

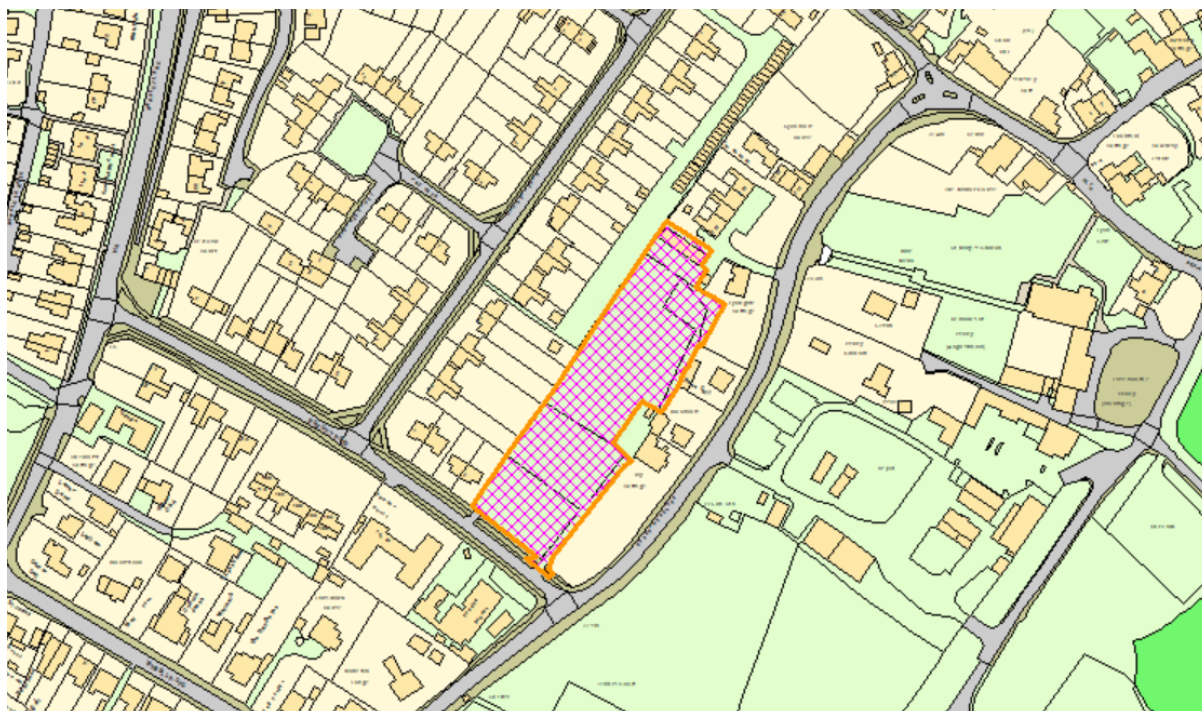
Agenda Item 7
Report PC22/23-30

Report to	Planning Committee
Date	13 April 2023
By	Director of Planning
Local Authority	Chichester District Council
Application Number	SDNP/22/01858/FUL
Applicant	Metis Homes and Cowdray Estate
Application	Erection of 18 dwellings with associated access, parking and landscaping following demolition and site preparation
Address	Former Recreation Ground and Allotment Gardens Egmont Road Easebourne West Sussex

Recommendation:

- 1) That planning permission be granted subject to:
 - (i) the conditions set out in Section 9 of this report;
 - (ii) the completion of a Legal Agreement, the final form of which is delegated to the Director of Planning, to secure:
 - a. Nine affordable homes (on site);
 - b. Water neutrality offsetting within the Cowdray Estate (off-site);
 - c. 2 Passive house certified homes to be delivered either on the Cowdray Works Yard (SD66 and SDNP/21/04040/FUL) or on site; and
 - d. Estate management plan to cover management and maintenance of communal elements (on site).
 - 2) That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the Legal Agreement is not completed or sufficient progress has not been made within 6 months of the 13 April Planning Committee meeting.
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Site Location Plan



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Executive Summary

The application proposes 18 dwellings on a site within the settlement boundary of Easebourne, allocated for 16-20 dwellings under policy SD67 of the South Downs Local Plan. The local context of 19th and early 20th century development has had a clear influence on design of the scheme, including the use of terraces, narrow frontages, prominent gables, tall windows and a dominance of red brick. These traditional elements are complemented by the provision of extensive green roofs. The linear layout and scheme detail is respectful to and protects the setting of the sensitive historic development to the east within the Easebourne Conservation Area which includes two Listed Buildings in the immediate vicinity. The proposal integrates green and blue infrastructure including sustainable methods of managing surface water drainage and would achieve biodiversity net gain. The 50% affordable housing provision and provision of only 1 and 2 bed properties within an area dominated by larger dwellings carries significant positive weight.

The application is being brought before Members as it forms one of a number of concurrent applications, from the same applicant, to develop the three allocated sites (policies SD66, SD67 and SD68) within Easebourne Village (also see items 8, 9 and 10 on the agenda). Local concerns have been raised regarding density, design, parking pressures, and cumulative impacts with the proposals. While each application will be considered on its own merits, there are various advantages to be secured through the combination of the three schemes. It is proposed that, if approved, all three schemes are tied with a single legal agreement to ensure full delivery on all the policy outcomes.

Taking all matters into account, this proposal is acceptable on its own merits and is recommended for approval subject to the conditions and obligations set out below.

1. Site Description

- 1.1 The 0.7ha site is located on the western side of Easebourne Lane in a predominantly residential area within the Easebourne Village settlement boundary. The eastern and northern boundaries are contiguous with the Easebourne Conservation Area, with two Grade II listed houses adjacent to the eastern site boundary (Ivy Cottage from C18th and Lychgate Cottage from C17th – 18th). Rose Cottage and Woodcote sited on the road frontage lie between the listed buildings and are considered to be positive buildings in the Conservation Area, and non-designated heritage assets.
- 1.2 The site is primarily accessed from Egmont Road to the south, which is a one-way street (east to west) from Easebourne Lane until its junction with Cowdray Road. The southern part – approx. 30m deep - is loosely surfaced and used for parking at peak pick up and drop off times by Conifers School which is located on the opposite side of Egmont Road. The far northern part of the site contains a block of single garages accessed from Cowdray Road to the north. The site also provides access and parking areas for four dwellings within the adjacent Conservation Area that front Easebourne Lane (Lychgate Cottage, Rose Cottage, Woodcote and Ivy Cottage) and includes a historic access track to Ivy Cottage from the south along the tall stone wall that marks the Conservation Area boundary. Aside from this, the site is green and relatively level with the character of overgrown paddocks. There is a historic field boundary separating the southern third of the site from the remainder, that includes a section of stone wall, scrub planting and trees. Contrary to the site name the site has no public recreational use nor are there any clear records of such.
- 1.3 There are three distinctive characters of development in the immediate locality of the site. The village core Conservation Area to the east and north is characterised by an irregular organic pattern including many individual listed and modest vernacular properties. There is a strong use of local stone for buildings and boundary walls, complemented by red and smoked bricks, clay tiles and some slate. The Victorian and Edwardian streets to the south are characterised by red brick villa-type properties and short regular terraces which dominate in a higher density linear layout. Most are two storeys, some have additional space within the roofslope. Immediately to the west are the mid-20th century local authority built homes, comprising much plainer brick semi-detached or short terraces with open front gardens and often generous rear gardens. The southern side of Egmont Road is more diverse, including the school and a large striking building with decorative timber framing and gables built around the turn of the 20th century that has the character of a converted stables. Street parking or separate garage blocks and informal parking areas are common features.

2. Relevant Planning History

- 2.1 SDNP/21/04043/FUL: 20 dwellings with associated access, parking and landscaping. Application withdrawn November 2021 to address officer and consultee concerns about scale and layout, particularly the proposed 3 storey flatted block at the northern end and the unbroken run of 10 terraced dwellings.
- 2.2 The above application was preceded by a pre-application enquiry for up to 20 dwellings SDNP/20/04754/PRE with a focus through officer and Design Review Panel advice on proactively using local evidence to inform the development of concepts and design approaches.

3. Proposal

- 3.1 The application comprises the provision of 10 terraced homes and 8 flats with associated parking, surfacing, drainage and landscaping. The far southern section is retained for continuation of the existing school use.
- 3.2 The proposed housing mix is 6 x 1 bed flats, 2 x 2 bed flats and 10 x 2 bed houses. All the flats would be affordable rent and one of the houses provided as shared ownership.
- 3.3 The 10 terraced homes would be arranged in two groups, split approximately along the line of the historic field boundary, with the flats in a single building at the northern end. All would be narrow fronted brick faced properties with a projecting two storey gable, recessed car port with bedroom over to the side under a flat green roof, and flat green roofed single

storey projection to the rear. The southern group of 3 dwellings would have hanging tiles at first floor, while the group of 7 in the middle of the site would have decorative brickwork detailing on the gable and tile hanging to the recessed section providing contrast and interest. The run of 7 are, other than plot 8, arranged in pairs and are handed. The flats use the same gabled forms with a wider and deeper side projection under a pitched hipped roof. The flatted building includes decorative brick detailing to the gables. All properties are proposed to have slate roofs.

- 3.4 The scheme would provide a total of 33 parking spaces for the new dwellings, including 2 on-plot parking spaces for all new 2 bed houses, a shared parking area for the flats with one space per flat, visitor, motorcycle and accessible parking. In addition, the scheme re-provides 2 spaces per dwelling for the historic properties on the Easebourne Lane frontage and the existing area for parking for Ivy Cottage is retained. Cycle and bin storage is proposed within gardens for the houses (as vehicle parking is open/covered not secure) and in a shared building for the flats.
- 3.5 Parking for Conifers school is included in the red line of the application boundary. This area will be retained for the School use. The existing eastern access point will be relocated and widened to accommodate access to the proposed development. The garages to be demolished on the northern site boundary are not used for parking.
- 3.6 A combination of at-surface features and attenuation provision under hard surfaces would be made to manage surface water sustainably and provide ecological and amenity benefits. While some planting would be lost, key mature trees within and adjacent to the site would be retained and protected, along with all the vegetation along the boundary to the Cowdray Road properties to the west. A new orchard is proposed in the north east corner, alongside hedges to all domestic boundaries. New planting would prioritise native species suitable for the climate and soils and ecological net gain commitments. Historic boundary walls would be retained.
- 3.7 The 10% passive house provision will be secured through the S106 Legal Agreement.

4. Consultations

4.1 **Easebourne Parish Council:** Objection

Urge a reduction to 16 dwellings. Development too stark, linear, concerns about flat roofs, gabled frontages and over use of red brick. Parking provision is insufficient and would cause overspill. Recognise local concerns about traffic, parking, pressure on local facilities and wildlife habitat.

4.2 **Conservation Officer:** No objection

Partial retention of the historic field boundary wall is welcomed. Material sample for new section required by condition.

Loss of historic access to grade II listed Ivy Cottage could be overcome by retaining gravel tramlines as an echo of the previous access.

Material samples required by condition. High quality natural materials should be used, especially to Plots 11-18 as this will be visible from glimpsed views along Easebourne Lane and as a backdrop to the grade II listed Lychgate.

4.3 **Design Officer:** Neutral on design, object on sustainability due to lack of on-site passive house

Principle of terraces and flatted block acceptable, however flatted block provides limited quality amenity space. Field boundary moved slightly but the proposed break within the boundary and landscape treatment is beneficial. Repeated on-plot parking is not characteristic but layout and planting helps integrate. Green roofs supported. Lack of stone disappointing. Quality of architectural details and materials will be essential.

No passive house provision on site, 10% required.

Scheme otherwise acceptable subject to conditions. Includes 19% reduction on CO2 using fabric and 20% renewable energy generation. Avoid plastic for fenestration. Green roofs in

excess of 10% is positive. SUDs features including ponds and rain gardens supported. Condition quality materials including sourcing.

Officer note: The scheme does makes provision for passive homes.

4.4 **Drainage:** No objection

Site is wholly within flood zone I (low risk). The proposed means of surface water drainage is through on-site infiltration via permeable paving and associated shallow soak-away sub-base structures. Green roofs, a rain garden and some open water features are also incorporated into the drainage strategy. This approach is acceptable in principle as it follows the hierarchy of preference as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA. The strategy and infiltration structure design has been informed by the results of the Winter Groundwater Monitoring and Percolation Testing. It has been confirmed that the design can accommodate water from 1 in 100 year critical storm event plus 45% climate change allowance. Conditions recommended for full drainage details and management.

4.5 **Ecology:** Comments

Proposal includes new habitats including orchard, ponds, rain gardens and hedges, but the original Biodiversity Net Gain calculations showed a -7% net loss of biodiversity. Replace amenity grassland with species-rich grassland to address this. The updated Biodiversity Enhancement and Management Plan is acceptable, secure with a condition. Any fencing should be permeable to hedgehogs and badgers.

4.6 **Environmental Health:** No objection

Condition contamination remediation strategy, compliance with the acoustic design details and lighting strategy, provision of proposed cycle parking and construction management plan. Support improved off-site cycle links.

4.7 **Highways Authority:** No objections

The proposed access is considered to be of sufficient geometry to accommodate the anticipated level of vehicular activity. There is no evidence to suggest that the access and local highway network are operating unsafely. The proposal would have a negligible impact on the operation of the local network. Over a 12 hour period it is anticipated that the proposals would generate 89 trips which includes 10 and 9 trips in the AM and PM peaks. The National Planning Policy Framework (paragraph 108) indicates that development should only be resisted where the cumulative impact is severe, which is not the case here.

The parking is acceptable and site layout has been tracked. The site provides access to sustainable travel modes.

Recommend conditions to secure access before first occupation and construction management plan.

4.8 **Housing Enabling Officer:** No objection

The 50/50 split of market and affordable is consistent with policy SD28. The mix using only 1 and 2 bed homes is contrary to SD27 however in the particular context of the scale of development, its location and market evidence, it is acceptable. The provision of design measures supporting occupation by persons with physical and mental disabilities would be supported.

The most up to date information from the Housing Register is the need for 9 x 1 bed, 7 x 2 bed, 4 x 3 bed affordable homes in Easebourne. The overwhelming need for affordable homes in the neighbouring parishes is for 1 and then 2-bedroom properties, with a very limited need for 3 bed units.

To deliver each site on a policy compliant, individual basis would mean providing a mix of tenures, which may create issues with securing a Registered Provider to take them on and may affect viability. To take a pragmatic and holistic approach and deliver policy compliance across the 3 sites as a single project would mean delivering the flats on the Egmont Road site as social rent (first preference) or affordable rent, where it is not possible to have a mixed

tenures sharing communal areas. There are concerns about securing satisfactory implementation when combining multiple sites but recognise unique circumstances here and bespoke approach.

4.9 Lead Local Flood Authority: No objection

The site is at low risk from surface water flooding, moderate to high risk of groundwater flooding. Support SUDs proposals, to be conditioned and managed appropriately.

4.10 Natural England: No objections

No objection subject to mitigation comprising offsetting and water reduction measures being secured.

4.11 Southern Water: No objection

4.12 WSCC Fire and Rescue: No objection

Condition details and provision of fire hydrants.

5. Representations

5.1 Objections from 12 contributors and 2 neutral representations have been received, including from the Midhurst Society (neutral), Chichester District Access Group (neutral) and Easebourne Residents Action Group (objection). A summary of the comments is set out below:

5.2 Objections

- Overdevelopment (alternative suggestions range from 8 to 16 homes)
- Road safety, opposite school and A272 traffic/junction, Egmont Road is a one way street
- Single lane road unsuitable for additional traffic, one way route requires use of other roads
- Lack of allocated parking for flats, amount of spaces insufficient
- Overflow parking will cause friction locally including verge parking
- Car use is essential for most, bus services to workplaces and off-peak too limited
- Not enough changes from the withdrawn scheme
- Not landscape-led
- Construction impacts, including vehicle movements and safety implications
- Trees to be protected
- Objection to the principle of allocation/development and local plan allocation process
- No need for more housing, many options to buy and rent already available
- Site would better be a wildlife haven and tranquil space for the community
- Local infrastructure and services already pressured
- Cumulative impact on village of new development including King Edward VII development
- Existing congestion and air quality impacts will get worse
- Affordable housing is not affordable in reality
- Affordable homes segregated from private housing
- Proposals are too urban, too modern, too dense, too uniform, out of character for village
- Red brick, grey fenestration and gable forms too monotonous. Each building should be individually designed
- Building for flats is too large

- Query continued use of car park for school, concern about loss of this facility and construction impacts
- Too close to listed buildings, taking land from the historic buildings
- Loss of privacy to rear gardens on Cowdray Road
- Concerns about extent and timing of community consultation and complexity of information
- Drainage and flooding information does not reassure residents
- Sustainability should not be an afterthought
- Emerging Easebourne Village Design Statement should be considered
- Scheme does not conserve and enhance the National Park

5.3 Neutral

- 50% affordable housing and green roofs positive, concerns about unallocated parking for flats.
- Seek satisfaction that flood risk has been fully assessed and no additional mitigation is required
- Request higher accessibility standards including level access to at least one door in every home and one or two ground floor flats to have wet rooms and are suitable for occupants with a physical disability. Note accessible parking spaces included.

6. **Planning Policy**

6.1 Most relevant Policies of Adopted South Downs Local Plan (2014-2033) (a longer list of other relevant policies can be found in Appendix I)

- SD4: Landscape Character
- SD5: Design
- SD12 Historic Environment
- SD28: Affordable Homes
- SD67: Land at Egmont Road, Easebourne

6.2 Key Relevant Sections of National Planning Policy Framework:

- Section 2 - Achieving sustainable development
- Section 5 – Delivering a sufficient supply of homes
- Section 12 – Achieving well-designed places
- Section 15 - Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

6.3 Other relevant policy documents (including SPDs and TANs)

- Habitat Regulations Assessments (HRAs) TAN
- Affordable Housing SPD
- Sustainable Construction SPD
- Design Guide SPD
- Parking SPD
- Easebourne Parish Design Statement (SPD)

6.4 Most relevant Policies of the South Downs Management Plan (2020-2025)

- Policy 1: Conserve and enhance
- Policy 9: Historic environment
- Policy 25: Water efficiency
- Policy 50: Housing to meet local needs, of high design and energy efficiency standards

7. **Planning Assessment**

Principle of development and policy context

- 7.1 The site lies within the settlement boundary of Easebourne and is allocated for 16-20 dwellings under policy SD67. Therefore, residential development is acceptable in principle. An assessment against the criteria in policy SD67 and other policies, is set out in the following paragraphs.
- 7.2 The Easebourne Parish Design Statement was endorsed by the Planning Committee in February 2023 and is a material consideration. The content of statement provides the finer grain of local contextual understanding and the objectives set out the community's priorities, and supplements the criteria in the allocation policy SD67.
- 7.3 Various local concerns have been raised about the scale of development and cumulative impacts on the community and its facilities and services. The South Downs Local Plan was robustly prepared, independently tested and found sound. It remains a live local plan which has primary status in the determination of planning applications. The allocation of up to 20 dwellings on this site and up to 60 for Easebourne across the three identified sites (policies SD66, SD67, SD68) is clearly set out in the Plan. There are no additional on-site bespoke infrastructure requirements identified by the Authority, or its consultees, as necessary to facilitate or mitigate for this development.

Housing mix and tenure

- 7.4 All of the dwellings proposed would be either one or two bed properties. While this is contrary to the standard mix set out in policy SD27, it is supported by officers and the Local Housing Authority as there is currently a dominance of 3+ bed homes in the locality and an evidenced need for smaller homes. The departure from the policy is therefore justified and the 1 and 2 bed mix is a strong positive of the proposal. On this issue the scheme is acceptable on merit and additionally, the provision of all small homes here would make a valuable contribution to the overall mix achieved across the three sites. All homes would meet Nationally Described Space Standards as a minimum. The houses all include a ground floor study space within a separate room, which could be used as a home office, and a ground floor W/C in addition to first floor bathrooms and storage areas.
- 7.5 The provision of 50% of the dwellings as affordable complies with the Local Plan policy SD28. Typically, the Affordable Housing SPD requires a minimum of 75% rented tenures together with up to 25% affordable home ownership. This proposal would provide 8 of 9 (88%) affordable homes as affordable rented, with one dwelling as shared ownership. In line with the local housing need and to ensure viability, the affordable rented tenure has been prioritised over social rent and First Homes. There is a significant need for smaller affordable rented homes in Easebourne and neighbouring parishes which this proposal will make a material contribution to. The proposed housing mix and tenure arrangements are therefore acceptable.
- 7.6 Amendments during the application have secured three of the flats as flexible accessible and adaptable properties in line with Building Regulations Part M4 Category 2 standards with the remainder complying with the Part M4 Category 1 standards for visitable dwellings. The inclusion of flexible and adaptable accommodation is in accordance with policy SD27 and is supported by the Local Housing Authority.
- 7.7 The affordable and market homes are perhaps not as integrated as would be desirable for mixed and balanced communities (even acknowledging the relatively small size of the site). However, due to the mix and tenure arrangements proposed, which are supported by

Officers, and management requirements for Registered Providers, the grouping of the affordable dwellings including the single shared ownership home at the northern end of the site is a pragmatic and acceptable solution.

Contextual design, landscape impact and amenity

- 7.8 The landscape-led approach to delivering positive contextual design is well rooted into the Local Plan, particularly through strategic policies SD4, SD5, SD6, SD7, SD8 and SD9. The Design Guide SPD demonstrates how these policies can be applied in a sympathetic way and encourages Parish or Village Design Statements to identify and guide how the particular characteristics of the landscape and built environment of their parish can be conserved and enhanced by any new development in the area.
- 7.9 The five objectives of the Easebourne Parish Design Statement (EPDS) are to:
- conserve the rural aesthetic and nature of the parish;
 - enhance settlements, buildings and local design;
 - protect views, open spaces, trees and hedgerows;
 - managing roads, routes, gateways and pavements, and
 - protect the tranquillity of the parish.
- 7.10 These objectives accord with those of the Design Guide SPD and Local Plan policies, including the criteria of policy SD67.
- 7.11 With regard to the landscape-led approach, the evidence base prepared for this proposal is sound, and has been enhanced following advice from Officers in order to inform a contextually appropriate scheme. This accords with policies SD4, SD5, the Design Guide and Guideline RAI of the EPDS.
- 7.12 With three distinctively different character areas immediately surrounding the site, and a need to make efficient use of land, it was considered that the strongest design influence would best be drawn from the late Victorian and Edwardian development to the south. This inspired a more regular pattern of built form at higher density than the more historic development, yet with more characterful features than the post-war estate.
- 7.13 The EPDS recognises the consistent palette of building materials, including sandstone extracted from the local Greensands, red brick formed from local clays, and clay tiles, provides a strong sense of place and unity. Objective 2 recognises it is the consistent use of characteristic materials rather than architectural forms that give a sense of place, which is carried through into guidelines ES4 and ES7. These objectives would be met with this proposal which uses red brick and clay tiles, complemented by the use of slate which is found within the character area to the south of the site and the historic dwellings. The wall marking the southern boundary between the dwellings and car park for the School would be stone to respond to the stone walls characteristic of the Conservation Area, otherwise brick would be used, which is acceptable in this context.
- 7.14 In terms of buildings forms, EPDS guidelines ES2 and ES5 expect new development to reflect and respect scale, size and proportion, height, form and proximity of adjacent buildings. This is achieved through the proposal. Development throughout the village displays frequent use of strong gables which has been carried through to the proposal, albeit the scheme uses forward facing gables more commonly than gable ended buildings. Each building has projecting and recessed elements and the layout and the slightly curved access route align to give depth to the street scene. The houses include a part concealed parking space. The two front-facing gables on the flatted block are staggered and the building has a balcony walkway tucked under the eaves. A side “extension” finished with contrasting timber provides service space. All flat roofs would be green which is a particular strength to the proposal.
- 7.15 Walls and hedges define boundaries for enclosed areas, with the land in front of each property open as is typical of the estate to the west. This accords with EPDS guidelines ES1, ES6 and ES9. Rear gardens would be enclosed with native hedging which is encouraged by EPDS guideline V7. In addition, EPDS guideline V8 supports public open spaces within new

developments which is achieved here using a sequence of spaces along the eastern part of the site abutting the conservation area boundary. These linked spaces provide amenity and biodiversity value and informal recreational opportunities, and are integral to the surface water drainage management network. The north east part of the site is proposed as an orchard.

7.16 The linear layout and siting and design of buildings enables each house to have as private rear garden that exceeds the Design Guide SPD minimum standards, while also respecting the privacy of neighbours. The new homes would have a back to back relationship with the properties on Cowdray Road which have long rear gardens, some on the opposite side of a shared access route and parking area, and the western boundary planting is being retained. The minimum distance between the existing and proposed is 36m, well in excess of Design Guide SPD expectations. The buildings would have a front to back direct or indirect relationships with the historic properties on Easebourne Lane, separated by existing historic boundaries, amenity planting and SuDS features, parking for the historic properties, the site access and small front planted areas to the new dwellings. The minimum distance is 19m. These distances and relationships are acceptable. The amenity space for the flats is narrower due to building depth but sufficient in size to meet the Design Guide SPD requirements and supported by the provision of the orchard opposite. Plot 1 has been designed for active natural surveillance on the school parking area and higher acoustic standards due to proximity to the main road and car park. With regard to SD67 (1) (a) permeability is provided to the south via the main entrance to the site and to the north for pedestrians and cyclists to connect onto Cowdray Road which leads north towards the Primary School and Recreation Ground.

7.17 Overall, the proposal takes a contemporary approach strongly informed by positive local vernacular with a palette of materials that is consistent with the existing; an approach supported by the Easebourne Parish Design Statement to integrate new development into the village and supported by the Design Guide SPD and Local Plan policies SD5 and SD67.

Heritage impacts

7.18 The impact on the Easebourne Conservation Area and local listed and positive buildings has been carefully considered. Heritage impacts have been considered with regard to the statutory duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, policies SD67, SD12 and SD15 of the Local Plan and section 16 of the NPPF.

7.19 The development is in the setting of designated heritage assets. Interaction and appreciation of the site would be primarily within the wider developed context, interspersed with and behind historic development. The main engagement with the site from the public realm within the Conservation Area would be from Easebourne Lane. Due to the stepped form and hipped roof of the flats, its siting and its orientation parallel with and set back from Easebourne Lane, the building where visible will slot into an existing layered view. Quality of the materials will be important to assimilating the new roof into the context, materials and finishes are subject to a condition.

7.20 The historic properties along Easebourne Lane are set at various levels close to or higher than the level of the road with the built form including large irregular gaps. The proposed main terraced buildings would fit in behind these properties and, at significant depth from the Lane and buildings themselves, create a pleasing rhythm through their regular repeating pattern of roof forms with gables interspersed with tile hung flat roof sections that are well set back from the frontages. A repeated rhythm of similar properties is consistent with the pattern of development within the surrounding area and is a sympathetic approach. Consequently, although the new properties would sit within some of the existing gaps, this would be at depth and the effect would not be detrimental. Site and finished floor levels would be finalised by condition to minimise height differences between the new and historic forms. The layout protects the amenities of occupants within the historic properties.

7.21 The principle of development on this site was agreed under the Local Plan as a new chapter in the evolution of the village. Through careful design and landscaping and with quality materials and detailing secured by condition, the core of the village (defined by the

Conservation Area and the Listed Buildings) would remain legible. The settings of the Listed Buildings and the Easebourne Conservation Area and their boundary walls would be preserved and any harm to significance caused would be in the category of less than substantial, outweighed by the public benefit of delivering the new homes. This is in accordance with policies SD67, SD12 and SD15 and Section 16 of the NPPF.

- 7.22 Construction impacts will be controlled by conditions to avoid damage to historic assets above and below ground, including a pre-commencement written scheme of investigation for archaeology to comply with policy SD16 and section 16 of the NPPF.
- 7.23 Matters relating to the historic field boundary and access to Ivy Cottage are dealt with under Green and Blue Infrastructure below.

Access and Parking

- 7.24 Increased traffic volumes and congestion, parking provision and avoiding overspill into existing streets are common themes among local objections. The scheme has been amended to increase on-site parking provision and to ensure each dwelling has at least one identified allocated space. The total number of parking spaces proposed for the new dwellings is 33 and this is in accordance with the expectations set out in the Parking SPD. Therefore, the provision complies with policies SD67 and SD22. Furthermore, residents would be provided with secure cycle storage and have access to established walking and bus routes to offer alternatives to the private car, particularly for local journeys.
- 7.25 Access and movement, including cumulative impacts, have been considered by the Local Highway Authority and no objections have been raised. The site forms part of an established one-way system to assist the flow of movement and minimise obstruction. In addition to the considerations that led to the allocation of this site for up to 20 dwellings, the provision of 18 small dwellings on this site will not materially change the existing situation in transport terms and certainly would not increase pressure or traffic to the extent that it would reach the high bar of “severe” impact set by the NPPF at which refusal on transport grounds could be justified. The proposal complies with policy SD19.
- 7.26 Within the site, the access would be provided as a porous shared surface, which prioritises non-motorised users, reduces speeds, minimises hard surfacing requirements and more seamlessly integrates into the landscaped areas. This accords with the expectations of policy SD67. The main access will be to the south, with a secondary pedestrian and cycle link shown by the flats to accord with the criterion under policy SD67 for permeability and the relevant criteria under policies SD20 and SD21. Construction management details will be appropriately secured by condition.

Sustainable Construction

- 7.27 The properties meet the Sustainable Construction SPD and Policy SD48 requirements aside from the delivery of 10% (1.8) passive houses on site. These instead are proposed on the Cowdray Works Yard site (allocated site policy SD66), where they would be affordable rented homes. Should this off-site provision not be deliverable, the full passive house provision would be required on the application site. This would be secured by a legal agreement. On site, the dwellings achieve a reduction of 19% carbon emissions from Part L 2013 through a fabric first approach and 20% renewable energy generation using PV panels to be installed on each south facing roofslope. Water usage has been designed to not exceed 100 litres of mains water per person per day. The provision of green roofs for both the single storey rear projections and first floor side projections on each house carries positive weight and can be easily assimilated into the contemporary designs in a meaningful way. EV charging facilities, covered secure cycle storage and waste and recycling facilities will be provided throughout.

Green and Blue Infrastructure

- 7.28 The site makes good use of opportunities for infiltration of surface water, through use of porous paving with associated shallow soak-away sub-base structures, complemented by green roofs, rain gardens and open water features. This latter group provide benefits visually, aesthetically and for biodiversity in addition to their drainage function. While the

current drainage plans demonstrate 40% climate change allowance, there is sufficient capacity included within the sub-base of the permeable surfacing, to accommodate the newer 45% climate change allowances. The proposal complies with policies SD17, SD50 and SD67.

- 7.29 The proposed layout has led to the interruption of the historic field boundary and the loss of some planting. The development of a mostly greenfield site would in principle result in a loss of green infrastructure. To compensate and mitigate for this, the proposal includes an orchard, wildflower informal amenity areas and rain gardens, and the rear garden of each plot is bounded by a native hedge. The legibility of the planted section of the historic field boundary has been translated through the provision of a meaningful gap between the terrace of 3 houses and terrace of 7 houses, occupied by open surface drainage features and new planting. The slight change to position and alternative way of marking the historic field boundary is acceptable. The protection of the historic walling would be secured by condition.
- 7.30 A section of hedging on the frontage with Egmont Road would also be removed due to the relocation of the access, needed in a different position to the existing to accommodate vehicular movements associated with the residential development in addition with the school use. The school have an in-out arrangement which will be retained. This relocation will avoid interference and minimise the risk of disturbance to the historic wall which forms the boundary of Ivy Cottage and the Conservation Area, and the roots of significant trees in the garden adjacent. The part of the area of historic track currently used to access the cottage that immediately abuts the wall would be planted with a suitable species-rich grassland suitable to the soil type of the area to maximise biodiversity value, tramlines to be retained for the legibility of the historic route.
- 7.31 The trees to the western boundary would be retained and protected during development. Where new development is within the root protection area of a tree to be retained, such as the prominent tree near the site entrance and behind Ivy Cottage, works will be controlled via condition. New planting is also proposed. This accords with policy SD11.
- 7.32 The submission includes various ecological impact assessments, a biodiversity management and enhancement plan and biodiversity net gain (BNG) assessment. The site has low value for foraging and commuting bats and small amounts of scrub suitable for breeding birds. No other protected species were identified. The initial BNG assessment identified a net loss of 7% habitat units but a significant gain of 375% hedgerow units. The habitat units can be increased with proposed amenity grassland being replaced with species-rich grassland suitable to the soil type of the area which will be secured through the updated landscaping plan secured by Condition 16. Bat and bird boxes are proposed, along with native species planting and surface water features. Lighting proposals are deemed acceptable by the ecologists although due to additional considerations relating to amenity, heritage considerations and dark skies, amendments are sought to the submitted lighting strategy under Condition 24. The proposal complies with policy SD9 and the BNG TAN.

Other matters

- 7.33 The site has low to moderate potential for archaeological interest, that can be appropriately dealt with through a pre-commencement condition, to accord with policy SD16.
- 7.34 The site lies within the Sussex North Water Resource Zone. The existing site has no existing mains water usage so will rely on offsetting to be water neutral. This can be achieved by connecting a series of existing commercial and agricultural buildings on the Cowdray Estate currently served by mains water, onto boreholes. This is a joint approach between the three allocated sites in Easebourne to which no objection has been raised by Natural England. On site the properties have been designed and specified to use water responsibly to ensure water neutrality. Conditions and obligations will ensure the commitments that informed the Appropriate Assessment, will be delivered both on and off site. The proposal complies with the Habitat Regulations and local plan policies SD9 and SD10.

8. Conclusion

- 8.1 The proposed development of this allocated site complies with the requirements of policy SD67 and other policies within the South Downs Local Plan, the supporting SPDs and TANs including the newly adopted Easebourne Parish Design Statement, and the NPPF. The provision of 50% affordable homes (with almost all being affordable rented tenure) and meeting the local housing need of 1 and 2 bed units weighs strongly in favour of approval. The development has been inspired by existing development of some merit and will deliver a contemporary scheme that will be a positive addition to the village and protect the setting of heritage assets and the amenities of neighbours. A network of SuDS features, extensive hedgerow planting and new orchard complement the built form. The development meets sustainable construction requirements and minimises fresh water use, makes provision for passive homes and water neutrality is achieved through offsetting within the Cowdray Estate.

9. Recommendation and Conditions

- 9.1 It is recommended to grant planning permission subject to the completion of Section 106 legal agreement (the final form of which is delegated to the Director of Planning) to secure the obligations set out in paragraph 9.3 and the conditions set out in paragraph 9.4 on the basis that the Legal Agreement can be completed within 6 months.

- 9.2 The conditions would be considered broadly standard for this type of development and include specific references to materials, drainage, architectural details, landscaping including ecological enhancement, sustainable construction, parking and water neutrality measures.

9.3 Planning Obligations

It is proposed that a single legal agreement commits the developer and owner for the three allocated sites in Easebourne to obligations on a site by site and cumulative basis. For this site, the agreement will require:

- 9no Affordable homes (on site)
- 2 Passive house certified homes to be delivered either on the Cowdray Works Yard (SD66 and SDNP/21/04040/FUL) or on site;
- Water neutrality offsetting within the Cowdray Estate (off-site)
- Estate Management and Maintenance Plan (on site)

9.4 Planning Conditions

Time limit – implementation

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 of the Town and Country Planning Act 1990 (as amended).

Approved Plans and Documents

2. The development hereby permitted shall be carried out in accordance with the plans and documents 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.

Archaeology

3. No development shall take place until a programme of archaeological works has been secured in accordance with a written scheme of investigation, including a timetable for the investigation, which has been first submitted to and approved in writing by the Local Planning Authority. The scheme shall include proposals for an initial trial investigation and mitigation of damage through development to deposits of importance thus identified, and a schedule for the investigation, the recording of findings and subsequent publication of results. The works shall be undertaken in accordance with the approved details. A written record of any archaeological works undertaken and findings and

analysis made shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

Reason: To enable the protection and recording of any items of historical or archaeological interest.

Contamination Remediation

4. No development shall commence until a remediation strategy and verification plan to deal with the risks associated with contamination of the site in respect of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

The remediation strategy and associated verification plan shall be based on the recommendations in section 6 of the Ground Appraisal Report by Geo-Environmental dated 06/04/2021 and detail how the remediation will be undertaken, what methods will be used and what is to be achieved. A discovery strategy along the lines of what is set out under 6.13 of the above report shall be included to deal with any unexpected contamination. 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 by DEFRA and the Environment Agency's Land Contamination Risk Management. Thereafter the approved remediation scheme shall be fully implemented in accordance with the approved details.

Reason: To avoid mobilising potential contaminants during the preparation and construction phases of development and to ensure protection of the environment and human health during works and when the site is in use.

Reporting of Unexpected Contamination

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

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

Tree Retention and Protection

6. No development hereby permitted shall commence on site, including any site clearance work and any works of demolition or level changes, until tree and hedge protection measures set out on the approved Arboricultural Implications Assessment and Method Statement by Barrie Draper dated 07/04/2022 as updated by the letter and plan from EcoUrban Arboricultural dated 22/09/2022 have been erected on site. Additional protection measures in accordance with BS5832:2012 shall be implemented to protect the trees within the garden of Ivy Cottage that interact with the site both above and below ground. Works shall then only proceed in full accordance with the provisions set out on the approved details, including compliance with BS5837:2012 and use of hand tools in sensitive areas. All trees marked on the Tree Retention and Protection Plan appended to the letter from EcoUrban Arboricultural dated 22/02/2022 for retention shall be retained.

Reason: To protect the trees and hedges on and around the site which make an important contribution to the environment of the site and locality.

Ecological recommendations

7. No development shall commence, including any site clearance or demolition, until an update to the Ecological Appraisal (WYG August 2019) has been submitted and

approved in writing by the Local Planning Authority. Once approved, the recommendations shall be integrated into the Construction Environmental Management Plan and used to inform the updated Biodiversity Net Gain Assessment and Biodiversity Management and Enhancement Plan required by Condition 16.

Reason: To ensure the current ecological status of the site is clearly understood prior to any disturbance.

Construction Environmental Management Plan

8. No development hereby permitted shall commence on site, including any site clearance work and any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following:
- A programme for carrying out the works;
 - Hours of construction;
 - The parking of vehicles by site operatives and visitors;
 - The location of site office and welfare facilities, and sales office;
 - The timings of deliveries to site;
 - The method of access and routing of vehicles during construction;
 - Storage of plant and materials used in construction of the development;
 - The erection and maintenance of security hoarding;
 - The anticipated number, frequency and types of vehicles used during construction;
 - Measures to minimise noise and vibration generated by the construction process including protecting historic structures and trees;
 - Protection of the built sections of historic boundary;
 - Measures to control the emission of dust and dirt during the construction process;
 - A scheme for minimising, re-using, recycling and suitably disposing of waste resulting from demolition and construction works;
 - 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 where necessary);
 - Any lighting, including location, height, type and direction and that lighting has been designed to minimise impacts on ecological sensitivities and neighbour amenity;
 - Other ecological mitigation measures, including method statements and measures to be adopted to avoid and manage impacts on the adjacent designated sites, protected species and other important habitats in accordance with the details secured under condition 7.
 - Public engagement both prior to and during the construction works.

The approved Construction Environmental Management Plan shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in the interest of maintaining a safe and efficient highway network, in the interests of amenity, to conserve and enhance the landscape character and biodiversity of the area and to ensure no adverse impacts on designated sites and protected species.

Flood Risk and Drainage

9. No development hereby permitted shall commence (excluding demolition and site clearance) until final details of the proposed means of foul and surface water disposal

including on and / or off site works, have been submitted to and approved in writing by the Local Planning Authority.

The final details shall include green roofs, rainwater gardens, drainage ponds, at-surface water transfer features and water butts, along with other opportunities within the landscaped areas across the development to receive and sustainably manage surface water. The surface drainage scheme shall include sufficient capacity to accommodate a 1 in 100 year critical storm event plus a 45% allowance for climate change.

The scheme shall subsequently be implemented in full accordance with the approved details.

Reason: To ensure satisfactory provision of foul and surface water drainage.

Levels Details including Finished Floor

10. No development hereby permitted shall commence (excluding demolition and site clearance) until details, including plans and cross sections of the existing and proposed ground levels of the development, the boundaries of the site, the height of the ground floor slabs of each building and damp proof course, in relation to a nearby datum point and including reference points taken from existing structures adjacent, have been submitted to and approved by the Local Planning Authority in writing. The development must then be completed in accordance with the approved details.

Reason: In order to secure a satisfactory standard of development and these details are required prior to commencement of development as they relate to the construction of the development.

Fire Hydrants

11. No development hereby permitted shall commence (excluding demolition and site clearance) until details showing the proposed location of fire hydrants sufficient to ensure no dwelling is more than 150m from a hydrant suitable for fire fighting have been submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

Reason: In the interests of health and safety and to comply with The Fire & Rescue Service Act 2004.

Sustainable construction

12. No development above ground floor slab level shall commence unless and until a Design Stage Sustainable Construction report has been submitted to and approved in writing by the Local Planning Authority. This report shall set out how the development will achieve a minimum of 39% reduction in CO² emissions against Part L of the 2013 Building Regulations through 19% fabric efficiencies and 20% renewable energy generation and with usage demonstrated through SAP data. The report shall also detail and confirm the integration of all measures to limit mains water use to a maximum of 100 litres per person per day. The recommendations from the Clarke Saunders Acoustic Design report ASI 1776.210615.ADS.1.0 (Stage 2) | 02/07/21 shall be integrated.

Thereafter, the development shall be undertaken in full accordance with the approved details with all provisions retained in accordance with the agreed specifications. For the avoidance of doubt, like for like or equivalent replacement equipment installed during the life of the development that meets the minimum specifications approved would not require agreement from the Local Planning Authority.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation and adaptation to climate change.

Materials and Finishes

13. Notwithstanding the details on the approved plans, no development shall be carried out above ground floor slab level until a schedule of all external materials and finishes for buildings including green roofs, hard landscaping and boundary treatments, any street furniture and EV charging facilities in the public realm, together with samples of the

walling and roofing materials for buildings, materials for boundary walls, and hard surfacing treatments to be used on the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include the source and environmental credentials of materials. External surfacing details shall be in accordance with the details approved under Condition 9 (drainage).

Samples shall be made available for inspection on site including a sample walling panel of finished brickwork with mortar and another of finished stonework with mortar and any quoining or other detailing, at a minimum size of 1.5m x 1.5m.

Thereafter, the development shall be carried out in full accordance with the approved schedule and samples.

Reason: To safeguard the appearance of the development and the character of the area and to enable the Local Planning Authority to properly consider the development detail and ensure a positive contextual response.

Architectural details

14. No development shall be carried out above ground floor slab level until full details of the following architectural features and equipment drawn at an appropriate scale and supported by technical information where applicable have been submitted to and approved in writing by the Local Planning Authority.

- (i) Window reveals
- (ii) Eaves and soffit details
- (iii) Green roof construction to ground and first floors of plots 1-10
- (iv) Balcony and rail detailing
- (vi) Rainwater goods
- (vii) Boundary walling
- (viii) Renewable energy generation equipment (including technical details to minimise impacts on amenity)
- (ix) EV charging equipment (including technical details to demonstrate suitability)

Thereafter, the development shall be carried out in full accordance with the approved details.

Reason: To ensure the development details are considered fully in order to deliver a high quality and distinctive development.

Utilities and Telecommunications

15. No development above slab level shall be carried out until details of how superfast broadband connection will be provided (or an equivalent alternative technology) and installed on an open access basis (including the location and appearance of any above ground equipment), have been submitted to and approved in writing by the Local Planning Authority. All new communication and power lines shall be laid underground.

Thereafter, the development shall be carried out in full accordance with the approved details.

Reason: To provide a suitable broadband connection for new residential occupiers as an essential utility.

Soft landscaping

16. No development shall be carried out above ground floor slab level, and notwithstanding the details on the approved plans, until a detailed scheme of soft landscaping including planting has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be supported by an updated Biodiversity Net Gain Assessment and Ecological Mitigation and Enhancement Plan to respond to the updated Ecological

Impact Assessment required by Condition 7, alongside integrating all elements of the arboricultural commitments secured under Condition 6, details of sustainable drainage secured under Condition 9 and sustainable construction and resource use details secured under Condition 12. Evidence of the historic track serving Ivy Cottage shall also be retained in the landscaping scheme. The scheme shall prioritise native species suitable to the location, climate and soils of the site and take climate change into account. All such work as may be approved shall then be fully implemented within the first planting season that contains or follows the date of approval of details whichever is the earlier and completed strictly in accordance with the approved details.

All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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 shall include management and maintenance requirements including responsible parties.

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

Fire Hydrants

17. No dwelling shall be occupied until the fire hydrants approved under Condition 11 have been installed and connected to a water supply appropriate in terms of both pressure and volume for the purposes of firefighting. The equipment shall be maintained to ensure it is suitable and available for use at all times.

Reason: In the interests of health and safety.

Pre-occupation/use verification (contamination)

18. Unless explicitly dispensed of in writing by the Local Planning Authority following the analysis of appropriate evidence, no dwelling shall be occupied until such time as a contamination verification report has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that all remediation measures secured under Conditions 4 and 5 have been implemented.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination.

Access construction

19. No part of the development shall be occupied or used until such time as the vehicular access serving that part of the development including the crossover to the highway has been constructed in accordance with plans and details submitted and approved in writing in advance by the Local Planning Authority.

Reason: In the interests of road safety.

Parking and turning

20. No part of the development shall be occupied or used until such time as the vehicle and motorcycle parking and turning spaces serving that part of the development have been constructed in the locations marked on approved plan 01486A_MP01_PO2_D and in accordance with details approved under Conditions 9, 13 and 14.

Reason: To ensure the new development is fully served by an appropriate level of parking and turning provision for motorised transport.

Refuse and recycling

21. No dwelling on plots 1-10 shall be occupied until details of refuse and recycling storage facilities for each plot have been submitted to and approved in writing by the Local Planning Authority and installed on site in accordance with the approved details.

No dwelling on plots 11-18 shall be occupied until the refuse and recycling storage facilities detailed on plan 01486A_FB_00_P3 have been installed on site in accordance with the approved details.

The approved refuse and recycling storage facilities shall thereafter be retained as approved.

Reason: To ensure suitable provision per dwelling to encourage proactive management of waste and to preserve the residential and visual amenities of the locality

Cycle provision

22. No dwelling on plots 1-10 shall be first occupied until details of secure and covered cycle storage facilities for a minimum of 2 bicycles per plot have been submitted to and approved in writing by the Local Planning Authority and installed on site in accordance with the approved details.

No dwelling on plots 11-18 shall be first occupied until the secure cycle facilities detailed on plan 01486A_FB_00_P3 have been installed on site in accordance with the approved details.

The approved cycle facilities shall thereafter be retained as approved.

Reason: To ensure facilities are available to encourage more sustainable modes of travel.

Residential EV

23. Each dwelling within the development hereby approved shall not be occupied until the EV charging facilities that relate to that dwelling approved under Condition 14 have been provided and are operational. These facilities shall thereafter be retained for use at all times.

Reason: To ensure such facilities are provided from the outset to reduce reliance on fossil fuels.

External lighting

24. Notwithstanding the submitted details and prior to first use of the development hereby permitted, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall also be informed by the ecological sensitivities of the site. External lighting shall only be installed in accordance with the approved details and thereby retained as such.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of night time amenity, biodiversity interests, tranquillity and protect and conserve the International Dark Night Skies

Parking and turning areas to be retained

25. Notwithstanding the provisions 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) the accesses, car ports, parking and turning areas hereby approved within the site boundaries shall be used solely for parking purposes incidental to the occupation and enjoyment of the dwelling units and associated manoeuvring room.

The accesses, car ports, parking and turning areas shall not be altered in use or physical form.

Reason: To ensure the retention of parking provision and turning areas.

TIM SLANEY

Director of Planning

South Downs National Park Authority

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Appendices I. Information concerning consideration of applications before committee

SDNPA Director of Planning, Legal Services
Consultees

Background Documents [All planning application plans, supporting documents, consultation and third party responses](#)

[South Downs National Park Partnership Management Plan](#)

[South Downs Local Plan 2019](#)

[Supplementary Planning Documents and Technical Advice Notes](#)

[Easebourne Parish Design Statement \(southdowns.gov.uk\)](#)

Appendix I – Information concerning consideration of applications before committee

Officers can confirm that the following have been taken into consideration when assessing the application:

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage;
- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

If there is a conflict between these two purposes, greater weight shall be given to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in a National Park, whereby conservation takes precedence. There is also a duty upon the National Park Authority to foster the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and the Vision & Circular 2010

The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these should be applied. It was first published in 2012. Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010.

The Circular and NPPF confirm that National Parks have the highest status of protection in relation to landscape and scenic beauty. The NPPF states at paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and that the conservation and enhancement of wildlife and cultural heritage are important considerations which should also be given great weight in National Parks. The scale and extent of development within the Parks should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Major Development

Paragraph 177 of the NPPF confirms that when considering applications for development within the National Parks, permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.

For the purposes of Paragraph 177 whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

For the purposes of this application, the proposal is small in scale, within the settlement boundary of an established village and considered not to represent major development for the purposes of Paragraph 177.

The Conservation of Habitats and Species Regulations 2017

Following a screening of the proposals, it is considered that a likely significant effect upon a European designated site, either alone or in combination with other proposals, would occur given the scale, use, and location of what is proposed. Consequently, an Appropriate Assessment under a Habitats Regulation Assessment has been carried out and the conclusions are set out in the Assessment section of the main report.

Legislation for Heritage Assets

The Planning (Listed Buildings and Conservation Areas) Act 1990 places a series of duties on planning authorities when determining applications for planning permission and listed building consent.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states “in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving

the building or its setting or any features of special architectural or historic interest which it possesses.”

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) establishes the general duty as respects conservation areas in exercise of planning function. Section 72 (1) requires “special attention to be paid to the desirability of preserving or enhancing the character and appearance of that area”.

Relationship of the Development Plan to the NPPF and Circular 2010

The development plan policies listed within the reports have been assessed for their compliance with the NPPF and are considered compliant with it.

The South Downs National Park Partnership Management Plan 2020-2025

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. Relevant Policies are listed in each report.

South Downs Local Plan

The South Downs Local Plan (SDLP) was adopted by the Authority in July 2019. All development plan policies are taken into account in determining planning applications, along with other material considerations.

The Planning and Compulsory Purchase Act 2004 S38 (6) confirms that “If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

Policies of the South Downs Local Plan which are of relevance to this application

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD6 – Safeguarding Views
- Strategic Policy SD7 – Relative Tranquillity
- Strategic Policy SD8 – Dark Night Skies
- Strategic Policy SD9 – Biodiversity and Geodiversity
- Strategic Policy SD10 – International Sites
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD17 – Protection of the Water Environment
- Strategic Policy SD19 - Transport and Accessibility
- Strategic Policy SD20 - Walking, Cycling and Equestrian Routes
- Strategic Policy SD21 – Public Realm, Highway Design and Public Art
- Strategic Policy SD22 – Parking Provision
- Strategic Policy SD25 - Development Strategy
- Strategic Policy SD26 – Supply of Homes
- Strategic Policy SD27 – Mix of Homes

- Strategic Policy SD28 - Affordable Homes
- Strategic Policy SD42 - Infrastructure
- Development Management Policy SD44 - Telecommunications and Utilities Infrastructure
- Strategic Policy SD45 - Green Infrastructure
- Strategic Policy SD48 - Climate Change and Sustainable Use of Resources
- Development Management Policy SD50 – Sustainable Drainage Systems
- Development Management Policy SD54 – Pollution and Air Quality
- Development Management Policy SD55 – Contaminated Land
- Allocation Policy SD66 – Cowdray Works Yard, Easebourne
- Allocation Policy SD67 – Land at Egmont Road, Easebourne

Policy Documents (SPDs and TANs) which are of relevance to this application

- Design Guide, Supplementary Planning Document – adopted July 2022
- Parking for Residential and Non-Residential Development Supplementary Planning Document – adopted April 2021
- Sustainable Construction Supplementary Planning Document – adopted August 2020
- Affordable Housing, Supplementary Planning Document - adopted July 2020
- Dark Skies – technical advice note version 2, May 2022
- Biodiversity Net Gain – technical advice note, January 2022
- Habitats Regulations Assessment and Planning Applications – technical advice note, March 2021
- Ecosystems Services – technical advice note (non-householder)
- Easebourne Parish Design Statement – adopted February 2023

Human Rights Implications

These planning applications have 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.

Equality Act 2010

Due regard has been taken within this application of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

Crime and Disorder Implication

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

