150 sq. metres of green roofs which intercept rain water at source. In light of this, the District Drainage Engineer concludes that the calculations are conservative and that the drainage strategy achieves necessary capacity as well as on-going maintenance.
- 8.39 Given the above, and the supportive comments from the Lead Local Flood Authority and the District Drainage Engineer, it is considered that the drainage strategy proposed will appropriately and comfortably drain the development and will not lead to an increase in

water flow in local water courses as to increase flood risk in the area. The final details and the maintenance scheme are controlled by condition.

- 8.40 The development will deal with foul water by connecting to the exiting sewer network that goes through the site. A condition secures the adequate connection to the mains sewer network.
- 8.41 Officers, including external consultees, are satisfied that the applicant has put forward a drainage strategy that will deal with surface water sustainably and wholly within the site, resolving existing water logging problems. Water will be managed appropriately and the development will not increase flood risk further down the stream, in accordance with policies SD17, SD49 and SD50 of the Local Plan and allocation policy FITT8 of the Fittleworth Neighbourhood Plan.

Highways, access and parking

- 8.42 The current proposal is for 14 new dwelling, 2 of these are to be accessed off Limbourne Lane, 12 dwellings are to be accessed off a new junction which joins the Fleet.
- 8.43 The proposed access off Limbourne Lane would be a simple arrangement crossing over a ditch, which will be culverted. This access is understated in appearance and size, and offers good visibility and it is located far enough from the Fleet as to raise no safety concerns. The Highways Authority supports this access as currently designed.
- 8.44 A simple junction arrangement is proposed onto the Fleet, with a 5m wide access road and a footway from the site to a new pedestrian crossing and bus stop. There is a level difference between the Fleet and the site, therefore a gradient is proposed on the approach to the junction, which is acceptable in highway design terms. Visibility splays have been demonstrated and the Highways Authority is satisfied that visibility is appropriate for the current 40mph speed limit. The proposal has also demonstrated sufficient space for manoeuvring of large, emergency and bin collection vehicles.
- 8.45 A new pedestrian crossing point is proposed adjacent to the site access, where a new footway leads into the site and to the proposed relocated bus stop. The bus stop is currently located immediately east of the Limbourne Lane junction, where there is no waiting platform or crossing point. Therefore, its relocation will enhance users' safety. Pedestrian routes are also provided throughout the site in a mix of shared surfaces and segregated footpaths, which will be accessible and safe for users, connecting Limbourne Lane to the village's facilities.
- 8.46 The initial draft of the allocation policy of the Fittleworth Neighbourhood Development Plan required any development proposal to implement measures to reduce traffic speed on the A283 (the Fleet). Following examination, this was removed from the FNDP as the inspector did not consider it appropriate, as it would be a requirement outside the control of the landowner and developer. The inspector also said this was a matter that only falls within the jurisdiction of the Local Highways Authority rather than the Local Planning Authority. Consequently, the 'made' FNDP omitted this as a requirement and it was added as a community aspiration instead.
- 8.47 In light of the above and the interest raised by the Parish Council and locals with regards to the need for traffic calming measures, the applicant has agreed to support the community aspiration with a contribution towards that end. A £4,000 financial contribution is offered in order to assist the local community towards traffic calming measures in the area, potentially including a Traffic Regulation Order for a 30mph speed limit. Although this contribution is not required in the allocation policy, it is consistent with the community aspiration in the Neighbourhood Development Plan and develops from the community engagement associated with this planning application, which are material considerations. Given this context, it is considered that the proposed contribution is a justified measure.
- 8.48 Parking provision would amount to a total of 32 parking spaces for 14 dwellings, meeting the Highways Authority and the emerging SDNPA Parking SPD minimum standards. This is an adequate parking provision within the development which avoids the need for additional on street parking in adjacent roads. 28 cycle parking spaces are proposed in secure and covered

storage. Furthermore, each dwelling will have electric vehicle charging points as required by policy SD22 and the Sustainable Construction SPD.

- 8.49 The Highways Authority have suggested a series of conditions, which have been incorporated to this report.
- 8.50 The development will not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. Overall, the design of the vehicular, cycle and pedestrian network is safe, inclusive and accessible. The development also responds to the community's traffic calming aspirations, by contributing £4,000 this purpose. The proposal will, therefore, protect and enhance highways safety and follow the principles set out in the 'Roads in the South Downs'. As a result, this application is consistent with highway and parking policies SD21 and SD22 of the Local Plan and policy FITT7 of the FNDP.

#### Impact on amenity of local residents

- 8.51 The site is located in proximity to residential properties to the north – Dunrovin and Torwood. Concern has been raised by the neighbours with regards to potential loss of light, loss of privacy and views. This residential scheme is assessed against policy SD5 of the SDLP which requires new development to have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities.
- 8.52 Buildings will be arranged in a manner that they face the public realm, not directly addressing nearby neighbours. Notwithstanding this, proposed units no. 8 and 14 will be located 35 and 13 metres away from Dunrovin respectively, and only a few metres away from the boundary. Whilst relatively in close distance, the proposed building's height has been reduced to a maximum of 8.7 and 8.4 metres respectively. These new buildings would be positioned to the west of the nearest property, therefore only partially obstructing direct sunlight at the latest hours of the day, but not as to cause a detriment in the living conditions. Given the separation distances and the disposition of neighbouring windows there would be not harmful impact on the daylight received by, or outlook from, neighbouring properties.
- 8.53 Moreover, no windows are proposed at first floor level on side elevations directly facing the neighbouring property in order to avoid any direct overlooking of the private amenity space. Some oblique views of the neighbour's rear garden may be achieved from windows, but these would be limited due to existing vegetation, orientation and distance between properties. It is therefore considered that that the proposed development would not cause an unacceptable loss of privacy by reason of overlooking as to warrant a reason for refusal.
- 8.54 Although neighbours have raised concerns with the loss of views of the site, impact on private views is not a material planning consideration. The residential development would not necessarily entail an increase in nuisance from activity and vehicles as to adversely affect nearby residents, given that the scale and nature of the development is compatible with the neighbouring residential area. There are no reasons before officers that would suggest that this development would cause harm to the structural stability of neighbouring properties, especially given the separation from these properties. Existing vegetation along boundaries will be retained and protected.
- 8.55 For the above reasons, the proposed development will avoid harmful impacts upon surrounding residents, in line with policy SD5 of the Local Plan.

#### Sustainable construction

- 8.56 The SDLP requires 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). The recently adopted Sustainable Construction Supplementary Planning Document (SPD) expands on the requirements of the above policies and provides guidance on meeting the policy's aim to mitigate and adapt to climate change. Appendix 4 of the SPD specifies the sustainable construction requirements for a development of 10 homes and above, which apply to this development.

- 8.57 This application has been accompanied with a Sustainability and Energy Statement (October 2020) which sets out the measures assessed and to be incorporated in the design. Having reviewed the supporting information with the SDNPA Design Officer, the proposed measures are considered to meet the requirements of the SPD, including:
- 19% improvement of CO2 emissions through the energy efficiency of buildings;
  - A 20% CO2 offset through low or zero carbon technologies (PV panels);
  - 1 no. Passive House Certified (plot 1);
  - Electric vehicle charging points available to all dwellings;
  - Compost bins, internal recycling bins.
  - No plastic windows, doors, badge boards and architectural details. Use of timber, brick, local stone and clay tiles.
  - Low water use (up to 110 litres/person/day);
  - New green infrastructure, use of sustainable drainage systems, tree planting for climate regulation and approximately 150 sq. metres of green roofs, amongst others.
- 8.58 The proposed layout and building design have been demonstrated to meet the requirements of policies SD22 and SD48 of the Local Plan. Buildings are shown to use durable sustainable materials for construction, subject to details controlled by condition.
- 8.59 A pre-occupation condition is incorporated requiring the applicant to demonstrate that buildings have been completed as per approved details in terms of sustainability criteria as per specifications noted on the Energy and Sustainability Statement. This will ensure full compliance with the Local Plan and Sustainable Construction SPD.

Ecology and biodiversity net gain

- 8.60 Policies SD9 of the SDLP and FITT2 of the FNDP require development proposals to conserve and enhance biodiversity and to identify and incorporate opportunities for net gains in biodiversity. Policy SD10 of the Local Plan also establishes specific requirements relating to international nature conservation sites. The latter applies as the application site is located within the 5km buffer zone for the Arun Valley SPA, the 6.5km buffer for The Mens SAC, and 12 km buffer for the Ebernoe Common SAC.
- 8.61 The site comprises a grazed field of poor semi-improved grassland, with other habitats on site including a pond, scattered trees, scrub and hedgerows. In terms of protected species, the latest Ecological Impact Assessment submitted with the application states that the site is considered to hold local importance for foraging and commuting bats. It is also likely that nesting birds use the site and that there is limited suitable habitat for reptiles. The site is however unlikely to support other protected/notable species.
- 8.62 Whilst bat surveys did not identify any roosting bats within trees to be felled, trees within the site are part of their foraging and commuting. Measures recommended in the report included the protection of all remaining trees, felling trees under the supervision of a qualified ecologist and to reduce the impact of lighting by directing it away from vegetation. The report also recommended to install bat and bird boxes on buildings and trees for post-development opportunities.
- 8.63 An appropriate assessment was carried out to identify any potential adverse effect on the integrity of the international nature conservation sites. The County Ecologist and Natural England were consulted on this application and agreed with the results and recommendations of the Ecological Impact Assessment submitted with the application. Following their advice, a series of conditions securing appropriate ecological mitigation and enhancements, including lighting details, have been incorporated into the list of conditions. These will ensure that there are no adverse effects on protected species and the integrity of key habitats.
- 8.64 Whilst the mitigation and enhancement strategy is acceptable, policies SD9 and FITT2 require proposals to identify and incorporate opportunities for net gains in biodiversity. The application has been accompanied with a Biodiversity Metric Assessment, which audit the existing and proposed biodiversity on site as result of this development. It confirms that the



proposals will result in a net gain of 93% of hedgerow units and 42% of habitat units. Consequently, the development will incorporate gains in biodiversity in accordance with policy. This is controlled by condition.

- 8.65 This proposal will locally mitigate the identified adverse effect on the internationally designated sites (the Mens and Ebernoe Common), ensuring their integrity. The design of the scheme gives consideration to habitats and protected species, retaining key features that support bats, avoiding light spill and mitigating any adverse effect. It will also deliver biodiversity net gains. Given the above, the proposal is compliant with policies SD9 and SD10 of the Local Plan and policies FITT2 and FITT8 of the FNDP.

#### Green infrastructure and trees

- 8.66 Existing green infrastructure (GI) on site comprises a mature line of trees along the southern and eastern boundaries along the Fleet and Limbourne Lane as well as a group of trees near the pond and a hedge along the northern boundary. There are two wooded areas immediately to the east and the north west. And there is also a clear opportunity for the development to retain existing linkages between the two woodlands and to reinforce existing networks.
- 8.67 This proposal retains and protects existing GI on site as much as feasible given that any access to the site would result in the loss of some trees and the principle of new development would entail the loss of the field as it is. Notwithstanding this, the design process has identified the key GI elements and the layout retains the mature tree line along Limbourne Lane and the Fleet, with the exception of six trees to be felled, most of which are of low quality and of an estimated 10 year remaining life. To compensate this loss, the proposal will protect remaining trees and will replant medium sized trees following the same line. This will result in a joined-up tree line in the long term.
- 8.68 Additional planting includes trees within the open space around the pond, scattered trees within private gardens and reinforcing and infilling the existing hedge along the northern boundary. Furthermore, most new boundaries will be planted with hedges (which are conditioned to be of native species only).
- 8.69 No development will take place within the root protection areas of trees, with the exception of an overflow swale and a restored open ditch, for which appropriate methodology to limit potential damage to vegetation has been conditioned, as recommended by the Tree Officer. Other tree and hedge protection measures are controlled by condition to ensure their retention and protection during construction works.
- 8.70 All key GI 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 GI. Access to green infrastructure spaces will be available to all residents for enjoyment and management, which will contribute to its long term success.
- 8.71 It is therefore concluded that the proposed scheme is compliant with policies SD11 and SD45 of the SDLP as it will protect and enhance existing trees and 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.

#### Ecosystem services

- 8.72 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 design and delivering all opportunities to manage natural resources sustainably.
- 8.73 The Landscape Officer commented that the site offers many opportunities to deliver benefits for people and wildlife. The initially submitted Ecosystem Services Statement was of concern as it failed to identify and incorporate in the design many interventions that would deliver ecosystem services. Following work with the applicant, an additional Ecosystem Services Statement and revisions of plans were submitted. These set out a series of on-site actions and principles:

- a) The site makes an efficient use of the land, providing an appropriate amount of development, density and open spaces, sustainably using land resources. The development does manage water on site using Sustainable Drainage Systems and the existing water infrastructure.
- b) The GI and planting strategy is based on retaining existing key features and joining-up exiting GI (woodlands to the north and east). The development will result in biodiversity net gain. Planting is controlled by condition to ensure that the vast majority is native and characteristic of this landscape. The pond's aquatic habitat will also be improved.
- c) In terms of water management, this application has demonstrated that dwellings will consume no more than 110 litres of water per person per day. The Drainage Strategy also incorporates measures to prevent pollutants into the surface water system.
- d) The layout, landscaping and drainage strategy have been designed to facilitate a sustainable drainage system. The development will not increase the flood risk in the area and will address the ongoing water logging issues on site. Hedge planting along garden boundaries will intercept surface water.
- e) Regarding sustainability criteria, there are several aspects that contribute to mitigation and adaptation to climate change such as: EV charging points, deciduous trees across the site to regulate climate, minimal use of hard surfaces, avoidance of unsustainable construction materials such as plastic windows and doors, green roofs, CO2 reduction through renewable energy and energy efficiency of buildings as well as passive house certification of one dwelling. Compost bins are provided.
- f) Although the development would lead to carbon emissions, it has also taken reasonable steps to store carbon through retention of trees and hedges, additional tree cover and the use of timber and locally sourced materials, which have a lower carbon footprint.
- g) In terms of soils, the development will raise the ground levels following the landform to a maximum of 400mm in some areas. Whilst some of the soil would be sourced from the application site (pond and other excavations), there will be a need to import soil. Conditions have been put in place to control the resulting levels, the amount of soil to be imported, its source and chemical values to ensure a sustainable use of soils and successful planting.
- h) In terms of reducing air pollution, the proposal will facilitate and promote the use of electric vehicles. No significant noise is expected to result from this development. Suitable insulation and window details controlled by condition to ensure that habitable rooms are free from noise pollution that could be caused by vehicles circulating on the A283.
- i) The layout has been designed to provide access to residents and visitors to open spaces and pedestrian routes across the site, with good connectivity to neighbouring areas to the north and the village's facilities. The site is also relatively well located to the public right of way network and Fittleworth and Hesworth Commons, which contribute to the recreational opportunities and well-being of residents.

8.74 Although the site is a green field that provides services to the ecosystem, the principle of new residential development is accepted and therefore some negative impacts to services would be expected from any form of development. Notwithstanding this, this proposal has demonstrated that reasonable opportunities have been incorporated to deliver positive impacts for people and wildlife. Further opportunities will result from conditions. Therefore, this development proposal meets the requirements of Policy SD2 of the Local Plan.

#### Dark night skies and relative tranquillity

8.75 The application site is located within the Dark Night Skies Zone EI (a) 2km Buffer Zone of intrinsic rural darkness. This is also in an area of low level of relative tranquillity as shown in the SDNP Tranquillity Study.

8.76 Policy SD7 (Relative Tranquillity) SDLP states that development proposals will only be permitted where they conserve and enhance the relative tranquillity of the National Park.

28 The main element that lowers the tranquillity value of the site is the Fleet and its associated

traffic and noise as well as the presence of built environment to the south. Whilst the proposal would introduce new houses on a green field, the development will not necessarily lead to levels of visual and aural disruption as to detract from the existing low tranquillity value.

- 8.77 Policy SD8 of the Local Plan relates to the conservation and enhancement of the intrinsic quality of the dark night skies, and the integrity of the Dark Sky Core. Policy FITT8 also requires for development to avoid light spill onto key features used by bats. The existing site is undeveloped and does currently conserve the dark skies. It would be expected from any development the potential to cause some degree of light pollution, therefore careful attention is given to any street/external lighting and the design of the houses in terms of openings that could lead to internal light transmission.
- 8.78 Layout and building designs have adopted appropriate principles with regards to light pollution and acknowledge the sensitive edge of settlement location in close distance to key bat commuting routes. This proposal has omitted any street lighting within the site. Notwithstanding this, some external lighting is expected but to be limited to lights located at each dwelling's front entrance with motion sensors and time delay off. This is controlled by condition. Buildings do not feature any roof openings (skylight, rooflight, etc.), avoiding upwards light transmission. Buildings have also been designed with traditional modestly sized openings, which help to reduce light transmission. Details of the type of glazing and their light transmittance values are controlled by condition. 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 submitted Ecological Impact Assessment's recommendations.
- 8.79 Given the above, no harmful light pollution is expected to result from the development and local habitats will be protected from light pollution. The proposal has demonstrated that the level of tranquillity and dark night skies will be conserved on site and therefore its compliance with Policies SD7 and SD8 of the Local Plan.

#### Minerals

- 8.80 The site is partially located within a mineral safeguarded area of unconsolidated sand, where development proposals should not significantly harm impact on the supply of local minerals.
- 8.81 This proposal will not be for mineral development, but that it might comprise incidental extraction and recovery of any sands encountered during excavation works required such as preparatory excavation for SuDS, foundations and other infrastructure. A condition will ensure that works make a sustainable use of on-site sands. The development will not negatively impact on the environment and the local mineral resources.
- 8.82 The proposal has been reviewed against policy M9 of the West Sussex Joint Minerals Local Plan (2018) and it is considered that the merits of the scheme and the FNDP allocation outweigh the need to safeguard part of the site for mineral extraction. A construction management plan condition controls the extraction and management of any sand from site. It is considered that although the proposed development will impede future mineral extraction, the site only constitutes a negligible are of the safeguarded area and an appropriate use of any incidental extraction is controlled by the SDNPA. Overall, the residential use of the site and its contribution to the implementation of the SDNP housing strategy outweighs the sterilisation of this small area for mineral extraction. This is consistent with policy M9 of the West Sussex Joint Minerals Local Plan.

#### Other matters

- 8.83 The application site is well served with utilities such as water supply, sewer, broadband, electricity and gas. Connection to these networks are considered feasible.
- 8.84 The Environmental Health Officer has recommended pre-commencement conditions to better understand any potential contamination of the site. The land has remained undeveloped over the years but there are signs of animal farming in the north west corner. Furthermore, a garage/petrol station existed across the road (now Padwicks Field). These are potential sources of ground contamination that would need to be investigated.

Conditions have been added to the recommendation in order to gain more information about the site, and for any contamination remediation, should this be required.

8.85 Pre-commencement conditions have been agreed with the applicant.

## **9. Conclusion**

9.1 The proposals have addressed matters raised by officers at pre-application and during the life of this application. It has also been informed by local knowledge and a good understanding of the landscape sensitivities of the site. The applicant has also carried out an extensive engagement work with the local community and in particular with the Parish Council.

9.2 The development will result in an overall biodiversity net gain and the delivery of affordable homes, 5 of which will be of the most affordable type of all. Furthermore, the development will successfully address the ongoing water logging issues on site and will contribute to traffic calming measures in the area, which are a community aspiration.

9.3 Overall, officers are satisfied on the design, landscape and ecological implications of the proposal. The proposed development is considered proportionate, appropriate to its location and landscape-led, it will deliver wider benefits to the National Park in line with the Local Plan and will contribute to the implementation of the Neighbourhood Development Plan. It is considered that the application is consistent with allocation FITT8 and the remaining Development Plan. Therefore, it is recommended for approval subject to conditions and the completion of a Section 106 legal agreement.

## **10. Reason for Recommendation and Conditions**

10.1 Recommendation:

1. That planning permission be granted subject to:
  - i) 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 the following:
    - a) 7 affordable dwellings, of which 5 of social rented tenure and 2 of shared ownership;
    - b) A financial contribution of £4,000 towards traffic calming measures in the area;
  - ii) The conditions as set out in paragraph 10.2 of this report.
2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the S106 Agreement is not completed or sufficient progress has not been made within 6 months of the 12th November 2020 Planning Committee meeting.

10.2 Proposed conditions:

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

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

### Construction works

3. No development shall take place, including any ground works or works of demolition, until a Construction Environmental 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) 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);
- (viii) details of public engagement both prior to and during construction works;
- (ix) temporary arrangements for access and turning for construction traffic for each part of the site; and
- (x) an indicative programme for carrying out of the works;
- (xi) protection of trees, hedges and water infrastructure to be retained;
- (xii) a sensitive lighting strategy during construction, in line with the measures detailed in section 6.5.2 of the submitted Ecological Impact Assessment (23 October 2020);
- (xiii) measures to control the emission of dust and dirt during construction;
- (xiv) measures to mitigate noise, including vibration, during construction works.
- (xv) a scheme for recycling / disposing of waste resulting from demolition and construction works, including extraction details and management of any extracted sand from the site.

Reason: In the interests of highway safety and the amenities of the area and having regard to National Policy Guidance contained in the NPPF 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.

4. No construction activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no construction or demolition on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents.

5. No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted to and approved by in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details and any variation to these shall require the written consent of the Local Planning Authority.

Reason: to ensure that the site responds to its landform, which is an essential element of the landscape character, as well as to ensure an appropriate relationship between the site and the watercourse network and neighbouring properties. 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.

#### Land contamination

6. No development shall commence until a scheme to deal with contamination of land and/or controlled waters has been submitted to and approved in writing by the Local Planning Authority. Unless the local planning authority dispenses with any such requirement specifically in writing the scheme shall include the following, a Phase I report carried out by a competent person to include a desk study, site walkover, production of a site conceptual model and human health and environmental risk assessment, undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with local and national planning 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.

7. If the Phase 1 report submitted pursuant to condition 6 identifies potential contaminant linkages that require further investigation then no development shall commence until a Phase 2 intrusive investigation 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, undertaken in accordance with BS 10175:2011+A1:2013 - Investigation of Potentially Contaminated Sites - Code of Practice. The findings shall include a risk assessment for any identified contaminants in line with relevant guidance.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with local and national planning 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.

8. If the Phase 2 report submitted pursuant to condition 7 identifies that site remediation is required then no development shall commence until a Remediation Scheme has been submitted to and approved in writing to the Local Planning Authority detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. Any ongoing monitoring shall also be specified. A competent person shall be nominated by the developer to oversee the implementation of the Remediation Scheme. The report shall be undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11. Thereafter the approved remediation scheme shall be fully implemented in accordance with the approved details.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of contaminated land in accordance with local and national planning 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.

9. The development hereby permitted shall not be first occupied until a verification report for the approved contaminated land remediation has been submitted in writing to the Local Planning Authority. The report should be undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with local and national planning policy.

#### Foul and surface water drainage

10. No development approved by this permission shall be commenced until full details of the proposed connection to the sewerage mains system 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 connection and 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. 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.

11. Development shall not commence, other than works of site survey and investigation, until the full details of the proposed surface water drainage scheme have been

submitted to, and approved in writing by, the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems, as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA. No building shall be occupied until the complete surface water drainage system serving the whole site has been implemented in accordance with the agreed details.

The scheme shall include full details of the maintenance and management of the SuDS system (including the on-site pond and watercourses). These details should be set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the SuDS System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained, to reduce surface water flood risk and improve water quality in accordance with policies SD17, SD49 and SD50 of the South Downs Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

12. Development shall not commence, other than works of site survey and investigation, until formal consent has been obtained in writing from the Lead Local Flood Authority (WSSC) or its agent (CDC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site.

Reason: To ensure that the proposed development is satisfactorily drained, reduce surface water flood risk in accordance with policies SD49 and SD50 of the South Downs Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system (including discharge to watercourse) prior to commencing any building works.

#### Hard and soft landscaping

13. 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 any existing movement of soil on site and any imported soil, including soil type, amount, and existing and imported soil pH and Nitrogen (N), Phosphorus (P) and Potassium (K) values.
  - b) Layout of surfaces including materials, permeability, kerbs, edges, steps, retaining walls, ramps, and similar;
  - c) Schedule of surfacing materials, including the turning heads, over-run, upstands and demarcations;
  - d) 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;
  - e) Details of the proposed overflow swale and restored open ditch (including sections and measures to protect trees and roots);
  - f) Street furniture including seating, signage, litter bins, cycle racks, tree grilles/surface treatment and guards, if any;
  - g) Tree pits design, materials and size;
  - h) Boundary treatments details including gates and doors;
  - i) Any ancillary structures.

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.

14. Notwithstanding the details shown on the approved plans no development above slab level shall commence unless and until a full 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 Ecological Impact Assessment (23 October 2020) and the Biodiversity Metric Assessment (16 October 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.);

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

15. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to occupation of the development. Once approved, it shall then be fully implemented and followed throughout the life of the development unless otherwise agreed by the Local Planning Authority. 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;
- f) preparation of a work schedule (including a 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.

#### Sustainable construction

16. Prior to the first occupation of the dwellings hereby permitted, detailed information in a post construction stage sustainable construction report in the form of:
- a) as built stage SAP data;



- b) as built stage BRE water calculator;
- c) product specifications;
- d) building design details;

demonstrating that the dwellings have:

- a) reduced predicted CO<sub>2</sub> emissions by at least 19% due to energy efficiency and;
- b) reduced predicted CO<sub>2</sub> emissions by a further 20% due to on site renewable energy compared with the maximum allowed by building regulations;
- c) EV charge points;
- d) predicted water consumption of no more than 110 litres/person/day;
- e) separate internal bin collection for recyclables;
- f) private garden compost bin

and evidence demonstrating

- a) sustainable drainage and adaptation to climate change measures;
- b) selection of sustainable materials;
- c) one dwelling certified as Passive House;
- d) compliance with the submitted and approved Sustainability & Energy Statement (19 October 2020)

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these agreed details and these details will hereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change, in compliance with policies SD2, SD22 and SD48 of the SDLP and the Sustainable Construction SPD.

#### Access and parking

17. No part of the development shall be first occupied until the offsite highway works have been constructed, in accordance with the approved plan drawing no: ITB12569-GA-015 Rev G (Proposed Site Access Arrangements). Once implemented, these shall remain as approved in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of road safety

18. No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car parking space for the use.

19. No part of the development shall be first occupied until the covered and secured cycle parking spaces have been provided in accordance with plans which shall be submitted to, and approved by, the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

20. No part of the development shall be first occupied until the electric vehicle charging spaces have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies and comply with policies SD22 and the Sustainable Construction SPD<sup>35</sup>

21. No part of the development shall be first occupied until the vehicle turning space has been constructed within the site in accordance with the approved site plan. This space shall thereafter be retained at all times for their designated use.

Reason: In the interests of road safety.

22. No part of the development shall be first occupied until visibility splays of 2.4 metres by 120 metres have been provided at the proposed site vehicular access onto The Fleet in accordance with the approved plans. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level in perpetuity or as otherwise agreed.

Reason: In the interests of road safety.

External lighting

23. No development above slab level shall commence unless and until details of any external lighting of the site, are submitted to and approved in writing by the Local Planning Authority. These details shall include the predictions of both horizontal illuminance across the site and vertical illuminance affecting residential receptors. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (2011) for zone EI(a), the submitted Environmental Impact Assessment (23 October 2020) and the SDNPA "Dark Skies Technical Advice Note (2018)".

The approved installation shall be operated and retained in accordance with the approved details unless a variation is agreed in writing by the Local Planning Authority.

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

Materials and architectural details

24. No development above slab level shall commence unless and until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the buildings, and sample panel details of the stonework, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

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

25. No development above slab level shall commence unless and until architectural details have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include:

- a) Details of all eaves, barge boards, fascias and soffits;
- b) Details of chimneys;
- c) Details of porches, projections and recesses;
- d) Windows (including glazing, head, sill and window reveal details and shutters/louvres, if applicable);
- e) Manufacturers' details of light transmittance of glazing;
- f) Doors and outbuildings doors;
- g) Outbuildings, carports and sheds;
- h) Rainwater goods and harvesting;

Thereafter the works shall be carried out in full accordance with the approved details and the development shall be maintained as approved.

Reason: To ensure appropriate design and appearance in the interests of protecting the visual amenity/character of the development and surrounding area.

#### Noise

26. No development above slab level shall commence unless and until detailed measures to secure internal sound levels have been submitted to and approved by the Local Planning Authority. Once approved, the development shall be implemented in accordance with the approved details and shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority. These details shall include:
- a) Measures to secure internal sounds levels within all habitable rooms that do not exceed 35dB LAeq, 16 hours (07:00-23:00);
  - b) Measures to secure internal sound levels within all bedrooms that do not exceed 30dB LAeq, 8 hours (23:00-07:00); and
  - c) Measures to secure that a level of 45dB LA[F]max is not exceeded on a regular basis (10 times) during night time (23:00-07:00) within bedrooms.

Reason: To ensure that dwellings have suitable habitable spaces in terms of environmental health, particularly in relation to noise pollution from the A283 (the Fleet).

#### Ecology

27. Development shall proceed in complete accordance with the measures detailed in the updated Biodiversity Metric Assessment Technical Note by ECOSA (October 2020) and Section 6 'Assessment of Ecological Effects and Mitigation/Compensation/Enhancement Measures' of the updated Ecological Impact Assessment report by ECOSA (October 2020). Thereafter, all enhancement measures shall be protected and retained in perpetuity unless agreed in writing by the Local Planning Authority.

Reason: to safeguard the habitats and protected species on site and ensure a net gain in biodiversity in line with policies SD9 and SD10 of the Local Plan and policies FITT2 and FITT8 of the Neighbourhood Development Plan. To ensure the safeguard of protected species in line with the Wildlife and Countryside Act 1981 (as amended).

#### Refuse and recycling bins

28. The development hereby permitted shall not be brought into use unless and until refuse and recycling storage and collection points have been constructed as per the approved drawings. The approved refuse and recycling storage facilities and collection points shall be retained thereafter.

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

#### Removal of permitted development rights

29. 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.

30. 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

1. A formal application for connection to the public sewerage system is required in order to service this development. Please read the Southern Water New Connections Services Charging Arrangements documents which has been published and is available to read on our website via the following link:  
<https://beta.southernwater.co.uk/infrastructure-charges>
2. The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:  
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>  
  
Online applications can be made at the link below, alternatively please call 01243 642105.  
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>
3. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
4. The South Downs National Park Authority encourages the use of locally sourced materials to support local character and distinctiveness, and to reduce the costs both financially and environmentally of transporting materials long distances. The applicant is recommended to undertake a resource mapping exercise for materials, starting within a 5km radius of their site, and then 10km, 25km.

#### **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**

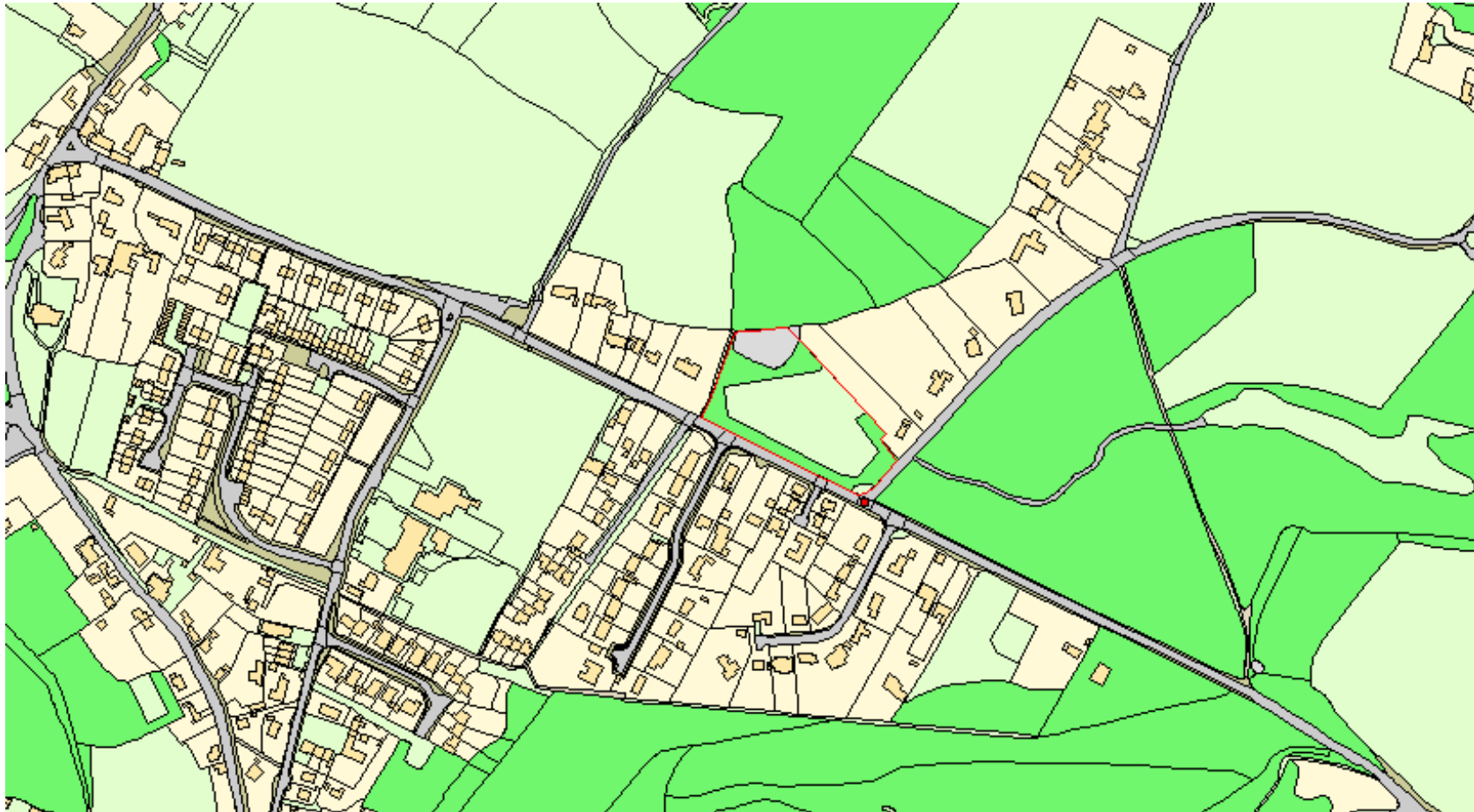
- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of extensive advice from the SDNPA Design, Landscape, Development Management Officers, the CDC Drainage Engineer and the WSCC Highways Officer 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**

Contact Officer:	Rafa Grosso Macpherson
Tel:	01730819336
email:	<a href="mailto:Rafael.Grosso-Macpherson@southdowns.gov.uk">Rafael.Grosso-Macpherson@southdowns.gov.uk</a>
Appendices	I. Site Location Map
SDNPA Consultees	Legal Services
Background Documents	<p>Planning application (documents, representations and consultation responses)</p> <p><a href="https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage">https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage</a></p> <p>South Downs Local Plan 2014-2033</p> <p><a href="https://www.southdowns.gov.uk/planning/south-downs-local-plan_2019/Fittleworth-Neighbourhood-Development-Plan-2018-2033">https://www.southdowns.gov.uk/planning/south-downs-local-plan_2019/Fittleworth-Neighbourhood-Development-Plan-2018-2033</a></p> <p><a href="https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-planning/neighbourhood-development-plans/fittleworth-neighbourhood-plan/">https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-planning/neighbourhood-development-plans/fittleworth-neighbourhood-plan/</a></p> <p>West Sussex Joint Minerals Local Plan (2018)</p> <p><a href="https://www.westsussex.gov.uk/about-the-council/policies-and-reports/environment-planning-and-waste-policy-and-reports/minerals-and-waste-policy/joint-minerals-local-plan/">https://www.westsussex.gov.uk/about-the-council/policies-and-reports/environment-planning-and-waste-policy-and-reports/minerals-and-waste-policy/joint-minerals-local-plan/</a></p> <p>National Planning Policy Framework (2019)</p> <p><a href="https://www.gov.uk/government/publications/national-planning-policy-framework--2">https://www.gov.uk/government/publications/national-planning-policy-framework--2</a></p> <p>The South Downs National Park Partnership Management Plan (2020-2025)</p> <p><a href="https://www.southdowns.gov.uk/national-park-authority/our-work/partnership-management-plan/">https://www.southdowns.gov.uk/national-park-authority/our-work/partnership-management-plan/</a></p> <p>English National Parks and the Broads: UK Government Vision and Circular (2010):</p> <p><a href="https://www.gov.uk/government/publications/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</a></p> <p>South Downs Integrated Landscape Character Assessment (2011)</p> <p><a href="https://www.southdowns.gov.uk/planning-policy/landscape-character-assessments/south-downs-integrated-landscape-character-assessment/south-downs-integrated-landscape-character-assessment-icla-2011/">https://www.southdowns.gov.uk/planning-policy/landscape-character-assessments/south-downs-integrated-landscape-character-assessment/south-downs-integrated-landscape-character-assessment-icla-2011/</a></p> <p>National Design Guide (2019)</p> <p><a href="https://www.gov.uk/government/publications/national-design-guide">https://www.gov.uk/government/publications/national-design-guide</a></p> <p>Affordable Housing SPD (2020)</p> <p><a href="https://www.southdowns.gov.uk/planning-policy/supplementary-planning-documents/affordable-housing-spd/">https://www.southdowns.gov.uk/planning-policy/supplementary-planning-documents/affordable-housing-spd/</a></p> <p>Sustainable Construction SPD (2020)</p> <p><a href="https://www.southdowns.gov.uk/planning-policy/supplementary-planning-documents/sustainable-construction-supplementary-planning-document/">https://www.southdowns.gov.uk/planning-policy/supplementary-planning-documents/sustainable-construction-supplementary-planning-document/</a></p>



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